



The Corporation of the District of North Cowichan

Council Procedure Amendment Bylaw

Bylaw No. 3888

The Council of The Corporation of The District of North Cowichan enacts in open meeting assembled as follows:

Title

- 1 This Bylaw may be cited as "Council Procedure Amendment Bylaw No. 3888, 2022".

Amendment

- 2 Section 1 [Definitions] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding the following definition for an in-camera meeting:

"in-camera meeting" means a meeting or part thereof closed to the public in accordance with Section 90 of the *Community Charter*;"
- 3 Section 4 [Time and location of Council meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by striking out subsection (2) in its entirety and inserting the following in its place:

"(2) Regular council meetings must be held on the first and third Wednesday of each month at 5:00 p.m., subject to subsections (2.1) and (2.2)."
- 4 Section 4 [Time and location of Council meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsection 2.1 as follows:

"(2.1) Despite subsection (2) the regular council meetings scheduled for the first Wednesday in January, July and August are cancelled."
- 5 Section 4 [Time and location of Council meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsection 2.1 as follows:

"(2.2) Notwithstanding subsection (2), regular council meetings may begin at 4:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 of the *Community Charter*, and provided that the portion of the regular council meeting that is open to the public begins at the time specified under subsection (2)."
- 6 Section 4 [Time and location of Council meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsection (7) as follows:

"(7) The Mayor may cancel or postpone a special council meeting by giving notice through the Corporate Officer's office at least 2 hours before the time for which the special meeting is scheduled."

7 Section 7 [Electronic meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsections (7.1) to (7.5) as follows:

- “(7.1) Committee of the whole is hereby authorized to conduct its regular and special committee of the whole meetings by means of electronic or other communication facilities.
- (7.2) A regular committee of the whole meeting may only be conducted by means of electronic or other communication facilities where Council or the Committee of the Whole has, at least 72 hours in advance of the regular committee of the whole meeting, passed a resolution directing that the regular committee of the whole meeting be conducted by means of electronic or other communication facilities.
- (7.3) A special committee of the whole meeting may only be conducted by means of electronic or other communication facilities where either the Mayor has directed that the special committee of the whole meeting be conducted by means of electronic or other communication facilities or the Committee of the Whole has directed that the next regular committee of the whole meeting be conducted by means of electronic or other communication facilities.
- (7.4) Where the Committee of the Whole has directed that a regular committee of the whole meeting be conducted by means of electronic or other communication facilities, the regular committee of the whole meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the regular committee of the whole meeting is to be held by means of electronic or other communication facilities by posting the notice on the public notice posting places at least 48 hours in advance of the meeting.
- (7.5) Where the Mayor or the Committee of the Whole has directed that a special committee of the whole meeting be conducted by means of electronic or other communication facilities, the special committee of the whole meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the special committee of the whole meeting is to be held by means of electronic or other communication facilities by posting the notice on the public notice posting places at least 24 hours in advance of the meeting, except where notice is waived by a unanimous vote of all Committee of the Whole members.”

8 Section 15 [Order of Council proceedings and business] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by deleting subsection (1) in its entirety and inserting the following in its place:

- “(1) Subject to section 36 (1), the agenda for each regular Council meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to order;
 - (b) Approval of consent agenda;
 - (c) Approval of regular agenda;
 - (d) Mayor’s report;
 - (e) Public meetings;
 - (f) Delegations;
 - (g) Public input on agenda items;
 - (h) Bylaws;
 - (i) Reports;
 - (j) Notices of motions;

- (k) Unfinished and postponed business;
- (l) New business;
- (m) Question period;
- (n) Adjournment."

9 Section 15 [Order of Council proceedings and business] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsection (1.1) as follows:

"(1.1) Where an in-camera meeting is held that is subject to subsection 4 (2.2), the agenda under subsection (1) shall include the following in-camera meeting matters after the regular meeting has been called to order:

- (a.1) Resolution to close the meeting to the public;
- (a.2) Approval of in-camera meeting agenda;
- (a.3) Adoption of in-camera meeting minutes;
- (a.4) In-camera meeting items;
- (a.5) Rise and report;

10 Council Procedure Bylaw No. 3602, 2015 is hereby amended by deleting section 28 [Adjournment] in its entirety and inserting the following in its place:

"28. A Council or committee of the whole may continue a Council or committee of the whole meeting after it has been in session for 3 hours by a two-thirds vote of the Council or committee of the whole members present."

11 Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding section 36.1 [Time and location of Committee of the Whole meetings] as follows:

- "36.1 (1) All committee of the whole meetings must take place within the Municipal Hall except where Council or the committee of the whole has resolved to hold meetings elsewhere within or outside the boundaries of the Municipality.
- (2) Regular committee of the whole meetings must be held on the second Tuesday of each month at 5:00 p.m., unless resolved by the committee of the whole to be held on a different date or time, and subject to subsection (4).
- (3) When a regular committee of the whole meeting falls on a statutory holiday, the meeting must be held on the next the Municipal Hall is open following the statutory holiday.
- (4) The Mayor may postpone or cancel a regular committee of the whole meeting by giving notice through the Corporate Officer's office at least 2 days before the date for which the meeting is scheduled.
- (5) The Mayor may postpone or cancel a special committee of the whole meeting by giving notice through the Corporate Officer's office at least 2 hours before the time for which the special meeting is scheduled.
- (6) Notwithstanding subsection (2), regular committee of the whole meetings may begin at 4:00 p.m. if any part of the meeting is closed to the public in accordance with section 90 of the *Community Charter*, and provided that the portion of the regular committee of the whole meeting that is open to the public begins at the time specified under subsection (2).

- (7) Regular committee of the whole meetings must be adjourned no later than 3 hours after the meeting begins, unless the committee of the whole resolves to proceed beyond that time in accordance with section 28."
- 12 Section 37 [Notice for Committee of the Whole meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by inserting "special" before committee of the whole meeting and striking out "48" and inserting "24" in its place.
- 13 Section 37 [Notice for Committee of the Whole meetings] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsection (3) as follows:
- "(3) The rules for giving notice of regular council meetings under section 5 shall apply to regular committee of the whole meetings."
- 14 Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding section 38.1 [Calling Committee of the Whole meeting to order] as follows:
- "38.1 The rules for calling a Council meeting to order under section 12 shall apply to committee of the whole meetings."
- 15 Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding section 38.2 [Adjourning Committee of the Whole meeting when no quorum] as follows:
- "38.2 The rules for adjourning a Council meeting when there is no quorum present under section 13 shall apply to committee of the whole meetings."
- 16 Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding section 38.3 [Committee of the Whole Agenda] as follows:
- "38.3 The rules for preparing and making an agenda available before the start of a Council meeting under section 14 shall apply to committee of the whole meetings."
- 17 Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding section 38.4 [Order of Committee of the Whole proceedings and business] as follows:
- "38.4 (1) The agenda for each committee of the whole meeting must include, as applicable and in the order in which they are listed below, the following matters:
- (a) Call to order;
 - (b) Approval of agenda;
 - (c) Adoption of minutes;
 - (d) Delegations;
 - (e) Public input on agenda items;
 - (f) Staff reports;
 - (g) Items for discussion;
 - (h) New business;
 - (i) Question period;
 - (j) Adjournment.
- (2) Where an in-camera meeting is held that is subject to subsection 36.1 (5), the agenda under subsection (1) shall include the following in-camera meeting matters after the committee of the whole meeting has been called to order:

- (a.1) Resolution to close the committee of the whole meeting to the public;
- (a.2) Approval of in-camera committee of the whole meeting agenda;
- (a.3) Adoption of in-camera committee of the whole meeting minutes;
- (a.4) In-camera meeting items;
- (a.5) Rise and report;”

18 Section 54 [Procedures] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by deleting subsection (1) in its entirety and inserting the following in its place:

“(1) Public hearings shall be held on the third Wednesday of each month at 7:00 p.m., unless otherwise resolved by Council.

19 Section 54 [Procedures] of Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding subsection (4) as follows:

“(4) Despite subsection (1), a public hearing shall only be scheduled where the Director of Planning and Building has given notice in accordance with section 466 (1) of the *Local Government Act* as authorized under section 5 (3) of Delegation of Authority Bylaw No. 3814, 2021, as amended or revised from time to time.”

20 Council Procedure Bylaw No. 3602, 2015 is hereby amended by adding section 54.1 [Order of Public Hearing proceedings and business] as follows:

“54.1 The agenda for public hearing must include, as applicable and in the order in which they are listed below, the following matters:

- (a) Call meeting to order;
- (b) Approval of agenda;
- (c) Public hearing;
 - (i) Call public hearing to order,
 - (ii) Explanation of the public hearing process,
 - (iii) Acceptance of petitions and late correspondence,
 - (iv) Introduction of the proposal,
 - (v) Summary of correspondence,
 - (vi) Presentation by proponent,
 - (vii) Comments from the public, and
 - (viii) Close of public hearing.
- (d) Bylaws considered after public hearing;
- (e) Adjournment.

READ a first time on December 7, 2022

READ a second time on December 7, 2022

READ a third time on December 7, 2022

NOTICE was given in accordance with sections 94, 124 and 137 of the *Community Charter* by publishing the notice in the Times Colonist on the 10th and 17th day of December, 2022 and in the Cowichan Valley Citizen and Chemainus Courier on the 15th day of December, 2022, and was posted to the public notice posting places on the 8th day of December, 2022.

ADOPTED on

CORPORATE OFFICER

PRESIDING MEMBER