



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: General Purposes Committee

DATE: December 14, 1999

FROM: J. Richard McKenna
City Clerk

FILE: 8060-20-7070

RE: New Council Procedure Bylaw

STAFF RECOMMENDATION

- (1) That Council Procedure Bylaw 7070 be introduced and given first, second, and third readings.
- (2) That the Council Policy (No. 1103, adopted in 1993) regarding the public release of Council agendas, be rescinded.

J. Richard McKenna
City Clerk

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STAFF REPORT

ORIGIN

At the Council meeting on December 13th, 1999, the required statutory announcement of Council's intent to change the Council Procedure Bylaw, was given, and the public was advised that the bylaw would be presented at this Committee meeting and was available for public inspection.

ANALYSIS

Because of Richmond's existing practices, the procedure bylaw changes required with enactment of Bill 88 regarding the openness and public awareness of Council meetings affected the existing Council Procedure Bylaw very little in terms of actual policy. However, the many terminology changes (e.g. in-camera meetings are now called Regular (Closed) Council meetings) affected many sections in what is, by necessity, quite a lengthy bylaw. Because of this and the many cross references within the bylaw, it was more appropriate to develop an entirely new bylaw (No. 7070) and to repeal the existing one (No. 7000).

Aside from the Bill 88 requirements which were reported on at length and endorsed at the General Purposes Committee meeting in late September, bylaw language has been modernized and clarified, section references to the Municipal Act have been corrected, and several redundant provisions have been deleted.

Finally, a mention of two new provisions in the bylaw. First, clause (d) of Sections 14.3 and 15.2 add a further non-delegable item at either council or committee meetings – Business Licence Hearings. Second, the old policy regarding the public release of agendas should be rescinded as the practice has been incorporated into the Procedure Bylaw itself (Section 3.3).

FINANCIAL IMPACT

None.

CONCLUSION

This new bylaw very much reflects the current Council Procedure Bylaw it replaces, while being "Bill 88 compliant".

J. Richard McKenna
City Clerk

JRM:acs



CITY OF RICHMOND

COUNCIL PROCEDURES

BYLAW NO. 7070

EFFECTIVE DATE – JANUARY 24, 2000

CITY OF RICHMOND

COUNCIL PROCEDURE BYLAW NO. 7070

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CITY OF RICHMOND

COUNCIL PROCEDURE BYLAW NO. 7070

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CITY OF RICHMOND

COUNCIL PROCEDURE BYLAW NO. 7070

The Council of The City of Richmond, in open meeting, enacts as follows:

PART ONE: COUNCIL MEETINGS

1.1 Regular Council Meetings

1.1.1 Regular Council Meetings:

- (a) must be held on the second and fourth Monday of each month at 7:00 p.m. in the Council Chambers of the Richmond City Hall, except where **council** has determined that a **Regular Council Meeting** is to be held elsewhere;
- (b) must, when such meeting falls on a statutory holiday, be held on the next day following which is not a statutory holiday;
- (c) must be adjourned at 11:00 p.m., unless a resolution to proceed beyond that time is adopted;
- (d) may be cancelled by **council**, provided that two consecutive meetings are not cancelled; and
- (e) may be postponed by the **Mayor**, after providing at least two business days written notice to the **City Clerk**, to a day, time and place named in such notice.

1.2 Regular Council Meetings for Public Hearings

1.2.1 Regular Council Meetings for Public Hearings:

- (a) must be held on the third Monday of each month at 7:00 p.m. in the Council Chambers of the Richmond City Hall, except where **council** has determined that such meeting is to be held elsewhere;
- (b) must, when such meeting falls on a statutory holiday, be held on the next day following which is not a statutory holiday;
- (c) must be adjourned at 11:00 p.m., unless a resolution to proceed beyond that time is adopted;
- (d) may be adjourned or concluded at any time between 11:00 p.m. and 1:00 a.m., but after the latter hour is reached, the Public Hearing on any item may not conclude, but must be adjourned to a specified date, time, and place; and

- (e) may be cancelled by the **City Clerk**, in consultation with the **Mayor**, where no reports have been submitted for such meeting in accordance with Section 3.2.

1.3 Regular (Closed) Council Meetings

1.3.1 Regular (closed) Council Meetings:

- (a) must be held on the second and fourth Monday of each month at 4:00 p.m. in the W. H. Anderson Room of the Richmond City Hall, except where the **Mayor** has determined that a **Regular (closed) Council Meeting** is to be held elsewhere;
- (b) must, when such meeting falls on a statutory holiday, be held on the next day following which is not a statutory holiday;
- (c) may be cancelled by the **City Clerk**, in consultation with the **Mayor**, where no reports have been submitted for such meeting in accordance with Section 3.2.

1.3.2 Any items which, in the opinion of **council**, do not comply with the closed meeting criteria specified in the *Municipal Act*, must be deleted from the agenda of the **Regular (closed) Council Meeting** and be referred:

- (a) to a future **Regular Council Meeting** as an additional item in accordance with clause (a) of subsection 3.4.1; or
- (b) to a **standing committee**, a **select committee**, or to staff.

PART TWO: ADVANCE NOTICE OF COUNCIL MEETINGS

2.1 Duties of the City Clerk

2.1.1 As soon as possible after:

- (a) the first **council** meeting following a General Local Election; and
- (b) the first **Regular Council Meeting** in December of each year which is not an election year,

the **City Clerk** must provide to each **member**, an annual schedule of all **Regular Council Meetings**, all **Regular Council Meetings for Public Hearings**, and all **Regular (closed) Council Meetings**.

2.1.2 The annual **council** meeting schedule referred to in subsection 2.1.1 must:

- (a) be made available to the public; and
- (b) be posted on a notice board in the Richmond City Hall for public viewing.

- 2.1.3 Where revisions are necessary to the schedule referred to in subsection 2.1.1, the **City Clerk** must, as soon as possible, post a notice on a notice board in the Richmond City Hall to advise the public of:
- (a) any revisions to the date, time, and place of either the **Regular Council Meeting**, the next **Regular Council Meetings for Public Hearings**, or the next **Regular (closed) Council Meeting**, whichever is applicable; and
 - (b) the cancellation of any **Regular Council Meetings**, **Regular Council Meetings for Public Hearings**, and **Regular (closed) Council Meetings**.
- 2.1.4 In the case of a **Special Council Meeting**, the **City Clerk** must, so far as time permits, post a notice of such meeting in the Richmond City Hall for public viewing.

PART THREE: COUNCIL MEETING AGENDAS

3.1 Council Meeting Agenda Preparation

3.1.1 Prior to each:

- (a) **Regular Council Meeting**;
- (b) **Regular Council Meeting for Public Hearings**;
- (c) **Regular (closed) Council Meeting**, and

prior to any **Special Council Meeting**, the **City Clerk** must prepare an agenda of all items to be considered by **council** at such meetings, and **council** must proceed in the order set out, unless that agenda is varied by **council**.

3.2 Submission of Reports for Council Agendas

3.2.1 All reports, including those submitted by a **member**, for the agenda of:

- (a) a **Regular Council Meeting**;
- (b) a **Regular Council Meeting for Public Hearings**; or
- (c) a **Regular (closed) Council Meeting**,

must be provided to the **City Clerk** by 5:00 p.m. on the Wednesday preceding such meetings, except that when a holiday falls on the intervening Friday, such reports must be delivered by 5:00 p.m. on the Tuesday preceding such meeting.

3.2.2 Notwithstanding the requirements of subsection 3.2.1, the **City Clerk** has the discretion, where practical, to include on a **council** agenda, a report which is not provided by the time and date specified.

- 3.2.3 All reports for the agenda of a **Special Council Meeting** must be provided to the **City Clerk** as soon as possible prior to such **Special Council Meeting**.

3.3 Availability of Council Meeting Agendas

- 3.3.1 The agenda of **council** meetings must be made available to the public as follows:

- (a) **Regular Council Meetings** – on the Friday of the week preceding each such meeting;
- (b) **Regular Council Meeting for Public Hearings** – on the Friday of the week preceding each such meeting; and
- (c) **Special Council Meetings** - at the discretion of the **City Clerk**.

3.4 Council Meeting Agenda Additions and Deletions

- 3.4.1 **Council** may, at a **Regular Council Meeting**, immediately after the adoption of the minutes of the previous such meeting:

- (a) add further items to the agenda of that meeting, provided such items have been referred to that meeting by **council** at a preceding **Special Council Meeting** or **Regular (closed) Council Meeting**; and
- (b) delete any items from the agenda of that meeting, and may refer such items to staff, to a **standing committee**, to a **select committee**, to a committee of the whole, or to a future **council** meeting.

- 3.4.2 Where a request is made by a **member** to add further items to a **council** meeting agenda which have not been referred from a previous **Special Council Meeting**, or **Regular (closed) Council Meeting**, such items may only be added:

- (a) on the understanding that any **member** may call for a Notice of Motion when such further items are proposed, and before the question is called on the **motion** to add such items to the agenda in accordance with clause (b), and
- (b) provided a **resolution** to add such items is adopted;

whereupon the **City Clerk** must place the items in question on the agenda of the next **Regular Council Meeting**, unless **council** directs otherwise.

- 3.4.3 The Notice of Motion provision specified in clause (a) of subsection 3.4.2 does not apply if an item to be added to the agenda is a referral to a **standing committee**, a **select committee**, or to staff.

- 3.4.4 Subject to section 14.3, any items added to a **council** meeting agenda in accordance with clause (a) of subsection 3.4.1 are delegable, and any items deleted from a **council** meeting agenda in accordance with clause (b) of subsection 3.4.1, are not delegable.

PART FOUR: OPENING OF COUNCIL MEETING PROCEEDINGS

4.1 Duties of the Mayor and Acting Mayor

- 4.1.1 As soon after the time specified for a meeting as there is a quorum present, the **Mayor**, if present, must take the Chair and call the **council** meeting to order, provided that where the **Mayor** is absent, the Acting Mayor must take the Chair and call such meeting to order.

4.2 Duties of the City Clerk

- 4.2.1 Where neither the **Mayor** nor the Acting Mayor are present 15 minutes after the time specified for a **council** meeting, the **City Clerk** must call the **members** to order, and if a quorum is present, the **members** must choose a **member** to chair the **council** meeting until the arrival of the **Mayor** or Acting Mayor.
- 4.2.2 If a quorum is not present 15 minutes after the time specified for a **council** meeting, the **City Clerk** must record the names of the **members** present and that **council** meeting is deemed to have been cancelled.

PART FIVE: MINUTES OF COUNCIL AND STANDING COMMITTEES

5.1 Open Meeting Minutes

- 5.1.1 Not less than 48 hours before each **Regular Council Meeting** the **City Clerk** must provide to each **member**, a copy of the minutes of:

- (a) the last **Regular Council Meeting**;
- (b) the last **Regular Council Meeting for Public Hearings**, if any; and
- (c) any **standing committee** meetings and **select committee** meetings,

for their adoption in the case of (a) and (b), and their receipt for information in the case of (c), provided such meetings have been held more than five days prior to such **Regular Council Meeting**.

5.2 Closed Meeting Minutes

- 5.2.1 Not less than 48 hours before each **Regular (closed) Council Meeting** the **City Clerk** must provide to each **member**, a copy of the minutes of:

- (a) the last **Regular (closed) Council Meeting**; and
- (b) any closed **standing committee** meetings,

for their adoption in the case of (a) and their receipt for information in the case of (b), provided such meetings have been held more than five days prior to such **Regular (closed) Council Meeting**.

PART SIX: RULES OF CONDUCT IN COUNCIL MEETINGS

6.1 Member Obligations

6.1.1 Every **member** must, while in a **council** meeting:

- (a) address the **Mayor** as "Mr. Mayor", or as "Madam Mayor", whichever is appropriate, or as "Your Worship", and must refer to other **members** as "Councillor"; and
- (b) abide by the decision of the **Mayor** on Points of Order and the interpretation of this bylaw, subject to the right of appeal of such decision, under the provisions of the *Municipal Act*.

6.2 Member Prohibitions

6.2.1 While in a **council** meeting, a **member** must not:

- (a) speak disrespectfully of any person;
- (b) use words which, in the opinion of the **Mayor**, are offensive;
- (c) disturb or interrupt the **member** who is speaking except to raise a Point of Order; or
- (d) be absent without permission from the **Mayor** when the question is being called on a **motion**.

6.3 Authority of the Chair

6.3.1 Where, in the opinion of the **Mayor**, a **member** contravenes subsection 6.2.1, or if the **member** resists the rules of conduct or debate, the **Mayor** may ask that **member** to withdraw the offensive remarks or cease the offensive behaviour, and may order the **member** to leave the Council Chambers.

6.3.2 If the **member** refuses to leave, the **Mayor** may order the removal of the **member** for the remainder of that meeting, and may then declare a recess. If the offending **member** apologizes, **council** may permit the **member** to resume his or her seat.

PART SEVEN: RULES OF DEBATE IN COUNCIL MEETINGS

7.1 Member Prohibitions

7.1.1 A **member** must not:

- (a) speak other than to the **motion** on the floor;
- (b) speak to the **motion** on the floor after a question has been called by the **Mayor**; or

(c) move a further **motion** until after the result of the vote has been declared.

7.1.2 The decision of the **Mayor** as to whether the question has been called in accordance with clause (c) of subsection 7.1.1 is final.

7.1.3 A **member** must not speak more than once to the same **motion**, nor exceed a speaking time of five minutes, without the approval of **council**, except:

(a) where requested through the **Mayor** to:

- (i) explain any part of the **member's** remarks which may have been misunderstood; or
- (ii) raise a Point of Information or Point of Clarification; or

(b) to close debate,

and in such cases, that **member** is not permitted to introduce a new item, nor to speak for more than a further five minutes.

7.2 Procedure for Mayor to Speak to a Motion

7.2.1 **Council** may request the **Mayor** to leave the Chair if the **Mayor** wishes to speak to a **motion**, other than to give direction on a referral **motion**.

7.3 Points of Order

7.3.1 The **Mayor**, or any **member** through the **Mayor**, may call a Point of Order on the **motion** to which a **member** is speaking.

7.3.2 When a Point of Order is raised, the **Mayor** must immediately suspend the debate, and the **member** who was speaking must cease until the Point of Order has been determined.

7.3.3 A **member** may request the **motion** which is on the floor to be read for information at any time during the debate, but may not interrupt a **member** who is speaking.

7.4 Points of Information and Clarification

7.4.1 A **member** may raise a Point of Information or Point of Clarification to another **member** through the **Mayor**, and the **member** to whom such questions are addressed must be given the opportunity to respond.

PART EIGHT: MOTIONS

8.1 When a proposition has been moved and seconded, it is then a **motion** on the floor for debate, and is deemed to be in the possession of **council**, and such **motion**:

(a) must be recorded in the minutes; and

- (b) may only be withdrawn by the mover and seconder of the **motion**, with the consent of all the **members** present.
- 8.2** When a **motion** is on the floor and before the question has been called, only the following **motions** are permitted, in the following precedence:
- (a) a **motion** to refer;
 - (b) a **motion** to amend;
 - (c) a **motion** to table;
 - (d) a **motion** to call the question.
- 8.3** The **Mayor**, after determining that all **members** wishing to speak on the **motion** have done so, must close debate by calling the question on the **motion**.
- 8.4** Where the **Mayor** is of the opinion that a **motion** is contrary to the rules and privileges of **council**, the **Mayor** must advise the **members** accordingly without calling the question, and must cite the procedural basis or rule which is applicable.
- 8.5** A **member** who is dissatisfied with the decision of the **Mayor** has the right of appeal in accordance with the provisions of the *Municipal Act*.

PART NINE: AMENDING MOTIONS

- 9.1** A **member**, other than the mover of a **motion**, may propose an amendment to a **motion**, and that amendment must be disposed of before any subsequent amendments are proposed.
- 9.2** When an amendment to a **motion** has been moved and seconded, the **Mayor** must, if requested by a **member**, state the original **motion** and the amendment, and must permit debate only on the amendment.
- 9.3** If the amendment is defeated and no further amendments are proposed, the **Mayor** must again propose that the question be called on the original **motion**, and debate may ensue on that **motion**.
- 9.4** If an amendment is adopted and no further amendments are proposed, the **Mayor** must then, at the close of debate, propose that the question be called on the original **motion**, as amended.
- 9.5** A **member** may propose a sub-amendment to an amendment, and the provisions of sections 9.1, 9.2, 9.3 and 9.4 apply, so far as applicable to sub-amendments.
- 9.6** A **member** may not propose a sub-amendment to a sub-amendment.
- 9.7** The **Mayor** must call the question on a **motion** which has been amended, in the following order:

- (a) a sub-amendment, if any;
- (b) the amendment to the original **motion**;
- (c) the original **motion**.

9.8 The amendments permitted by section 9.1 and the sub-amendments permitted by section 9.5 may take the form of the deletion, addition, or substitution of words or figures, provided such words or figures do not, in the opinion of the **Mayor**, affect the original **motion** or the amendment, whichever is applicable, to the extent that it is either:

- (a) negated, or
- (b) changed in such a way that either an alternative **motion** is proposed, or all reference to the original **motion** or the amendment, whichever is applicable, is eliminated.

PART TEN: VOTING ON A MOTION

10.1 Whenever a vote of **council** is taken, each **member** present must vote on the **motion** by raising his or her hand, after which the **Mayor** must declare the result and name those **members** voting in the negative, which the **City Clerk** must record in the minutes.

10.2 A vote must not be taken in any meetings of **council**, a committee of the whole, or any **standing committee**, by ballot or by any other method of secret voting.

10.3 If requested by any **member**, the question on a **motion** which contains several parts must be called separately, based on the original motion.

10.4 After **council** has voted on any **motion**, such **motion** must not be voted on again at that same meeting.

10.5 Where a unanimous vote of **council**:

- (a) is required statutorily, or
- (b) is requested by a **member**, through the **Mayor**, to be so recorded in the minutes,

such unanimous vote requires all **members** to be present at the vote.

PART ELEVEN: RESCINDING A RESOLUTION

11.1 A **resolution** adopted at a **Regular Council Meeting**, or at a **Regular Council Meeting for Public Hearings** may be rescinded at the next **Regular Council Meeting** provided:

- (a) **council** has given due consideration to any actions taken by an officer, employee, or agent of the **City** on the basis of such **resolution**; and
- (b) a Notice of Motion regarding the intent to rescind such **resolution** has been served:
 - (i) either at the meeting at which the **resolution** was adopted, or
 - (ii) in writing to the **City Clerk** prior to the next **Regular Council Meeting** in accordance with the requirements of section 3.2,

by a **member** who voted with the prevailing side.

11.2 A **resolution**, the notice of motion for which does not comply with the requirements of clause (b) of section 11.1, must be considered for rescission at the second **Regular Council Meeting** after the meeting at which such **resolution** was adopted, provided the Notice of Motion in question is served under New Business at the first **Regular Council Meeting** after the meeting at which such **motion** was adopted.

11.3 The **Mayor** must, upon the **motion** being seconded, request the server of a Notice of Motion in accordance with section 11.2, to state his or her reasons for serving such Notice of Motion, and if the **member** who served the Notice is not present, or declines the opportunity to speak, the Notice of Motion is deemed to have been withdrawn.

11.4 A **motion** resulting from a Notice of Motion served under section 11.1 to rescind a **resolution**:

- (a) is debatable;
- (b) may be tabled, amended, or referred;
- (c) is not delegable; and
- (d) may only be withdrawn
 - (i) by the server on a Point of Order, prior to being seconded; or
 - (ii) upon being seconded, only with the consent of all the **members** present.

11.5 The provisions of this Part also apply, so far as applicable, to **Regular (closed) Council Meetings**, and a Notice of Motion in connection with the rescission of a **resolution** adopted at a **Regular (closed) Council Meeting** must be served at, or for the agenda of, the next **Regular (closed) Council Meeting**, or at the subsequent **Regular (closed) Council Meeting**, as applicable, unless **council** directs otherwise.

PART TWELVE: RECONSIDERING A DEFEATED MOTION

12.1 A **motion** which has been defeated at a **Regular Council Meeting** or at a **Regular Council Meeting for Public Hearings** may be reconsidered at the next **Regular Council Meeting**, provided a Notice of Motion regarding the intent to reconsider has been served by a **member** who voted with the prevailing side;

- (a) either at the meeting at which the **motion** was defeated, or
- (b) in writing to the **City Clerk** prior to the next **Regular Council Meeting** in accordance with the requirements of section 3.2.

12.2 A **motion**, the notice of motion for which does not comply with the requirements of clauses (a) or (b) of section 12.1 may be reconsidered at the second **Regular Council Meeting** after the meeting at which such **motion** was defeated, provided the Notice of Motion in question is served under New Business at the first **Regular Council Meeting** after the meeting at which such **motion** was defeated.

12.3 The **Mayor** must, upon the **motion** being seconded, ask the server of a Notice of Motion in accordance with section 12.1, if that **member** wishes to state his or her reasons for serving such Notice of Motion, and if that **member** is not present, the Notice of Motion is deemed to have been withdrawn.

12.4 A **motion** to reconsider a defeated **motion** resulting from a Notice of Motion served under section 12.1:

- (a) is debatable, but only as to the merits of reconsideration;
- (b) may not be tabled, amended, or referred;
- (c) is not delegable; and
- (d) may only be withdrawn
 - (i) by the server on a Point of Order, prior to being seconded; or
 - (ii) upon being seconded, only with the consent of all the **members** present.

12.5 Where a **resolution** to reconsider a defeated **motion** has been adopted, **council** must immediately reconsider the original **motion**, which:

- (a) is debatable;
- (b) may be referred, amended, or tabled;
- (c) may not be withdrawn; and
- (d) is not delegable.

12.6 **Council** must not reconsider any defeated **motion** under this Part more than once.

12.7 The item which was the subject of the defeated **motion** under this Part may not be presented to **council** until the expiration of six months from the date of the reconsideration, subject to the statutory powers of the **Mayor**.

- 12.8** The provisions of this Part also apply to **Regular (closed) Council Meetings**, and a Notice of Motion in connection with the reconsideration of a defeated **motion** at a **Regular (closed) Council Meeting**, must be served at, or for the agenda of, a **Regular (closed) Council Meeting**, unless **council** authorizes that such reconsideration be considered at a **Regular Council Meeting**.

PART THIRTEEN: NEW BUSINESS

- 13.1** The items to be considered under New Business include, but are not limited to the following:
- (a) the serving of Notices of Motion in accordance with Parts 11 and 12, and
 - (b) the referral of an item to a **standing committee** or to staff.

PART FOURTEEN: DELEGATIONS TO COUNCIL

14.1 Delegations on Agenda Items

- 14.1.1 A person or organization wishing to delegate **council** on an item which is on the agenda of a **Regular Council Meeting**, may be heard at that meeting, by **council** sitting as committee of the whole, under "Public Delegations on Agenda Items".

14.2 Delegations on Non-Agenda Items

- 14.2.1 A person or organization wishing to address **council** as a delegation on an item which is not on the agenda of a **Regular Council Meeting**, may be heard at that meeting, by **council** sitting as committee of the whole, under "Public Delegations on Non-Agenda Items", provided notification of this intent, including a summary of the item which is the subject of the delegation and of the specific action which is being sought by the delegation, is submitted to the **City Clerk** in accordance with the requirements for reports in section 3.2.

14.3 Non-Delegable Items

- 14.3.1 Notwithstanding the provisions of sections 14.1 and 14.2, delegations must not be heard at **Regular Council Meetings, Regular (closed) Council Meetings, or Special Council Meetings**, on the following:
- (a) Official Community Plan Amendment Bylaws, or Zoning Amendment Bylaws which have received first reading and which have not yet been adopted, defeated, or abandoned;
 - (b) Development Permits or Development Variance Permit Applications other than in accordance with the provisions of the Development Permit Procedure Bylaw;
 - (c) matters on which the **City** has commenced prosecution, and on which judgement has not been rendered; or

- (d) Business Licence Hearings conducted in accordance with Part 20 of the *Municipal Act*.

14.4 Delegations at Regular (Closed) Council Meetings

- 14.4.1 Delegations at a **Regular (closed) Council Meeting** are only permitted where **council** authorizes such delegation to appear.
- 14.4.2 Delegations authorized in accordance with subsection 14.4.1 are only permitted to address **council** on an item which:
 - (a) complies with the closed meeting criteria specified in the *Municipal Act*, and
 - (b) is not specifically excluded in clauses (a) to (d) inclusive of subsection 14.3.1.

14.5 Delegations at Special Council Meetings

- 14.5.1 Delegations on items referred to a **Special Council Meeting**, except closed **council** meetings, must comply, where applicable, with the provisions of this Part.

14.6 Role of Member regarding Delegations

- 14.6.1 A **member** must not, when hearing a delegation in committee of the whole, enter into debate on the item which is the subject of the delegation, but may ask questions to obtain clarification or additional information, and may move a referral to a **standing committee**, a **select committee**, or to staff, and may give direction on such referral **motion**.

14.7 General Rules for Delegations

- 14.7.1 A delegation to **council** on any one or more items, must not exceed a total speaking time of five minutes, excluding the time taken for questions posed by **members** unless **council** authorizes additional speaking time.
- 14.7.2 The provisions of subsection 14.7.1 do not apply to delegations at a **Regular Council Meeting for Public Hearings**.
- 14.7.3 A delegation intending to use audio and audio-visual equipment or both, for the purposes of making a submission to **council**, must advise the **City Clerk** prior to the **council** meeting of the intent to use such equipment, on the understanding that the **City** will assist with, but not be responsible for, the provision of the necessary equipment.
- 14.7.4 A delegation to **council** must not speak disrespectfully of any person.

- 14.7.5 Where, in the opinion of the Chair, a delegation is disrespectful, the chair may ask the delegation to withdraw the offending remarks, and if the delegation refuses to do so, or refuses to abide by the rules for delegations, or the instructions of the Chair, the Chair may deem the presentation concluded and direct the delegation to vacate the speaker's podium and return to the public gallery.
- 14.7.6 Where a delegation refuses to comply with such direction, the Chair may order the expulsion and exclusion of the delegation from the meeting, as permitted in the *Municipal Act*.
- 14.7.7 If the offending delegation apologizes, **council** may permit the delegation to either continue their presentation or to remain in the public gallery, whichever is applicable.

PART FIFTEEN: DELEGATIONS TO STANDING COMMITTEES

15.1 Role of Committee Chair Regarding Delegations

- 15.1.1 A delegation to a **standing committee** must advise the Committee Chair, at least five business days prior to the date of the Committee Meeting, of the delegation's wish to appear before that Committee, however, the Chair may authorize a delegation which does not meet the five business day requirement,

15.2 Non-Delegable Items

- 15.2.1 Notwithstanding the provisions of section 15.1, delegations must not be heard at **standing committee** meetings on the following:
- (a) Official Community Plan Amendment Bylaws, or Zoning Amendment Bylaws which have received first reading and which have not yet been adopted, defeated, or abandoned;
 - (b) Development Permits or Development Variance Permit Applications other than in accordance with the provisions of the Development Permit Procedure Bylaw;
 - (c) Matters on which the **City** has commenced prosecution, and on which judgement has not been rendered; or
 - (d) Business Licence Hearings conducted in accordance with Part 20 of the *Municipal Act*.

15.3 General Delegation Rules for Standing Committees

- 15.3.1 A delegation to a **standing committee** must not speak disrespectfully of any person.

15.3.2 Where, in the opinion of the Chair, a delegation is disrespectful, the chair may ask the delegation to withdraw the offending remarks, and if the delegation refuses to do so, or refuses to abide by the ruling of the Chair, the Chair may deem the presentation concluded and direct the delegation to return to the public seating area.

15.3.3 If the offending delegation apologizes, Committee may permit the delegation to continue their presentation or to remain in the public gallery, whichever is applicable.

PART SIXTEEN: BYLAWS AND BYLAW READINGS

16.1 Bylaw Procedures

16.1.1 Every proposed bylaw:

- (a) must be in written form when it is considered by **council**, and a copy must be provided to each **member**;
- (b) on which a Public Hearing is required, must, upon being given first reading, be submitted to the next **Regular Council meeting for Public Hearings** for which all statutory notification and advertising requirements can be satisfied, unless **council** directs otherwise; and
- (c) may be introduced and given first, second and third readings in one **motion**, unless a **member** requests such readings be considered separately.

16.1.2 The provisions of clause (c) of subsection 16.1.1 do not apply to a bylaw requiring a Public Hearing.

16.1.3 Any number of bylaws may be combined for the purposes of:

- (a) introduction or readings, or both; or
 - (b) adoption,
- in one **motion**.

16.1.4 Any or all of the readings of a bylaw and the adoption of a bylaw is deemed to have been given when a **motion** is adopted in which the citation of the bylaw is read for such purpose.

PART SEVENTEEN: COMMITTEE OF THE WHOLE

17.1 Quorum and Chair

17.1.1 The **Mayor** must preside in a committee of the whole unless another **member** is appointed to chair the meeting.

17.1.2 A quorum of a committee of the whole is five **members**.

17.2 General Provisions

17.2.1 During any **Regular Council Meeting, Regular (closed) Council Meeting, or Special Council Meeting**, **council** may resolve into a committee of the whole to consider items in more detail.

17.2.2 Where **council** has resolved into a committee of the whole in accordance with subsection 17.2.1, the item which was considered by the committee of the whole must be considered immediately, on resumption of the **council** meeting.

17.3 Advance Notice of Committee of the Whole Meetings

17.3.1 The **City Clerk** must, upon being advised of any annual committee of the whole meeting schedule by the **Mayor**:

- (a) provide such schedule to each **member**;
- (b) make such schedule generally available to the public; and
- (c) post and maintain such schedule in a conspicuous place in the Richmond City Hall for public viewing.

17.4 Procedural Variances with Council Meetings

17.4.1 The rules of **council** procedure must be observed in a committee of the whole so far as applicable, except that:

- (a) a **motion** that the Chair vacate the Chair is always in order, and takes precedence over any other **motion**;
- (b) the number of speeches by a **member** on any **motion** is not limited; however, no **member** can speak for longer than a total time of ten minutes on any **motion**;
- (c) the Chair must be addressed as "Mr. Chair" or as "Madam Chair", as the case may be, and the Chair may move or second a **motion**, and may speak to such **motion** without vacating the Chair to do so;
- (d) when an item which was considered by a committee of the whole has been concluded, the committee of the whole must not consider a **motion** to adjourn or conclude, but instead must consider a **motion** to either:
 - (i) rise and report to the next meeting of **council**, or
 - (ii) rise and report.

17.5 Ratification by Council

17.5.1 All **resolutions** adopted by a committee of the whole must be presented to **council** for ratification, except for the following:

- (a) **resolutions** which are procedural in nature;
- (b) **resolutions** resulting from a delegation, which were referred to a **standing committee**, a **select committee**, or to staff;
- (c) **resolutions** which are amendments or sub-amendments to a main **motion** which is itself being presented to **council** in an amended form;
or
- (d) **resolutions** referring items to staff.

17.5.2 **Motions** which are defeated by a committee of the whole need not be presented to **council** where **resolutions** on that item are being presented to **council** in accordance with subsection 17.5.1.

17.5.3 Where no such **resolutions** under subsection 17.5.2 have been adopted, the **City Clerk** must ensure that the item which was the subject of the defeated **motion** is listed on the agenda of the **council** meeting at which such item is to be considered, with a notation that the item is presented to **council** without a recommendation from committee of the whole.

PART EIGHTEEN: STANDING COMMITTEES OF COUNCIL

18.1 Duties of the Mayor

18.1.1 Upon the establishment of any **standing committees** by the **Mayor**, the **Mayor** may appoint chairs and vice chairs of those **standing committees**.

18.2 Quorum and Membership

18.2.1 A quorum of a **standing committee** is not less than three **members**, one of whom may be the **Mayor**.

18.2.2 Where a quorum is not present after fifteen minutes from the time established for a **standing committee** meeting, the meeting is deemed to have been cancelled.

18.2.3 The **Mayor** is an ex-officio **member** of all committees established in accordance with section 18.1 and is entitled to vote at all such meetings.

18.2.4 In the absence of the **Mayor**, the Acting Mayor has the same ex-officio voting privilege at **standing committee** meetings, except where the **member** is already a voting **member** of that committee.

18.2.5 **Members** may attend the meetings of a **standing committee** of which they are not a **member**, and:

- (a) may speak to a **motion** upon being recognized by the committee chair, but
- (b) must not be allowed to vote on any **motion**.

18.3 Mandate of Standing Committees

18.3.1 In addition to addressing those matters which the **Mayor** considers would be better regulated and managed by a **standing committee**, the mandate of each **standing committee** is as established by **council** policy, and includes the following:

- (a) to report to **council** from time to time, as often as the interests of the **City** require, on all items within their mandate, and to recommend such action by **council** as may be deemed necessary and expedient; and
- (b) to consider and report upon all items referred to such committee by **council**; and
- (c) to carry out any duties delegated by bylaw.

18.3.2 Any item referred to a **standing committee** must not be determined by **council** until the committee has reported on it, unless the committee fails to report within the time set in the referral **motion** or, if no time is set, within a time considered by **council** to be reasonable.

18.4 Duties of Standing Committee Chairs

18.4.1 The chair of each **standing committee** must, in consultation with the other **members** of that **standing committee** and the **City Clerk**:

- (a) establish an annual meeting schedule for the **standing committee** of which they are chair; and
- (b) may call additional meetings, or cancel a meeting, where circumstances so require.

18.5 Advance Notice of Standing Committee Meetings

18.5.1 The **City Clerk** must, upon being advised of the annual **standing committee** meeting schedule, by each **standing committee** chair:

- (a) provide such schedules to each **member** of each **standing committee**;
- (b) make such schedules available to the public; and
- (c) post such schedules on a notice board in the Richmond City Hall for public viewing.

18.5.2 Where revisions are necessary to the schedule referred to in subsection 18.5.1, the **City Clerk** must, as soon as possible, post a notice on a notice board in the Richmond City Hall to advise the public of:

- (a) any revisions to the date, time, and place of **standing committee** meetings;

- (b) any **standing committee** meetings which have been cancelled by the chair in accordance with clause (a) of subsection 18.4.1; and
- (c) any additional **standing committee** meetings which have been called by the chair in accordance with clause (b) of subsection 18.4.1.

18.6 Procedural Variances with Council Meetings

18.6.1 The rules of **council** procedure must be observed during **standing committee** meetings, so far as possible, except that:

- (a) the number of speeches by a **member** on any **motion** is not limited, but no **member** can speak for a longer total time than 10 minutes, on any **motion**;
- (b) the chair must be addressed as "Mr. Chair" or as "Madam Chair", as the case may be;
- (c) the chair of a **standing committee** may move or second a **motion**, and may speak to such **motion** without vacating the chair to do so.

18.7 Presentation of Standing Committee Resolutions to Council

18.7.1 All **resolutions** adopted by a **standing committee** must be presented to **council**, except for the following:

- (a) **resolutions** which are procedural in nature;
- (b) **resolutions** which are amendments or sub-amendments to a main **motion** which is itself being presented to **council** in an amended form;
- (c) **resolutions** referring items which were the subject of a delegation to staff; or
- (d) **resolutions** referring items to staff.

18.7.2 **Motions** which are defeated by a **standing committee** are not to be presented to **council** where **resolutions** on that item are being presented to **council** in accordance with subsection 18.7.1, however, where no such **resolutions** have been adopted, the **City Clerk** must ensure that the item which was the subject of the defeated **motion** is listed on the **council** meeting agenda, with a notation that the item is presented without a recommendation from committee.

PART NINETEEN: SELECT COMMITTEES OF COUNCIL

19.1 General Provisions

19.1.1 Upon appointment of any **select committee** by **council**, **council** may appoint a chair and a vice chair of such **select committee**.

19.1.2 The provisions of sections 18.2 to 18.7 inclusive of Part Eighteen regarding **standing committees** apply, so far as applicable, to **select committees**.

PART TWENTY: PUBLIC ANNOUNCEMENTS AND EVENTS

- 20.1** A **member** wishing to advise **council** of a significant community event which has recently taken place, or which is imminent, in which the **member** was involved or of which the public should be aware, may do so upon being recognized by the chair under Public Announcements and Events.
- 20.2** An announcement or event raised by a **member** under section 20.1 must not be the subject of any **motions** or debate, and the chair must determine whether or not the item should be addressed formally by **council** under New Business in accordance with Part 13.
- 20.3** A **member** addressing one or more announcements or events in accordance with section 20.1 must not exceed the total speaking time permitted for debate under subsection 7.1.3.

PART TWENTY-ONE: MISCELLANEOUS PROVISIONS

- 21.1** All points of procedure not provided for in this bylaw must be decided in accordance with the rules of Parliamentary procedure of the Canadian House of Commons, provided there is no inconsistency with the *Municipal Act*.
- 21.2** If any section, subsection, or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 21.3** Any provision of this bylaw, excluding those governed by the Municipal Act, may be waived by a majority of the **members** present.

PART TWENTY-TWO: INTERPRETATION

- 22.1** In this bylaw, unless the context otherwise requires:

CITY	means the City of Richmond.
CITY CLERK	means the Municipal Officer assigned responsibility for corporate administration under Section 198 of the <i>Municipal Act</i> .
COUNCIL	means the Council of the City of Richmond.
MAYOR	means the Mayor of the City of Richmond, or in his absence, the Acting Mayor, or in the absence of both, the member appointed to chair the council meeting.

MEMBER	means an elected member of the council , and for the purposes of Parts Eighteen and Nineteen only, includes other persons appointed to a standing committee or a select committee .
MOTION	means a proposition which has been moved and seconded by a member on which the question has not been called.
REGULAR COUNCIL MEETING	means a meeting of council required under Section 1.1.
REGULAR COUNCIL MEETING FOR PUBLIC HEARINGS	means a meeting of council required under Section 1.2 for the purpose of holding Public Hearings on official community plan bylaws and zoning bylaws.
REGULAR (closed) COUNCIL MEETING	means a meeting of council required under Section 1.3.
RESOLUTION	means a motion which has been adopted in the affirmative by the majority of the members necessary.
SELECT COMMITTEE	means a committee appointed by council in accordance with the provisions of the <i>Municipal Act</i> .
SPECIAL COUNCIL MEETING	means the meaning given in the <i>Municipal Act</i> .
STANDING COMMITTEE	means a committee established by the Mayor in accordance with the provisions of the <i>Municipal Act</i> .

PART TWENTY-THREE: PREVIOUS BYLAW REPEAL

- 22.1** Council Procedure Bylaw No. 7000, adopted on February 23rd, 1998, and Amendment Bylaw No. 7001, adopted on September 28th, 1999, are hereby repealed.

PART TWENTY-FOUR: CITATION

23.1 This bylaw is cited as "**Council Procedure Bylaw No. 7070**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK