

CITY OF WEST KELOWNA

BYLAW NO. 0258

A BYLAW TO REGULATE MEETINGS AND RULES OF PROCEDURE OF COUNCIL

**CONSOLIDATED FOR CONVENIENCE TO INCLUDE
BYLAW 0258.01, 0258.02**

WHEREAS under section 124 of the *Community Charter* Council must establish procedures to be followed for the conduct of its business;

NOW, THEREFORE, the Council of the City of West Kelowna in open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited for all purposes as "CITY OF WEST KELOWNA COUNCIL PROCEDURE BYLAW NO. 0258, 2018".

PART I – GENERAL

2. Interpretation

"ACTING MAYOR"	Means the Councillor designated to act in the place of the Mayor when the Mayor is absent or unable to act or, when the office of the Mayor is vacant.
"ADVISORY BODY"	Means an advisory committee appointed by Council for the purpose of providing advice to Committees, Commissions and staff.
"CITY"	Means the City of West Kelowna.
"CITY WEBSITE"	Means the information resource found at www.westkelownacity.ca
"COMMISSION"	Means a municipal commission appointed by Council under Section 143 of the <i>Community Charter</i> .
"COMMITTEE"	Means a standing or select committee of Council established or appointed under Section 141 or 142 of the <i>Community Charter</i> .
"COUNCIL"	Means the Council of the City of West Kelowna.
"CORPORATE OFFICER"	Means the person responsible for Corporate Administration as set out under Section 148 of the <i>Community Charter</i> .

"COMMITTEE OF THE WHOLE"	Means a committee of Council comprised of all members of Council as established pursuant to "COUNCIL DELEGATION OF POWERS BYLAW ".
"MAYOR"	Means the Mayor of the City.
"MUNICIPAL HALL"	Means City of West Kelowna Hall located at 2760 Cameron Road, West Kelowna, BC, V1Z 2T6.
"PUBLIC NOTICE POSTING PLACE"	Means the Notice Board located at City Hall designated by the Corporate Officer for posting legal notices and Council meeting information.
"QUORUM"	Means the majority members of a Council, a Commission, a Committee, or a Board

3. Application of Rules of Procedure

- 3.1 The provisions of this Bylaw govern the proceedings of Council, Commissions, Committee of the Whole, Advisory Bodies, and committees of Council.
- 3.2 In cases not provided for under this Bylaw, the New Robert's Rules of Order 2nd Edition, 1998, apply to the proceedings of Council, Committee of the Whole, and Council Committees to the extent that those *Rules* are:
 - (a) applicable in the circumstances;
 - (b) consistent with provisions of this Bylaw, the *Community Charter* or the *Local Government Act*.

PART II – COUNCIL MEETINGS

4. Inaugural Meeting

- 4.1 Following a general local election, the first Council meeting will be held on the first Tuesday in November in the year of a general local election.
- 4.2 If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in Section 4.1, the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

5. Time and Location of Meetings

- 5.1 All Council meetings must take place within the West Kelowna Municipal Hall, except when Council resolves to hold meetings elsewhere and directs the Corporate Officer to give notice of a different meeting place by posting a notice of the change on the Public Notice Posting Place at least 24 hours prior to the time of the Council meeting.

5.2 Regular Council meetings will:

Bylaw No. 0258.02 adopted August 23, 2022, deleted Section 5.5.2(a) in its entirety and replaced it with the following 5.5.2(a):

- (a) be held on the second and fourth Tuesdays each month, with the following exceptions:
 - i) May, in which an additional Council meeting will be held, on the third Tuesday of the month, at 1:30 p.m.;
 - ii) August, in which only one meeting will be held, on the fourth Tuesday of the month.
 - iii) December, in which only one meeting will be held, on the second Tuesday of the month;
- (b) be held on an alternate Tuesday when a Council meeting falls on a statutory holiday or occurs during a week in which the Federation of Canadian Municipalities, Union of British Columbia Municipalities or Southern Interior Local Government Association annual conferences are held.
- (c) only be held on the first Tuesday of the month in October of a general election year.
- (d) begin at 1:30 p.m. on the second Tuesday of each month; and 6:00 p.m. on the 4th Tuesday of each month;
- (e) be adjourned before 5:30 p.m. on the second Tuesday of each month; be adjourned before 10:00 p.m. on the fourth Tuesday of each month; be adjourned 4 hours following the start time of a Special Council meeting, unless, by majority vote, the Council members decide to extend the time of the adjournment.

5.3 Regular Council meetings may be cancelled by Council, provided that two consecutive meetings are not cancelled.

5.4 Public hearings will be scheduled on an as required basis.

6. Notice of Council Meetings

6.1 In accordance with Section 127 of the *Community Charter*, Council must prepare annually, a schedule of the dates, times and places of Regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place and on the City's website.

6.2 Council must give notice annually, in accordance with Section 94 of the *Community Charter*, of the time and location that the schedule of Regular Council meetings is available to the public.

6.3 Where revisions are necessary to the annual schedule of Regular Council meetings, the Corporate Officer must, as soon as possible, post a notice on the Public Notice Posting Place and the City's website which indicates any revisions to the date, time and place or cancellation of a Regular Council meeting.

7. Notice of Special Meetings

- 7.1 Except where notice of a Special meeting is waived by unanimous vote of all Council members under Section 127(4) of the *Community Charter*, a notice of the date, hour, and place of a Special Council meeting must be given at least 24 hours before the time of the meeting, by:
- (a) posting a copy of the notice on the Public Notice Posting Place and the City's website;
 - (b) leaving one copy of the notice for each Council member in the Council member's mail slot at the municipal office, or provide notice to each member of Council via e-mail.
- 7.2 The notice under Section 7.1 must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

8. Annual Municipal Report

- 8.1 In accordance with Section 99 of the *Community Charter*, the Council must annually consider the Annual Municipal Report. The Corporate Officer must give notice, in accordance with Section 94 of the *Community Charter*, of the date, time and place when Council will consider:
- (a) the annual report prepared under Section 98 of the *Community Charter*;
 - (b) submissions and questions from the public.

9. Electronic Meetings

Bylaw No. 0258.01 adopted October 26, 2021, deleted Section 9.1 in its entirety and replaced it with the following 9.1:

- 9.1 Provided the conditions set out in Subsection 128, 128.1, 128.2 and 128.3 of the *Community Charter* are met:
- (a) a regular council meeting, special council meeting, or council committee meeting may, upon authorization of the Mayor, be conducted by means of electronic or other communication facilities;
 - (b) a member of Council or a Committee member who, due to extraordinary circumstances, is unable to attend at a Council, Committee of the Whole, or Committee meeting, may upon authorization of the Mayor, participate in the meeting by means of electronic or other communication facilities.
- 9.2 The facilities must enable the meeting's participants to hear, or watch and hear each other.
- 9.3 Except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.
- 9.4 The Council member presiding at a Special Council or Council Committee meeting must not participate electronically.

PART III – DESIGNATION OF COUNCIL MEMBER TO ACT IN PLACE OF MAYOR

10. Acting Mayor

- 10.1 Council must, on an annual basis, designate Councillors to serve on a rotating basis as the Council member responsible for acting in the place of the Mayor when the Mayor is absent or unable to act or when the office of the Mayor is vacant.
- 10.2 Each Councillor designated under Section 10.1 is responsible for fulfilling the duties of the Mayor in his or her absence.
- 10.3 If both the Mayor and Acting Mayor are absent from a Council meeting, the Council members present must choose a member to preside.
- 10.4 If both the Mayor and the Acting Mayor are absent or unable to act, the Councillor next in succession on the rotating roster established under 10.1 shall be the Acting Mayor.
- 10.5 The Councillor designated as Acting Mayor has the same powers and duties as the Mayor.

PART IV – COUNCIL PROCEEDINGS

11. Attendance of Public at Meetings

- 11.1 Except where the provisions of Section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- 11.2 Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with Section 92 of the *Community Charter*.
- 11.3 This Section applies to all meetings of the bodies referred to in Section 93 of the *Community Charter* including without limitation, Committee of the Whole, committees, commissions, a parcel tax roll review panel, a board of variance, or advisory bodies.
- 11.4 Notwithstanding Subsection 11.1, the Mayor or the Acting Mayor may expel or exclude from a Council meeting a person in accordance with Section 133 of the *Community Charter*.

12. Calling a Meeting to Order

- 12.1 As soon, after the time specified for a Council meeting, as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order; however, where the Mayor is absent, the Acting Mayor, in accordance with Section 10, must take the Chair and call the meeting to order.

13. Adjourning Meeting Where No Quorum

- 13.1 If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:

- (a) record the names of the Council members present and those absent; and
- (b) adjourn the meeting until the next scheduled meeting.

14. Order of Proceedings and Business

14.1 The Agenda for all Regular Council meetings contains the following matters in the order in which they are listed below:

- Call the Meeting to Order
- Introduction of Late Items
- Adoption of the Agenda
- Adoption of the Minutes
- Mayor and Councilors' Reports
- Presentations (by invite from Council)
- Delegations
- Unfinished Business
- Division Reports
- Correspondence and Information Items
- Notice of Motion
- Adjournment

14.2 Notwithstanding the provisions under Section 14.1, Council may by consensus, vary the order in which business on the Agenda shall be dealt with.

15. Agenda

15.1 Prior to each Council meeting, the Corporate Officer shall prepare an Agenda setting out all items for consideration at that meeting.

15.2 The deadline to submit items to the Corporate Officer for inclusion on the Council meeting Agenda shall be 10:00 a.m. 7 days preceding the meeting.

15.3 Items received by the Corporate Officer after the deadline in Section 15.2 shall not be placed on the Agenda, but instead, shall be placed on the Agenda for consideration at the following Council meeting, unless the item is introduced as a Late Item pursuant to Section 16.

15.4 Regular Council agendas will be available to Council members and the public at noon on the Friday prior to the meeting; Special Council meeting agendas will be available to Council members and the public 24 hours prior to the meeting.

15.5 Only those matters included on the Agenda shall be considered or dealt with at the Council meeting unless a new matter is introduced as a Late Item pursuant to Section 16.

15.6 In cases where documents are too unwieldy to be readily reproduced, the Corporate Officer may omit these materials from the Agenda and may, instead, refer to these items in short form on the Agenda and keep the documents on file.

16. Late Items:

- 16.1 A late item may be approved for addition to an agenda by the Corporate Officer and by resolution of Council, if the subject matter is of an urgent nature such that the item cannot be held to the next Council meeting.
- 16.2 The deadline for late items to be included on an agenda is 4:00 p.m. on the business day before the Council meeting. Late items shall be distributed to Council prior to the commencement of the Council meeting. Late items not submitted by the deadline may only be added to the agenda by approval from the majority of Council.

17. Delegations

- 17.1 All delegations requesting permission to appear before Council shall submit a written request, which must include:
 - a) the name and address of the person(s) that will address Council;
 - b) a description of the matter to be presented;
 - c) a copy of all materials that will be discussed.
- 17.2 Written delegation requests shall be received prior to the appropriate deadline stated in Section 15.2 in order to be placed as a new matter on the Council Agenda.
- 17.3 Any delegation request pertaining to an item already on an Agenda, shall be received until 4:00 p.m., on the business day prior to the meeting.
- 17.4 All delegations shall be limited to five (5) minutes to make their presentation and shall be restricted to the topic as outlined on their written submission.
- 17.5 Council may waive compliance of the five minute time limit by a majority vote of those Council members present.
- 17.6 Delegations received after 4:00 p.m. on the business day prior to the meeting, regarding matters already on the Agenda, will be referred to a future meeting unless Council passes a resolution to hear the delegation.
- 17.7 The number of delegations on any Council agenda will be limited to four (4). The Corporate Officer has the authority to schedule delegations that wish to speak on items that are not on the Agenda to another Council meeting or Advisory Body meeting.
- 17.8 The Corporate Officer has the authority to screen delegation requests and, if appropriate, refuse to place a delegation on the Agenda if the issue is not within the jurisdiction of Council. In the event the delegation wishes to appeal the Corporate Officer's decision, the information shall be distributed separately to Council for their consideration at a regular meeting.
- 17.9 Where a delegation has addressed Council on an issue, if a subsequent request is received from the same delegation to address Council on the same issue, and no new significant information is being provided, the Corporate Officer has the authority to not place the item on the Agenda, but will circulate the request to Council separately as an item of general information.

- 17.10 The Mayor must not permit a delegation to address a meeting of the Council:
- a) regarding a bylaw of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of a bylaw;
 - b) if the purpose is to address an issue which is before the Courts or on which Council has authorized legal action.

18. Notice of Motion

- 18.1 Any Council member may give a "Notice of Motion" respecting an item which he or she intends to present by giving a copy of the motion to the Corporate Officer during a Council meeting and upon the Council member being acknowledged by the Mayor and the Notice of Motion being read to the meeting.
- 18.2 A copy of the motion presented under Section 18.1 shall appear in the Minutes of that meeting as a "Notice of Motion". The Corporate Officer shall place the motion on the Agenda of the next Council meeting, or other future meeting designated by the Council member bringing forward the Notice of Motion.

PART V – PETITIONS AND COUNCIL COMMUNICATIONS

19. Proper Form

- 19.1 All communications and petitions to be presented to Council shall be legibly written, typed or printed, signed by at least one person, shall be dated and shall include a contact phone number, before being accepted.

20. Communications/Referrals

- 20.1 Communications addressed to Council which relate to matters that fall within the responsibility of a City department may be referred directly to that department by the Corporate Officer.
- 20.2 If a matter is referred under Section 20.1, a copy of the communication shall be distributed to each Council member and to the appropriate staff. Upon receipt of the communication, an acknowledgement shall be provided to the writer advising where the matter has been referred.
- 20.3 The Corporate Officer has the authority to forward correspondence items to the meeting considered to be most appropriate according to the subject matter.
- 20.4 An appeal from any referral under Sections 20.1 and 20.3 may be made to the Chief Administrative Officer who shall determine the final disposition of the matter.
- 20.5 All petitions or other written communications which require a report may be referred to the Chief Administrative Officer through a formal motion.

PART VI – BYLAWS

21. Copies of Proposed Bylaws to Council Members

21.1 A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

22. Form of Bylaws

22.1 A bylaw introduced at a Council meeting must:

- (a) be printed;
- (b) have a distinguishing name;
- (c) have a distinguishing number;
- (d) contain an introductory statement of purpose;
- (e) be divided into sections.

23. Bylaws to be Considered Separately or Jointly

23.1 Council must consider a proposed bylaw at a Council meeting either:

- (a) separately when directed by the Presiding Member or requested by another Council member; or,
- (b) jointly with other proposed bylaws in the sequence determined by the Presiding Member.

24. Reading and Adopting Bylaws

24.1 Every proposed bylaw shall receive three readings prior to its final adoption.

24.2 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

24.3 Subject to Section 477 of the *Local Government Act* [OCP adoption procedures], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.

24.4 In accordance with Section 135 of the *Community Charter* [requirements for passing bylaws], Council may give two or three readings to a proposed bylaw at the same Council meeting.

24.5 Despite Section 135(3) of the *Community Charter*, and in accordance with Sections 477 and/or 480 of the *Local Government Act*, an Official Community Plan designation bylaw or a Zoning bylaw may be adopted at the same meeting at which the bylaw passed third reading.

24.6 Any bylaws, with the exception of Official Community Plan and Zoning Bylaws, which have not completed the requirements to be adopted after a 2-year period, will be deemed stale dated and closed.

25. Bylaws Must be Signed

25.1 After a bylaw is adopted, and signed by the Corporate Officer and the Presiding Member of Council at the meeting it was adopted, the Corporate Officer must file it in the City's records for safekeeping with the following affixed to the bylaw:

- (a) the City's corporate seal,
- (b) the dates of readings and adoption,
- (c) the date of the Public Hearing, if applicable; and,
- (d) the date of Ministerial approval or approval of the electorate, if applicable.

PART VII – MOTIONS

26. Introduction of Motion

26.1 Every motion must be moved and seconded before it is deemed to be in the possession of the Council.

27. Recording of Motions in Minutes:

27.1 The names of those who oppose a motion shall be recorded in the minutes.

27.2 Notwithstanding Section 27.1, motions that have been withdrawn by Council as per Section 30, shall not be recorded in the Minutes.

27.3 The names of the Council members who moved and seconded a motion presented to Council shall not be recorded in the Minutes.

28. Consideration of Motions

28.1 When any motion is under consideration, no other motion shall be received, except a motion to amend, refer, table or postpone.

28.2 A motion to refer, table or postpone is not amendable or debatable.

28.3 Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

29. Amendments Generally

29.1 A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.

29.2 An amendment may propose removing, replacing, or adding to the words of an original motion.

29.3 A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.

29.4 An amendment may be amended once only.

29.5 An amendment that has been defeated by a vote of Council cannot be proposed again.

30. Withdrawal of Motions

30.1 After a motion has been moved and seconded, it shall be deemed to be in the possession of Council, but the motion may be withdrawn by the mover at any time before a decision or amendment is made, provided that the mover has the consent of the seconder.

31. Appeal Ruling of the Chair

31.1 Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, the Chair shall apprise the Council members thereof without proposing the question and shall cite the rule or authority applicable to the case without argument or comment. The ruling of the Chair may be appealed by the other members of Council then present.

31.2 On an appeal by a Council member from the decision of the Chair, the question shall be immediately put by him or her, and decided without debate "Shall the Chair be sustained?" and the Chair shall be governed by the vote of the majority of the Council members then present, excluding himself or herself. In the event of the votes being equal, the question shall pass in the affirmative.

31.3 If the Chair refuses to put the question "Shall the Chair be sustained?", the Council shall immediately appoint a Chair pro tem. He or she shall proceed in accordance with Section 31.2. A resolution or motion carried under this Section is binding.

32. Reconsideration

32.1 A motion may be reconsidered by Council provided that the resolution has not had the assent of the electors, has not been reconsidered under this Section or Section 131 of the *Community Charter*, and has not been acted upon by an officer, servant or agent of the Municipality.

A reconsideration motion:

- (a) must be brought forward by a Council member who voted on the prevailing side of the motion, or by any Council member who was absent during the original vote;
- (b) may be seconded by any Council member;
- (c) must be brought forward at the next meeting of Council following the original vote; or, in the case where a member was absent at the time of the original vote, at the next meeting which this Council member is able to attend;
- (d) must receive a majority vote of Council for it to be adopted;
- (e) if defeated, and the outcome being that the resolution is preserved unchanged, the same resolution may not be brought back before Council for six (6) months from the date of the latest vote, except with consent of two-thirds of all the members of Council.

- 32.2 Each resolution or reading of a bylaw may be reconsidered under the provisions of Section 32.1
- 32.3 Notwithstanding section 32.2, once a bylaw is finally adopted, it may not be reconsidered except in accordance with Section 131 of the *Community Charter*.
- 32.4 Notwithstanding section 32.2, resolutions for third reading or final adoption of an Official Community Plan Bylaw or Zoning Bylaw shall not be reconsidered.

PART VIII – RULES OF CONDUCT AND DEBATE

33. Decorum in Debate

- 33.1 A Council member shall speak at a Council meeting only after being recognized by the Chair, except to raise a point of order.
- 33.2 Council members shall address other members of Council by their title and surname (example – Mayor _____, Mr. Mayor, or Councillor _____).
- 33.3 Members of Staff shall be addressed as Mr., Mrs., or Ms. or else shall be referred to by their official title.
- 33.4 Questions addressed to staff shall be directed through the Mayor to the Chief Administrative Officer who may refer the matter to the appropriate staff representative.
- 33.5 A Council member speaking at a Council meeting must at all times use respectful language, must not use offensive gestures or signs, must speak only on the matter being debated, and may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded.

34. Chair – Questions of Order

- 34.1 When a Council member is speaking, no other Council member may interrupt the speaker except to raise a point of order.
- 34.2 The Chair may call any Council member to order while that member is speaking.
- 34.3 When such action is taken, the Chair shall immediately suspend the debate, and the Council member in question shall refrain from speaking until the point of order is determined by the Chair, whose ruling is subject to an appeal by the Council members.
- 34.4 Should any Council member resist or disobey the decision of the Chair, the members may order the Council member in question to leave his or her seat for that meeting, and in the event of his refusing to do so, the Chair may order that the Council member be removed from the meeting.
- 34.5 In the event of satisfactory apology being made by the offending Council member, the Council may, by vote of the majority, permit the member to resume his or her seat forthwith.

- 34.6 No Council member shall speak to any matter other than the question in debate or reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.
- 34.7 No Council member shall resist the rules of the Council nor disobey the decision of the Chair on points of order or practice, or upon the interpretation of the rules of the Council.
- 34.8 Any Council member may require the question being debated to be read for his or her information at any period of the debate, but shall not do so in order to interrupt a Council member speaking.
- 34.9 The Mayor may make a motion, second a motion, or debate a motion while presiding over the meeting.
- 34.10 When the question under consideration contains more than one recommendation, any Council member may request, by motion, that the vote upon each recommendation shall be taken separately and the Council members shall decide by majority vote of the members present how such vote shall be taken.

35. Voting at Meetings

- 35.1 The following procedures apply to voting at Council meetings:
 - (a) when debate on a matter is closed, the Presiding Member must put the matter to a vote;
 - (b) Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;
 - (c) after the Presiding Member finally puts the question to a vote under paragraph (a), a Council member must not speak to the question or make a motion concerning it;
 - (d) the Presiding Member's decision about whether a question has been finally put is conclusive;
 - (e) whenever a vote of the Council is taken for any purpose, each Council member present and voting shall signify their vote upon the question, openly and individually by raising their hand, and the Chair shall declare the motion carried or defeated;
 - (f) a Council member present at the time of the vote who abstains from voting is deemed to have voted in the affirmative;
 - (g) if the votes of the Council members present at the time of the vote are equal for and against a matter, the motion is defeated and the Mayor must declare this result;
 - (h) no vote shall be taken in a Council meeting by ballot or by any other method of secret voting.

36. Adoption and Distribution

- 36.1 Minutes of the proceedings of Council, Committees, and Commissions must be
- a) legibly recorded,
 - b) certified as correct by the Corporate Officer or Recording Secretary of an Advisory Body, and
 - c) signed by the Mayor or other member presiding at the meeting or the Chair of an Advisory Body.
- 36.2 Whenever possible, Minutes of a given meeting shall be adopted at the next Council meeting or Committee/Commission meeting.
- 36.3 Subject to Section 36.4 and in accordance with Section 97(1)(b) of the *Community Charter*, Minutes of the proceedings of Council/Committees and Commissions must be available for public inspection at the City of West Kelowna offices during regular office hours.
- 36.4 Section 36.3 does not apply to Minutes of a Council meeting or that part of a Council meeting from which persons were excluded under Section 90 of the *Community Charter*.

PART X – CONDUCT OF COMMITTEE BUSINESS

37. Committee of the Whole

- 37.1 Committee of the Whole meetings will be scheduled on an 'as required' basis.
- 37.2 The Acting Mayor shall act as Chairperson of the Committee of the Whole, unless otherwise determined by the Mayor.
- 37.3 The Council, pursuant to the Council Delegation of Powers Bylaw has delegated its authority to the Committee of the Whole to exercise any of the executive and administrative powers of Council.

38. Duties of Commissions/Committees and Advisory Bodies

- 38.1 Commissions/Committees and Advisory Bodies must consider, inquire into, report, and make recommendations to Council about the following:
- (a) matters that are related to the general subject indicated by the name of the Commission;
 - (b) matters that are assigned by Council.

39. Schedule of Meetings

- 39.1 At its first meeting after its establishment, a Commission, Committee or Advisory Body must establish a regular schedule of meetings.
- 39.2 The Chair of a Commission, Committee or Advisory Body may call a meeting in addition to the scheduled meetings or may cancel a meeting.

40. Notice of Meetings

- 40.1 After the Commission, Committee or Advisory Body has established the regular schedule of meetings, including the times, dates and places of the meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the applicable Public Notice Posting Place; and the City website;
 - (b) providing a copy of the schedule to each member of the Commission, Committee or Advisory Body.
- 40.2 Where revisions are necessary to the annual schedule of Commission, Committee or Advisory Body meetings, as soon as possible a notice must be posted at the applicable Public Notice Posting Place and City website which indicates any revisions to the date, time and place or cancellation of a meeting.

41. Minutes of Meetings

- 41.1 Minutes of Committee of the Whole, Commissions, Standing, or Select Committees must be maintained and available to public and be:
- (a) legibly recorded,
 - (b) certified as correct by the Corporate Officer or the Committee's Recording Clerk,
 - (c) signed by the Mayor or Council member presiding at the meeting.
- 41.2 In accordance with Section 97(1)(c) of the *Community Charter*, Minutes of the proceedings of the Committees, Commissions, Standing or Select Committees must be available for public inspection at the City of West Kelowna offices during regular office hours.

42. Quorum

- 42.1 If a Committee/Commission member misses more than 3 regularly scheduled meetings in a row, Council may rescind his or her appointment at any time and appoint another person in place of the person whose appointment was rescinded.

43. Conduct and Debate

- 43.1 The rules of the Council Procedure Bylaw must be observed during Standing or Select Committees, Commission, or Advisory Body meetings, unless otherwise provided in this Bylaw.
- 43.2 Council members may attend any meetings of a Standing or Select Committee, Commission or Advisory Body of which they are not a member and may participate in discussions; however, only members who have been appointed, or an alternate member attending in the absence of an appointed committee member, may introduce or vote on the proceedings.
- 43.3 The Mayor shall be an ex-officio non-voting member of all Committees and Commissions.

44. Delegations

44.1 When a person or a group of persons wish to appear as a delegation before a Standing or Select Committee, Commission or Advisory Body on a matter within the jurisdiction of the Committee, they shall be subject to the requirements set out in this bylaw.

45. Sub-Committees

45.1 Standing, Select or Advisory Committees or Commissions shall not be permitted to create sub-committees without the prior approval of Council.

46. Recommendations

46.1 Standing or Select Committee, Commission, or Advisory Body recommendations shall be subject to the approval of the Council.

PART XI – GENERAL

47. 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 will not affect the validity of the remaining portions of this bylaw.

48. Any one or more of the rules and orders contained in this bylaw may be temporarily suspended by an affirmative vote of the majority of all Council members.

59. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter*.

50. "Council Procedure Bylaw No. 0150, 2012" is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME THIS 14TH DAY OF AUGUST, 2018

Notice of intention to proceed with this bylaw was published on the 22 day of August and the 29 day of August, 2018 in the Westside Weekly newspaper, pursuant to Section 94 of the *Community Charter*.

ADOPTED THIS 4TH DAY OF SEPTEMBER, 2018

MAYOR

CITY CLERK