



Minutes

<u>Meeting</u>	Special Council
<u>Date</u>	19-Jul-21
<u>Time</u>	1:00 PM
<u>Place</u>	Municipal Hall - Council Chambers and by electronic means

Present Mayor Martin Davis
Councillor Sarah Fowler by video
Councillor Cheryl Northcott by video
Councillor Lynda Llewellyn by video

Regrets Councillor Bill Elder

Staff Mark Tatchell, Chief Administrative Officer by video
Ian Poole, Director of Finance by video
John Manson, P. Eng., Municipal Engineer by video
Amanda Knibbs, IT Co-ordinator

Guests Mark DeGagne, MSc, P. Eng., Branch Manager, McElhanney by video

Public None.

A. Call to Order

Mayor Davis called the meeting to order at 1:02 p.m.

Mayor Davis acknowledged and respected that Council is meeting upon Mowachaht/
Muchalaht territory

B. Introduction of Late Items and Agenda Changes

None.

C. Approval of the Agenda

Fowler/Llewellyn: VOT 0282/2021

THAT the Agenda for the July 19, 2021 Special Meeting of Council be adopted as presented.

CARRIED

D. Petitions and Delegations

None

H. Business Arising

1 Tahsis Flood Protection Improvements Project Phase 1 Construction Contract

Llewellyn/Fowler: VOT 0283/2021

THAT the Tahsis Flood Protection Improvements Project Phase 1 Tender bid results be received and considered.

CARRIED

Mark DeGagne described the bid results based on the tender and addressed Council's questions regarding the project scope and budget.

Llewellyn/Fowler: VOT 0284/2021

THAT the Village accept the bid submitted by A. Wood Bulldozing Ltd. and award the contract to this company.

CARRIED

2 Report to Council Re: Council Meeting Procedures – post State of Provincial Emergency

Fowler/Llewellyn: VOT 0285/2021

THAT this Report to Council be received.

CARRIED

Council discussed the relative merits of the options and staff described the legal requirements which come into effect on September 29, 2021

Fowler/Llewellyn: VOT 0286/2021

THAT option # 3 be approved.

CARRIED

K. Bylaws

1 Revenue Anticipation Bylaw No. 642, 2021

Adoption

Fowler/Llewellyn: VOT 0287/2021

THAT the Revenue Anticipation Bylaw No. 642, 2021 be received for consideration.

CARRIED

Fowler/Llewellyn: VOT 0288/2021

THAT the Revenue Anticipation Bylaw No. 642, 2021 be reconsidered, finally passed and adopted this 19th day of July 2021.

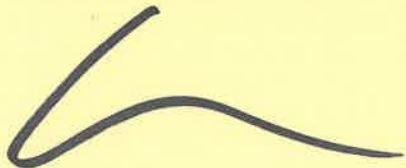
CARRIED

Adjournment

Fowler/Llewellyn: VOT 0289/2021

THAT the meeting be adjourned at 2:12 p.m.

CARRIED



Certified Correct this

the 3rd of August, 2021

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council

From: Mark Tatchell, CAO

Date: July 14, 2021

Re: Tahsis Flood Protection Improvements Project Phase 1 Contract Award

PURPOSE OF REPORT:

To provide Council with the bid results of Invitation to Tender including the evaluation of the bids.

OPTIONS/ALTERNATIVES

1. Accept the bid submitted by A. Wood Bulldozing Inc. and award the contract to this company.
2. Direct staff to undertake an additional review of A. Wood's performance and submit a follow up report to Council.
3. Any other option that Council deems appropriate

BACKGROUND:

Three bids were received in response to this tender which was posted on BC Bid on June 14, 2021 and closed on July 9, 211.

The lowest Tender price is \$481,705.50 from A. Wood Bulldozing is fully compliant with the Tender requirements. There are \$58,700 worth of optional items in the contract, which reduces the cost, without contingency, to **\$423,005.50**.

Based on this evaluation, the A. Wood Bulldozing bid is judged to provide the best overall value for money.

The bid evaluation sheet is attached.

POLICY/LEGISLATIVE REQUIREMENTS:

Under the terms of the tender, the Village has the right not to accept the lowest bid. To not accept the lowest bid, there must be objective reasons that would suggest that A. Wood Bulldozing's bid is not the best value for money. There are no objective reasons upon which to draw such a conclusion.

FINANCIAL IMPLICATIONS:

The flood pump has been ordered and will cost \$126,380 plus taxes so, including PST, the total is \$135,226, which is below the budget estimate of \$148,500 (\$110,000 plus 35% contingency).

However, the estimated project cost for the work to excavate the pond is: \$144,550 plus 35% contingency and half of the Mobilization and Demobilization costs (\$37,500) = \$232,642.

Thus, the project has budget pressure of about \$196,000, which must be solved as the contingency dollars are already committed. There is Phase 2 work to improve ditching to McKelvie Creek, which amounts to about \$110,000, but the rest of the shortfall means there is less funding to complete the dike (flood wall) work along North Maquinna.

The project team will prepare options to re-scope Phase 2 work to reduce costs. Staff may also raise the issue with Ministry staff to explore options.

The project budget is included in the Village's 2021-2025 capital plan.

STRATEGIC PRIORITY:

N/A

RECOMMENDATION:

Option 1

Respectfully submitted:



Mark Tatchell, CAO

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council
From: Chief Administrative Officer
Date: July 12, 2021
Re: Council Meeting Procedures – post State of Provincial Emergency

PURPOSE OF REPORT:

To inform Council on the legal requirements for Council meeting procedures in anticipation of the rescinding of Ministerial Order 192 and the *Municipal Affairs Statutes Amendment Act, 2021* coming into force.

OPTIONS/ALTERNATIVES

1. Hold all Council and Committee meetings in person only (repeal Bylaw No. 625, 2020 – Schedule “A” and rescind Council resolution 0298/2020 – Schedule “B”)
2. Allow up to two members of Council to participate in Council meetings electronically; public to attend in person only (repeal or amend Bylaw No. 625, 2020 and rescind Council resolution 0298/2020).
3. All Council members and the public to attend in person or electronically (requires purchase and operation of new technology to meet legal requirements).
4. Any other option that Council deems appropriate.

BACKGROUND:

Council adopted Bylaw 625, 2020 to amend Council Procedure Bylaw No. 495, 2004 to permit all Council or committee meetings to be conducted electronically with no limit on the number of Council members attending electronically.

The occupancy limit for Council chambers was set at 5 persons under the WorkSafe BC- required safety plan which, consequentially, prevented members of the public from attending council meetings.

Council resolution 0298/2020 was in response to *COVID-19 Related Measures Act* (including Ministerial Order 192 – Schedule “C”) which allows local government councils and boards to hold electronic meetings and electronic hearings if, despite “best efforts”, the attendance of members of the public cannot be accommodated at a meeting in accordance with the requirements or recommendations under the *Public Health Act* or Provincial Health Officer Orders.

The net effect of the above has been to permit members of the public to attend Council or committee meetings by electronic means only and not in person.

NEW PROVINCIAL GUIDANCE FOR MEETINGS UNDER STEP 3 AND MINISTERIAL ORDER 192:

The State of Provincial Emergency ended on June 28th. Ministerial Order 192 remains in effect for 90 days from that date, so it expires on September 28th. On September 29th, *Municipal Affairs Statutes Amendment Act, 2021* (Schedule “D”) comes into force. The Ministry recommends that local government begin to prepare for the transition from the end of the Ministerial Order and the coming into force of the new legislation. WorkSafe BC COVID 19 safety plans are no longer required.

Step 3 of the Restart Plan (Gatherings and Events PHO Order) permits indoor gatherings of up to 50% of the seated occupancy capacity and safety plans are no longer required. This means up to 16 members of the public can attend a Council meeting in person in Council Chambers.

Mask wearing is recommended in indoor public spaces for all people 12 and older who are not yet fully vaccinated (proof of vaccination is not required). Council can ask the public to wear a mask while attending a Council meeting during this transition period.

Can Council continue to hold electronic only meetings?

As noted above, the Order provides that local governments are **not required** to allow members of the public to attend a meeting if, despite best efforts, the attendance of members of the public cannot be accommodated at a meeting in accordance with requirements or recommendations under the *Public Health Act* or Provincial Health Officer Orders. Since the Gathering and Events PHO Order permits larger indoor gatherings and the Council Chambers is no longer subject to a safety plan, there appears to be no legal or policy impediments to permitting members of the public attending Council and committee meetings.

So, in short, the answer is “no”.

Council will need to reconsider and rescind Council resolution 0298/2020 and either repeal or amend Bylaw 625, 2020 unless Option 3 is approved.

Under the *Municipal Affairs Statutes Amendment Act, 2021* which comes into effect in September, Council can conduct meetings electronically as long as the public can attend electronically or in person to hear, or watch and hear, the meeting proceedings that are open to the public. In practicable terms, this means that if Council wishes to allow participants (Council members and the public) to attend electronically, participants attending in person and those attending electronically have to be able to hear and see the full proceedings. For example, a member of the public attending in person will have the statutory right to hear or see and hear a Council member who is attending electronically and vice versa. Achieving this will require the Village to purchase and operate videoconferencing technology for Council chambers.

POLICY/LEGISLATIVE REQUIREMENTS:

1. Council Procedures Amendment Bylaw No. 625, 2020 (Schedule “A”)
2. Council Resolution 0298/2020 (Schedule “B”)
3. Ministerial Order 192 (Schedule “C”)
4. Municipal Affairs Statutes Amendment Act, 2021 (Schedule “D”)
5. Council Procedures Bylaw No. 495, 2004 (Schedule “E”)

FINANCIAL IMPLICATIONS:

Options 1 and 2 have no financial implications. Option 3 would require expenditures. Should Council wish to consider Option 3, staff could provide a follow up report with cost estimate options.

STRATEGIC PRIORITY:

N/A

RECOMMENDATION:

No recommendation.

Respectfully submitted:

A handwritten signature in dark ink, appearing to be 'Mark Tatchell', written in a cursive style.

Mark Tatchell, CAO



VILLAGE OF TAHSIS

BYLAW No. 625, 2020

BEING A BYLAW TO AMEND THE VILLAGE OF TAHSIS COUNCIL PROCEDURE BYLAW (CONSOLIDATED AND AMENDED) No. 495, 2004

WHEREAS it is in the public interest to facilitate electronic Council meetings;

NOW THEREFORE, The Council of the Village of Tahsis, in open meeting assembled, **ENACTS AS FOLLOWS**:

1. Citation

This bylaw may be cited as the "Council Procedure Amendment Bylaw No. 625, 2020".

2. Amendment to the Village of Tahsis Council Procedure Bylaw

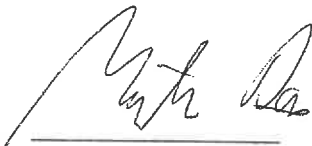
The Village of Tahsis Council Procedure Bylaw is amended:

- 1) Section 9(1) is amended as follows:
 - a) all Council meetings or Council Committee meeting may be conducted electronically
- 2) Section 9(3) is deleted

3. Effective Date

This Bylaw comes into effect upon adoption.

Reconsidered, Finally Passed and adopted this 7th day of April, 2020



MAYOR



CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No.625, 2020 duly passed by the Council of the Village of Tahsis on this 7th day of April, 2020.



CORPORATE OFFICER

Schedule "B"

1 Sherry Ridout, On Behalf of Citizens for Safe Technology - email and attachment to Mayor and Council Re: Creating a Proactive Antenna Siting Protocol and Small Cell Agreement Policy.

2 Karenn Bailey, RB Tech, Nootka Sound Watershed Society, Stewardship Coordinator Re: Tahsis Landfill Stream Channel Reconnection.

3 Kathy Moore, Mayor of Rossland- email to Mayor and Council Re: City of Rossland Resolution - Global covenant of Mayors for Climate and Energy Change.

4 Brenda Butterworth-Carr, Tr'injà shär njit dintlät, Assistant Deputy Minister and Director of Police Services, Policing and Security Branch, BC Ministry of Public Safety and Solicitor General - letter Re: Options for the new RCMP Auxiliary Program (Tier 3).

5 Laura Jones, Executive Vice President, CFIB (Canadian Federation of Independent Business- June 19, 2020 letter Re: Showing your support for small business recovery by promoting #SmallBusinessEveryDay.

6 UBCM- June 17, 2020 letter to Mayor Davies Re: Gas Tax Agreement Community Works Fund Payment.

Llewellyn/Fowler: VOT 0296/2020

THAT these correspondence items be received.

CARRIED

Davis/Fowler: VOT 0297/2020

THAT correspondence item #6 be pulled for discussion.

CARRIED

L6 UBCM- June 17, 2020 letter to Mayor Davies Re: Gas Tax Agreement Community Works Fund Payment.

Mayor and Council had questions about the types of projects which could be funded by the Village's annual grant from the Community Works Fund to which the CAO responded.

The program description and types of eligible projects can be found at this link to the UBCM webpage:

<https://www.ubcm.ca/EN/main/funding/renewed-gas-tax-agreement/community-works-fund.html>

M. New Business

M1 Open Meeting and Electronic Meeting Resolution

Llewellyn/Fowler: VOT 0298/2020



THAT, WHEREAS Ministerial Order 192 states that municipal councils must use best efforts to allow members of the public to attend an open meeting of council in a manner that is consistent with any applicable requirements or recommendations made under the Public Health Act; and

WHEREAS a council is not required to allow members of the public to attend a meeting if, despite the best efforts of the council or body, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the Public Health Act; and

WHEREAS Tahsis residents have demonstrated a desire and commitment to social distancing during the pandemic; and

WHEREAS the Tahsis Council Chambers has an occupancy limit of 5 persons set by the Local Assistant to the Fire Commissioner in accordance with recommendations from the Provincial Health Officer; and

WHEREAS Tahsis residents and the public generally have become accustomed to meeting using conference calls and online meeting applications such as Zoom; and

WHEREAS conference calls and Zoom, the online meeting application, allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public; and

WHEREAS Council's Procedure Bylaw No. 495, 2004 (as amended) authorizes meetings to be held electronically;

THEREFORE, BE IT RESOLVED THAT Tahsis Council will use conference calls and/or Zoom, an online meeting application, for holding all Council meetings, including committee meetings, except those meetings closed to the public under s. 90 of the Community Charter to ensure openness, transparency, accessibility and accountability until Ministerial Order 192 is rescinded.

CARRIED

- 2 Councillor Llewellyn - Re: Plan H Healthy Communities Grant Program**
<https://planh.ca/training-support-planh-funding/2020-healthy-community-engagement-grants>

Fowler/Elder: VOT 0299/2020

THAT this information be received for discussion.

CARRIED

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. M192

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020;

AND WHEREAS local governments, including the City of Vancouver, and related bodies must be able to conduct their business in accordance with public health advisories to reduce the threat of COVID-19 to the health and safety of members and employees of local government and related bodies and members of the public;

AND WHEREAS it is recognized that public participation in local governance is an essential part of a free and democratic society and is important to local governments' purpose of providing good government to communities;

AND WHEREAS the threat of COVID-19 to the health and safety of people has resulted in the requirement that local governments and related bodies implement necessary limitations on this public participation;

AND WHEREAS section 10 (1) of the Emergency Program Act provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that

- (a) the Local Government Meetings and Bylaw Process (COVID-19) Order No. 2 made by MO 139/2020 is repealed, and
- (b) the attached Local Government Meetings and Bylaw Process (COVID-19) Order No. 3 is made.

17/06/2020
Date


Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 10

Other: MO 73/2020; MO 139/2020; OIC 310/2020

**LOCAL GOVERNMENT MEETINGS AND BYLAW PROCESS
(COVID-19) ORDER No. 3**

Division 1 – General

Definitions

- 1 In this order:
- “**board**” has the same meaning as in the Schedule of the *Local Government Act*;
 - “**council**” has the same meaning as in the Schedule of the *Community Charter*;
 - “**improvement district**” has the same meaning as in the Schedule of the *Local Government Act*;
 - “**local trust committee**” has the same meaning as in section 1 of the *Islands Trust Act*;
 - “**municipality**” has the same meaning as in the Schedule of the *Community Charter*;
 - “**municipality procedure bylaw**” has the same meaning as “procedure bylaw” in the Schedule of the *Community Charter*;
 - “**regional district**” has the same meaning as in the Schedule of the *Local Government Act*;
 - “**regional district procedure bylaw**” means a procedure bylaw under section 225 of the *Local Government Act*;
 - “**trust body**” means
 - (a) the trust council,
 - (b) the executive committee,
 - (c) a local trust committee, or
 - (d) the Islands Trust Conservancy,
 as defined in the *Islands Trust Act*;
 - “**Vancouver council**” has the same meaning as “Council” in section 2 of the *Vancouver Charter*;
 - “**Vancouver procedure bylaw**” means a bylaw under section 165 [*by-laws respecting Council proceedings and other administrative matters*] of the *Vancouver Charter*.

Application

- 2 (1) This order only applies during the period that the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* and any extension of the duration of that declaration is in effect.
- (2) This order replaces the Local Government Meetings and Bylaw Process (COVID-19) Order No. 2 made by MO 139/2020.

Division 2 – Open Meetings

Open meetings – municipalities

- 3 (1) A council, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter*, must use best efforts to allow members of the public to attend an open meeting of the council or body in a manner that is consistent with any applicable requirements or recommendations made under the *Public Health Act*.
- (2) A council or body is not required to allow members of the public to attend a meeting if, despite the best efforts of the council or body, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the *Public Health Act*.
- (3) If a council or body does not allow members of the public to attend a meeting, as contemplated in subsection (2) of this section,
- (a) the council or body must state the following, by resolution:
- (i) the basis for holding the meeting without members of the public in attendance;
- (ii) the means by which the council or body is ensuring openness, transparency, accessibility and accountability in respect of the meeting, and
- (b) for the purposes of Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*, the meeting is not to be considered closed to the public.
- (4) The council or body may pass a resolution under subsection (3) (a) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (5) This section applies despite
- (a) Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*, and
- (b) any applicable requirements in a municipality procedure bylaw of a council.

Open meetings – regional districts

- 4 (1) A board, a board committee established under section 218 [*appointment of select and standing committees*] of the *Local Government Act*, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter* as that section applies under section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, must use best efforts to allow members of the public to attend an open meeting of the board, board committee or body in a manner that is consistent with any applicable requirements or recommendations made under the *Public Health Act*.
- (2) A board, board committee or body is not required to allow members of the public to attend a meeting if, despite the best efforts of the board, board committee or body, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the *Public Health Act*.

- (3) If a board, board committee or body does not allow members of the public to attend a meeting, as contemplated in subsection (2) of this section,
 - (a) the board, board committee or body must state the following, by resolution:
 - (i) the basis for holding the meeting without members of the public in attendance;
 - (ii) the means by which the board, board committee or body is ensuring openness, transparency, accessibility and accountability in respect of the meeting, and
 - (b) for the purposes of Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter* as that Division applies to a regional district under section 226 of the *Local Government Act*, the meeting is not to be considered closed to the public.
- (4) The board, board committee or body may pass a resolution under subsection (3) (a) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (5) This section applies despite
 - (a) Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*,
 - (b) section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, and
 - (c) any applicable requirements in a regional district procedure bylaw of a board.

Open meetings – Vancouver

- 5 (1) The Vancouver council, or a body referred to in section 165.7 [*application to other city bodies*] of the *Vancouver Charter*, must use best efforts to allow members of the public to attend an open meeting of the Vancouver council or the body in a manner that is consistent with any applicable requirements or recommendations made under the *Public Health Act*.
- (2) The Vancouver council or a body is not required to allow members of the public to attend a meeting if, despite the best efforts of the Vancouver council or the body, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the *Public Health Act*.
- (3) If the Vancouver council or a body does not allow members of the public to attend a meeting, as contemplated in subsection (2) of this section,
 - (a) the Vancouver council or the body must state the following, by resolution:
 - (i) the basis for holding the meeting without members of the public in attendance;
 - (ii) the means by which the Vancouver council or the body is ensuring openness, transparency, accessibility and accountability in respect of the meeting, and
 - (b) for the purposes of section 165.1 [*general rule that meetings must be open to the public*] of the *Vancouver Charter*, the meeting is not to be considered closed to the public.

- (4) The Vancouver council or a body may pass a resolution under subsection (3) (a) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (5) This section applies despite
 - (a) section 165.1 of the *Vancouver Charter*, and
 - (b) any applicable provision in the Vancouver procedure bylaw.

Open meetings – trust bodies

- 6 (1) A trust body, or a board of variance established by a local trust committee under section 29 (1) [*land use and subdivision regulation*] of the *Islands Trust Act*, must use best efforts to allow members of the public to attend an open meeting of the trust body or board of variance in a manner that is consistent with any applicable requirements or recommendations made under the *Public Health Act*.
- (2) A trust body or board of variance is not required to allow members of the public to attend a meeting if, despite the best efforts of the trust body or board of variance, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the *Public Health Act*.
- (3) If a trust body or board of variance does not allow members of the public to attend a meeting, as contemplated in subsection (2) of this section,
 - (a) the trust body or board of variance must state the following, by resolution:
 - (i) the basis for holding the meeting without members of the public in attendance;
 - (ii) the means by which the trust body or board of variance is ensuring openness, transparency, accessibility and accountability in respect of the meeting, and
 - (b) For the purposes of section 11 [*procedures to be followed by local trust committees*] of the *Islands Trust Act*, the meeting is not to be considered closed to the public.
- (4) A trust body or board of variance may pass a resolution under subsection (3) (a) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (5) This section applies despite
 - (a) section 11 [*application of Community Charter and Local Government Act to trust bodies*] of the *Islands Trust Regulation*, B.C. Reg. 119/90, and
 - (b) any applicable requirements in a procedure bylaw of a trust body.

Division 3 – Electronic Meetings

Electronic meetings – municipalities

- 7 (1) A council, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter*, may conduct all or part of a meeting of the council or body by means of electronic or other communication facilities.

- (2) A member of a council or body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) When conducting a meeting under subsection (1), a council or body must use best efforts to use electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public.
- (4) If a council or body does not use electronic or other communication facilities as described in subsection (3), the council or body must state the following, by resolution:
 - (a) the basis for not using electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public;
 - (b) the means by which the council or body is ensuring openness, transparency, accessibility and accountability in respect of the meeting.
- (5) A council or body may pass a resolution under subsection (4) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (6) Section 128 (2) (c) and (d) [*electronic meetings and participation by members*] of the *Community Charter* does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section unless a council or body proceeds as described in subsection (3) of this section, in which case those paragraphs apply.
- (7) This section applies despite
 - (a) section 128 of the *Community Charter*, and
 - (b) any applicable requirements in a municipality procedure bylaw of a council.

Electronic meetings – regional districts

- 8 (1) A board, a board committee established under section 218 [*appointment of select and standing committees*] of the *Local Government Act*, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter* as that section applies under section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, may conduct all or part of a meeting of the board, board committee or body by means of electronic or other communication facilities.
- (2) A member of a board, board committee or body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) When conducting a meeting under subsection (1), a board, board committee or body must use best efforts to use electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public.
- (4) If a board, board committee or body does not use electronic or other communication facilities as described in subsection (3), the board, board committee or body must state the following, by resolution:

- (a) the basis for not using electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public;
 - (b) the means by which the board, board committee or body is ensuring openness, transparency, accessibility and accountability in respect of the meeting.
- (5) A board, board committee or body may pass a resolution under subsection (4) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (6) Section 2 (2) (d) and (e) [*electronic meetings authorized*] of the Regional District Electronic Meetings Regulation, B.C. Reg. 271/2005, does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section unless a board, board committee or body proceeds by using electronic or other communication facilities as described in subsection (3) of this section, in which case those paragraphs apply.
- (7) This section applies despite
- (a) section 221 [*electronic meetings and participation by members*] of the *Local Government Act*,
 - (b) the Regional District Electronic Meetings Regulation, and
 - (c) any applicable requirements in a regional district procedure bylaw of a board.

Electronic meetings – Vancouver

- 9 (1) The Vancouver council, or a body referred to in section 165.7 [*application to other city bodies*] of the *Vancouver Charter*, may conduct all or part of a meeting of the Vancouver council or the body by means of electronic or other communication facilities.
- (2) A member of the Vancouver council or of a body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) When conducting a meeting under subsection (1), the Vancouver council or a body must use best efforts to use electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public.
- (4) If the Vancouver council or a body does not use electronic or other communication facilities as described in subsection (3), the Vancouver council or the body must state the following, by resolution:
- (a) the basis for not using electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public;
 - (b) the means by which the Vancouver council or the body is ensuring openness, transparency, accessibility and accountability in respect of the meeting.
- (5) The Vancouver council or a body may pass a resolution under subsection (4) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.

- (6) Section 2 (2) (c) and (d) [*electronic meetings authorized*] of the City of Vancouver Council Electronic Meetings Regulation, B.C. Reg. 42/2012, does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section unless the Vancouver council or a body proceeds by using electronic or other communication facilities as described in subsection (3) of this section, in which case those paragraphs apply.
- (7) This section applies despite
 - (a) section 164.1 [*meeting procedures*] of the *Vancouver Charter*,
 - (b) the City of Vancouver Council Electronic Meetings Regulation, and
 - (c) any applicable provision in the Vancouver procedure bylaw.

Electronic meetings – improvement districts

- 10 (1) An improvement district board, or a committee of an improvement district board appointed or established under section 689 [*appointment of select and standing committees*] of the *Local Government Act*, may conduct all or part of a meeting of the improvement district board or committee of an improvement district board, other than an annual general meeting, by means of electronic or other communication facilities.
- (2) A member of an improvement district board or committee of an improvement district board who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) When conducting a meeting under subsection (1), an improvement district board or committee of an improvement district board must use best efforts to use electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public.
- (4) If an improvement district board or committee of an improvement district board does not use electronic or other communication facilities as described in subsection (3), the improvement district board or committee of an improvement district board must state the following, by resolution:
 - (a) the basis for not using electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public;
 - (b) the means by which the improvement district board or committee of an improvement district board is ensuring openness, transparency, accessibility and accountability in respect of the meeting.
- (5) An improvement district board or committee of an improvement district board may pass a resolution under subsection (4) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (6) This section applies despite
 - (a) section 686 [*meeting procedure – improvement district board*] of the *Local Government Act*, and
 - (b) any applicable requirements in a procedure bylaw of an improvement district board.

Electronic meetings – trust bodies

- 11 (1) A trust body, or a board of variance established by a local trust committee under section 29 (1) [*land use and subdivision regulation*] of the *Islands Trust Act*, may conduct all or part of a meeting of the trust body or board of variance by means of electronic or other communication facilities.
- (2) A member of a trust body or board of variance who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) When conducting a meeting under subsection (1), a trust body or board of variance must use best efforts to use electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public.
- (4) If a trust body or board of variance does not use electronic or other communication facilities as described in subsection (3), the trust body or board of variance must state the following, by resolution:
- (a) the basis for not using electronic or other communication facilities that allow members of the public to hear, or watch and hear, the part of the meeting that is open to the public;
 - (b) the means by which the trust body or board of variance is ensuring openness, transparency, accessibility and accountability in respect of the meeting.
- (5) A trust body or board of variance may pass a resolution under subsection (4) in reference to a specific meeting or, if the same circumstances apply, more than one meeting.
- (6) This section applies despite
- (a) section 2 [*electronic meetings authorized*] of the *Islands Trust Electronic Meetings Regulation*, B.C. Reg. 283/2009, and
 - (b) any applicable requirements in a procedure bylaw of a trust body or applicable to a board of variance.

Division 4 – Timing Requirements

Timing requirement for bylaw passage – municipalities

- 12 Despite section 135 (3) [*requirements for passing bylaws*] of the *Community Charter*, a council may adopt a bylaw on the same day that a bylaw has been given third reading if the bylaw is made in relation to
- (a) the following sections of the *Community Charter*:
 - (i) section 165 [*financial plan*];
 - (ii) section 177 [*revenue anticipation borrowing*];
 - (iii) section 194 [*municipal fees*];
 - (iv) section 197 [*annual property tax bylaw*];
 - (v) section 200 [*parcel tax bylaw*];
 - (vi) section 202 [*parcel tax roll for purpose of imposing tax*];
 - (vii) section 224 [*general authority for permissive exemptions*];

- (viii) section 226 *[revitalization tax exemptions]*;
- (ix) section 235 *[alternative municipal tax collection scheme]*, and
- (b) tax sales, as referred to in Divisions 4 *[Annual Tax Sales]* and 5 *[Tax Sale Redemption Periods]* of the Local Government Finance (COVID-19) Order made by MO 159/2020, or otherwise under Division 7 *[Annual Municipal Tax Sale]* of Part 16 *[Municipal Provisions]* of the *Local Government Act*.

Division 5 – Public Hearings

Public hearings – Local Government Act

- 13 (1) A public hearing under Part 14 *[Planning and Land Use Management]* or 15 *[Heritage Conservation]* of the *Local Government Act*, including a public hearing under section 29 (1) (b) *[land use and subdivision regulation]* of the *Islands Trust Act*, may be conducted by means of electronic or other communication facilities.
- (2) For the purposes of providing notice of a public hearing to be conducted under subsection (1),
- (a) any notice of the public hearing must include instructions for how to participate in the public hearing by means of electronic or other communication facilities,
 - (b) any material that is to be made available for public inspection for the purposes of the public hearing may be made available online or otherwise by means of electronic or other communication facilities, and
 - (c) a reference to the place of a public hearing includes a public hearing that is conducted by means of electronic or other communication facilities.
- (3) This section applies to delegated public hearings.
- (4) This section applies despite the following provisions:
- (a) section 124 *[procedure bylaws]* of the *Community Charter*;
 - (b) section 225 *[procedure bylaws]* of the *Local Government Act*;
 - (c) section 11 *[application of Community Charter and Local Government Act to trust bodies]* of the *Islands Trust Regulation*, B.C. Reg. 119/90;
 - (d) section 2 *[electronic meetings authorized]* of the *Islands Trust Electronic Meetings Regulation*, B.C. Reg. 283/2009;
 - (e) any applicable requirements in a procedure bylaw made under the *Community Charter*, the *Local Government Act* or the *Islands Trust Act*.

Public hearings – Vancouver Charter

- 14 (1) A public hearing under Division 2 *[Planning and Development]* of Part 27 *[Planning and Development]* of the *Vancouver Charter* may be conducted by means of electronic or other communication facilities.
- (2) For the purposes of providing notice of a public hearing to be conducted under subsection (1),
- (a) any notice of the public hearing must include instructions for how to participate in the public hearing by means of electronic or other communication facilities,

- (b) any material that is to be made available for public inspection for the purposes of the public hearing may be made available online or otherwise by means of electronic or other communication facilities, and
 - (c) a reference to the place of a public hearing includes a public hearing that is conducted by means of electronic or other communication facilities.
- (3) This section applies despite
- (a) section 566 [*amendment or repeal of zoning by-law*] of the *Vancouver Charter*, and
 - (b) any applicable provision in the Vancouver procedure bylaw.

Division 6 – Deferral of Annual Requirements

Annual general meeting and requirements – improvement districts

- 15
- (1) An improvement district may defer an annual general meeting that is required under section 690 [*annual general meeting – improvement districts*] of the *Local Government Act* to a date not later than December 31, 2020.
 - (2) An improvement district may defer the preparation of financial statements required under section 691 [*annual financial statements*] of the *Local Government Act* to a date not later than December 31, 2020.
 - (3) Despite the date referred to in section 691 (5) of the *Local Government Act*, an improvement district may submit to the inspector the audited financial statements of the improvement district for the preceding year and any other financial information required by the inspector at the time of the annual general meeting of the improvement district.
 - (4) If an annual general meeting of an improvement district is deferred under subsection (1) of this section and the term of an improvement district trustee would be expiring and the vacancy filled at that meeting, the term of the improvement district trustee is extended until the annual general meeting is held.
 - (5) This section applies despite
 - (a) Division 3 [*Governance and Organization*] of Part 17 [*Improvement Districts*] of the *Local Government Act*, and
 - (b) any applicable provisions in a letters patent for an improvement district.

Certified correct as passed Third Reading on the 1st day of June, 2021

Kate Ryan-Lloyd, Clerk of the Legislative Assembly

MINISTER OF MUNICIPAL AFFAIRS

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**MUNICIPAL AFFAIRS STATUTES
AMENDMENT ACT, 2021**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Community Charter

1 *Section 124 (2) of the Community Charter, S.B.C. 2003, c. 26, is amended by repealing paragraph (d) and substituting the following:*

- (d) provide for advance public notice respecting the time and date and, if applicable, the place of council committee meetings and establish the procedures for giving that notice; .

2 *Section 128 is repealed and the following substituted:*

Electronic regular council meetings

- 128**
- (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, regular council meetings may be conducted by means of electronic or other communication facilities.
 - (2) The following rules apply in relation to a regular council meeting referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a council must
 - (i) provide for advance public notice of the following:
 - (A) the way in which the meeting is to be conducted by means of electronic or other communication facilities;
 - (B) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
 - (ii) establish the procedures for giving that notice;

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- (c) the facilities must
 - (i) enable the meeting's participants to hear, or watch and hear, the meeting,
 - (ii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting, and
 - (iii) except for any part of the meeting that is closed to the public, 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.

- (3) Members of council who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

3 *The following sections are added:*

Electronic special council meetings

- 128.1** (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, special council meetings may be conducted by means of electronic or other communication facilities.
- (2) The following rules apply in relation to a special council meeting referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the notice under section 127 (2) must include notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public;
 - (c) the facilities must
 - (i) enable the meeting's participants to hear, or watch and hear, the meeting, and
 - (ii) except for any part of the meeting that is closed to the public, 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.
 - (3) Members of council who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

Electronic council committee meetings

- 128.2** (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, council committee meetings may be conducted by means of electronic or other communication facilities.
- (2) The following rules apply in relation to a council committee meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a council must provide for advance public notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and establish the procedures for giving that notice;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;
 - (d) 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.
- (3) Members of a council committee who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

Electronic participation by members in council and council committee meetings

- 128.3** (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, a member of council or a council committee who is unable to attend in person at a regular council meeting, a special council meeting or a council committee meeting may participate in the meeting by means of electronic or other communication facilities.
- (2) The following rules apply in relation to a meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the facilities must enable the meeting's participants to hear, or watch and hear, the participation of the member;
 - (c) 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 participation of the member.
- (3) Members of council or a council committee who are participating under this section in a meeting conducted in accordance with this section are deemed to be present at the meeting.

4 *The following Division is added to Part 6:*

Division 6 – Ministerial Regulations

**Regulations respecting revenue anticipation borrowing
in special circumstances**

- 191.1** (1) The minister may make regulations in accordance with this section if the minister considers that special circumstances exist that result in, or are anticipated to result in, a loss of revenue by or an expense for
- (a) a municipality, including the City of Vancouver,
 - (b) a regional district, or
 - (c) a greater board.
- (2) The minister may make regulations respecting delaying the payment of debt incurred as revenue anticipation borrowing, until the earlier of
- (a) the date when the anticipated revenue with respect to which the borrowing was authorized is received, or
 - (b) December 31 of the year following the year in which the debt was incurred.
- (3) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to or alleviate the effects of the special circumstances.
- (4) A regulation under subsection (1)
- (a) must specify the following:
 - (i) the municipality, regional district or greater board or class of municipalities, regional districts or greater boards, including, without limitation, a class that is all municipalities, all regional districts or all greater boards, for which the payment date is postponed;
 - (ii) the calendar year in relation to which the debt is incurred as revenue anticipation borrowing;
 - (iii) whether the amount of any outstanding debt that remains unpaid after the applicable date referred to in subsection (2) will or will not limit the maximum allowable amount of revenue anticipation borrowing that may be incurred in the subsequent year, and
 - (b) may specify additional terms and conditions respecting the payment of the debt.

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- (5) A regulation under subsection (1) may provide that it applies despite any of the following:
- (a) section 177 [*revenue anticipation borrowing*];
 - (b) section 35 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Sewerage and Drainage District Act*;
 - (c) section 58 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Water District Act*;
 - (d) section 404 [*revenue anticipation borrowing*] of the *Local Government Act*;
 - (e) section 263 [*borrowing pending collection of real-property taxes*] of the *Vancouver Charter*.

**Regulations respecting borrowing from
reserve funds in special circumstances**

- 191.2** (1) The minister may make regulations respecting borrowing from reserve funds to cover an operational shortfall in the year of borrowing if the minister considers that special circumstances exist that result in, or are anticipated to result in, an operational shortfall for
- (a) a municipality, including the City of Vancouver,
 - (b) a regional district,
 - (c) a greater board, or
 - (d) an improvement district.
- (2) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to or alleviate the effects of the special circumstances.
- (3) A regulation under subsection (1)
- (a) must specify the following:
 - (i) the municipality, regional district, greater board or improvement district or class of municipalities, regional districts, greater boards or improvement districts, including, without limitation, a class that is all municipalities, all regional districts, all greater boards or all improvement districts, that may borrow from reserve funds;
 - (ii) the calendar year in relation to which borrowing is authorized;
 - (iii) the date by which the borrowed amount must be repaid to the reserve fund from which it was borrowed;
 - (iv) whether interest applies to the borrowed amount and, if so, the amount of the applicable interest;

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- (v) whether a penalty of no more than 5% of the amount outstanding after the date specified under subparagraph (iii) applies to any amount outstanding after that specified date such that it must be paid to the reserve fund from which the amount was borrowed;
 - (vi) whether any amount outstanding after the date specified under subparagraph (iii) must be included as a cash transfer to reserves in the year following that date in the financial plan, annual estimates or budget, as applicable, and
- (b) may specify additional terms and conditions respecting the borrowing from reserve funds.
- (4) A regulation under subsection (1) may provide that it applies despite any of the following:
- (a) section 165 [*financial plan*];
 - (b) section 189 [*use of money in reserve funds*];
 - (c) section 34.1 [*reserve and special reserve funds*] of the *Greater Vancouver Sewerage and Drainage District Act*;
 - (d) section 53 [*annual estimate*] of the *Greater Vancouver Sewerage and Drainage District Act*;
 - (e) section 46 [*annual estimates and fixing of rates*] of the *Greater Vancouver Water District Act*;
 - (f) section 57.1 [*reserve funds*] of the *Greater Vancouver Water District Act*;
 - (g) section 374 [*annual financial plan*] of the *Local Government Act*;
 - (h) section 377 [*financial management: application of Community Charter*] of the *Local Government Act*;
 - (i) section 697 (2) (d) [*general powers of improvement district*] of the *Local Government Act*;
 - (j) section 706 [*renewal of works and related reserve funds*] of the *Local Government Act*;
 - (k) section 193D (5) (d) and (8) [*reserve fund for accommodation to replace converted or demolished single room accommodation*] of the *Vancouver Charter*;
 - (l) section 201A [*property acquisition fund*] of the *Vancouver Charter*;
 - (m) section 219 [*Director of Finance to report on revenue and expenditure*] of the *Vancouver Charter*;
 - (n) section 306 (7) to (9) [*reserve fund for off-street parking and transportation infrastructure*] of the *Vancouver Charter*;
 - (o) section 372 [*annual estimates*] of the *Vancouver Charter*;
 - (p) section 523D (16) to (17.1) [*development cost levy reserve funds*] of the *Vancouver Charter*.

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Local Government Act

5 *Section 110 (2) and (3) of the Local Government Act, R.S.B.C. 2015, c. 1, is repealed.*

6 *The following section is added:*

Regulations respecting elections in special circumstances

- 167.1 (1) If the minister considers that special circumstances exist that affect, or are anticipated to affect, the administration or conduct of election proceedings or proceedings for assent voting, the minister may make regulations providing an exception to or modification of
- (a) one or more provisions of this Part or Part 4,
 - (b) a regulation under this Part or Part 4, or
 - (c) a bylaw under this Act.
- (2) The minister may make a regulation under subsection (1) only if satisfied that
- (a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and
 - (b) the regulation is necessary to prevent, respond to, or alleviate the effects of the special circumstances.
- (3) A regulation under subsection (1) must specify a date of repeal of the regulation that is no later than one year after the date the regulation is made.

7 *Section 175 (4) is amended*

(a) in paragraph (a) by striking out “section 110 (3) (b)” and substituting “section 110”, and

(b) by repealing paragraph (b).

8 *Section 221 (1) is amended by striking out “conducted by means of electronic or other communications facilities.” and substituting “conducted by means of electronic or other communication facilities.”*

9 *Section 465 is amended*

(a) by adding the following subsections:

- (1.1) Subject to subsection (1.2), a public hearing under section 464 (1) may be conducted by means of electronic or other communication facilities.
- (1.2) The facilities referred to in subsection (1.1) must enable the public hearing’s participants to hear, or watch and hear, each other. , *and*

(b) by repealing subsection (7) and substituting the following:

- (7) A public hearing may be adjourned and no further notice of the hearing is necessary if the following are stated to those in attendance at the time the hearing is adjourned:
- (a) the time and date of the resumption of the hearing;
 - (b) the place of the resumed hearing, if applicable;
 - (c) the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable.

10 Section 466 (2) is amended

(a) in paragraph (b) by adding “, if applicable” after “the place of the hearing”, and

(b) by adding the following paragraph:

- (b.1) if the hearing is conducted by means of electronic or other communication facilities, the way in which the hearing is to be conducted by those means; .

11 Section 494 (2) is amended

(a) by striking out “and” at the end of paragraph (c),

(b) by repealing paragraph (d) and substituting the following:

- (d) the time and date when and, if applicable, the place where the resolution will be considered, and , **and**

(c) by adding the following paragraph:

- (e) if the meeting at which the resolution will be considered is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

12 Section 541 (2) is repealed and the following substituted:

- (2) A notice under subsection (1) must state the following:
- (a) the subject matter of the application;
 - (b) the time and date when and, if applicable, the place where the application will be heard;
 - (c) if the meeting at which the application is heard is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

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13 Section 543 (3) is repealed and the following substituted:

- (3) A notice under subsection (2) must state the following:
- (a) the subject matter of the application;
 - (b) the time and date when and, if applicable, the place where the application will be heard;
 - (c) if the meeting at which the application is heard is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

14 Section 683 (3) is amended by striking out “is 3 years” and substituting “continues until the date of the improvement district election that is held in the third calendar year following the calendar year in which the trustee was elected or appointed”.**15 Section 690 (1) is repealed and the following substituted:**

- (1) At least once in every calendar year, an improvement district board must call an annual general meeting of the owners of land in the improvement district at which it presents the audited financial statements for the preceding calendar year.

16 Section 699 (1) is repealed and the following substituted:

- (1) A bylaw of an improvement district must be signed by the corporate officer and the person presiding at the meeting at which the bylaw is passed.

Municipalities Enabling and Validating Act (No. 4)**17 The following Part is added to the *Municipalities Enabling and Validating Act (No. 4)*, S.B.C. 2011, c. 14:****PART 5 – 2021****Division 1 – Definitions****Definitions****31** In this Part:

“**City of Vancouver**” means the city as defined in section 2 of the *Vancouver Charter*;

“**council**” means a council as defined in section 1 of the Schedule to the *Community Charter*;

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- “**Greater Vancouver Sewerage and Drainage District**” means the Corporation as defined in section 2 of the *Greater Vancouver Sewerage and Drainage District Act*;
- “**Greater Vancouver Water District**” means the Corporation as defined in section 2 of the *Greater Vancouver Water District Act*;
- “**improvement district**” means an improvement district as defined in section 1 of the Schedule to the *Local Government Act*;
- “**item 16**” means item 16 of Schedule 2 to the *COVID-19 Related Measures Act* as the item read immediately before its repeal;
- “**local authority**” means a local authority as defined in section 1 of the Schedule to the *Community Charter*;
- “**municipality**” means a municipality as defined in section 1 of the Schedule to the *Community Charter*;
- “**regional district**” means a regional district as defined in section 1 of the Schedule to the *Local Government Act*;
- “**Vancouver council**” means the Council as defined in section 2 of the *Vancouver Charter*.

Division 2 – Reserve Fund Borrowing (COVID-19)

Reserve fund borrowing – municipalities

- 32 (1) This section applies to a municipality that, during the 2020 calendar year, borrowed from a reserve fund established under section 188 [*establishment of reserve funds*] of the *Community Charter* in accordance with section 3 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the municipality as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 189 [*use of money in reserve funds*] of the *Community Charter*.

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Reserve fund borrowing – regional districts

- 33 (1) This section applies to a regional district that, during the 2020 calendar year, borrowed from a reserve fund established under section 377 [*financial management: application of Community Charter*] of the *Local Government Act* in accordance with section 4 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the regional district as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 377 of the *Local Government Act*.

Reserve fund borrowing – improvement districts

- 34 (1) This section applies to an improvement district that, during the 2020 calendar year, borrowed from a reserve fund established under section 706 [*renewal of works and related reserve funds*] of the *Local Government Act* in accordance with section 5 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the improvement district as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 706 of the *Local Government Act*.

Reserve fund borrowing – City of Vancouver

- 35 (1) This section applies to the City of Vancouver in respect of money that the city, during the 2020 calendar year, borrowed from a reserve fund established under the following sections of the *Vancouver Charter* in accordance with section 6 (1) of item 16:
- (a) section 193D (5) (d) and (8) [*single room accommodation permits*];
 - (b) section 201A [*property acquisition fund*];
 - (c) section 306 (7) to (9) [*reserve fund for off-street parking and other transportation infrastructure*];

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- (d) section 523D (16) to (17.1) [*development cost levies*].
- (2) The money borrowed in accordance with subsection (1)
 - (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the City of Vancouver as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite the following provisions of the *Vancouver Charter*:
 - (a) section 193D (5) (d) and (8);
 - (b) section 201A;
 - (c) section 306 (7) to (9);
 - (d) section 523D (16) to (17.1).

**Reserve fund borrowing – Greater Vancouver
Sewerage and Drainage District**

- 36**
- (1) This section applies to the Greater Vancouver Sewerage and Drainage District in respect of money that the district, during the 2020 calendar year, borrowed from a reserve fund established under section 34.1 [*reserve and special reserve funds*] of the *Greater Vancouver Sewerage and Drainage District Act* in accordance with section 7 (1) of item 16.
 - (2) The money borrowed in accordance with subsection (1)
 - (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
 - (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the Greater Vancouver Sewerage and Drainage District as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
 - (4) This section applies despite section 34.1 of the *Greater Vancouver Sewerage and Drainage District Act*.

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Reserve fund borrowing – Greater Vancouver Water District

- 37 (1) This section applies to the Greater Vancouver Water District in respect of money that the district, during the 2020 calendar year, borrowed from a reserve fund established under section 57.1 [*reserve funds*] of the *Greater Vancouver Water District Act* in accordance with section 8 (1) of item 16.
- (2) The money borrowed in accordance with subsection (1)
- (a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and
 - (b) need not be repaid with interest.
- (3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the Greater Vancouver Water District as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.
- (4) This section applies despite section 57.1 of the *Greater Vancouver Water District Act*.

Power to make regulations

- 38 (1) For the purposes of this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) modifying the date specified in section 32 (2) (a), 33 (2) (a), 34 (2) (a), 35 (2) (a), 36 (2) (a) or 37 (2) (a) [*repayment deadline*];
 - (b) waiving the 5% penalty incurred under section 32 (3), 33 (3), 34 (3), 35 (3), 36 (3) or 37 (3) [*penalty for outstanding debt*].
- (3) Regulations under subsection (2) may be different for different local authorities or classes of local authorities.

Division 3 – Revenue Anticipation Borrowing (COVID-19)**Extension of borrowing – municipalities**

- 39 (1) Debt incurred by a municipality borrowing money in anticipation of revenue in 2020 in accordance with section 177 [*revenue anticipation borrowing*] of the *Community Charter* must be repaid on or before the earlier of the following dates:
- (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.

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-
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit, and need not be included in the calculation of, the maximum allowable amount of borrowing in anticipation of revenue in 2021 in respect of the municipality.
 - (3) This section applies despite section 177 of the *Community Charter*.

Extension of borrowing – regional districts

- 40 (1) Debt incurred by a regional district borrowing money in anticipation of revenue in 2020 in accordance with section 404 [*revenue anticipation borrowing*] of the *Local Government Act* must be repaid on or before the earlier of the following dates:
 - (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021 in respect of the regional district.
- (3) This section applies despite section 404 of the *Local Government Act*.

Extension of borrowing – City of Vancouver

- 41 (1) Debt incurred by the City of Vancouver borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 263 [*borrowing pending collection of real-property taxes*] of the *Vancouver Charter* must be repaid on or before the earlier of the following dates:
 - (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit, and need not be included in the calculation of, the maximum allowable amount of borrowing in anticipation of revenue in 2021.
- (3) This section applies despite section 263 of the *Vancouver Charter*.

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Extension of borrowing – Greater Vancouver Sewerage and Drainage District

- 42 (1) Debt incurred by the Greater Vancouver Sewerage and Drainage District borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 35 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Sewerage and Drainage District Act* must be repaid on or before the earlier of the following dates:
- (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021.
- (3) This section applies despite section 35 of the *Greater Vancouver Sewerage and Drainage District Act*.

Extension of borrowing – Greater Vancouver Water District

- 43 (1) Debt incurred by the Greater Vancouver Water District borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 58 [*borrowing in anticipation of revenue*] of the *Greater Vancouver Water District Act* must be repaid on or before the earlier of the following dates:
- (a) the date when the anticipated revenue for which the borrowing was authorized is received;
 - (b) December 31, 2021.
- (2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021.
- (3) This section applies despite section 58 of the *Greater Vancouver Water District Act*.

Power to make regulations

- 44 (1) For the purposes of this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations modifying the date specified in section 39 (1) (b), 40 (1) (b), 41 (1) (b), 42 (1) (b) or 43 (1) (b) [*repayment deadline*].
- (3) Regulations under subsection (2) may be different for different local authorities or classes of local authorities.

Division 4 – Annual Tax Sales (COVID-19)

Deferral of tax sale – municipalities

- 45 (1) If a council of a municipality adopted a bylaw in accordance with section 15 (1) of item 16 deferring the annual tax sale, provided for under Division 7 [*Annual Municipal Tax Sale*] of Part 16 [*Municipal Provisions*] of the *Local Government Act*, for 2020,
- (a) the annual tax sale for the municipality for 2020 is deferred to September 27, 2021, and
 - (b) for certainty, any taxes that are delinquent, as described in section 246 (1) of the *Community Charter*, remain delinquent for 2021, with interest charges that are carried under that Act.
- (2) This section applies despite Division 7 of Part 16 of the *Local Government Act*.

Deferral of tax sale – City of Vancouver

- 46 (1) The annual tax sale for the City of Vancouver for 2020 is deferred to November 10, 2021, in accordance with By-Law No. 12730, adopted by Vancouver council on July 7, 2020.
- (2) For certainty, any taxes that are delinquent, as described in section 407 [*further warning of tax sale*] of the *Vancouver Charter*, remain delinquent for 2021, with interest charges that are carried under that Act.
- (3) This section applies despite Part XX [*Real-Property Taxation*] of the *Vancouver Charter*.

Deferral of tax sale – improvement districts

- 47 (1) In this section, “**deferral date**” means, as applicable,
- (a) a date specified for the annual tax sale by a bylaw made under section 17 (2) of item 16, or
 - (b) September 27, 2021, if no date is specified in a bylaw referred to in paragraph (a).
- (2) If an improvement district board adopted a bylaw in accordance with section 17 (2) of item 16 deferring the annual tax sale for 2020 until the deferral date,
- (a) the annual tax sale for the improvement district for 2020 is deferred to the deferral date, and
 - (b) for certainty, any taxes that remain owing, as described in section 718 (1) (a) [*tax sale for recovery of taxes*] of the *Local Government Act*, continue to remain owing for 2021, with interest charges that are carried under that Act.

- (3) This section applies despite Division 6 *[Tax Sales]* of Part 17 *[Improvement Districts]* of the *Local Government Act*.

Division 5 – Tax Sale Redemption Periods (COVID-19)

Extension of redemption period – municipalities

- 48 (1) If a council of a municipality adopted a bylaw in accordance with section 18 (1) of item 16 extending the expiration of the redemption period for all properties that have a redemption period ending in 2020, the expiration of the redemption period for the municipality is extended to September 27, 2021.
- (2) This section applies despite Division 7 *[Annual Municipal Tax Sale]* of Part 16 *[Municipal Provisions]* of the *Local Government Act*.

Vancouver Charter

18 Section 2.1 of the Vancouver Charter, S.B.C. 1953, c. 55, is amended

(a) by repealing subsection (2) and substituting the following:

- (2) The following provisions of the *Community Charter* apply to the city:
- (a) Division 6 *[Ministerial Regulations]* of Part 6 *[Financial Management]*;
 - (b) section 193.1 *[interest calculation]*;
 - (c) section 223 *[exemptions under regulations]*;
 - (d) Division 3 *[Dispute Resolution]* of Part 9 *[Governmental Relations]*. ,
and

(b) in subsection (4) by adding the following:

- (d) the *Municipalities Enabling and Validating Act (No. 4)*, S.B.C. 2011, c. 14.

19 Section 72 (2) is repealed.

20 Section 164.1 (3) is amended by striking out “conducted by means of electronic or other communications facilities.” and substituting “conducted by means of electronic or other communication facilities.”

21 The following section is added:

Electronic meetings of the Board

- 495A. (1) If permitted under subsection (2), a meeting or special meeting of the Board may be conducted by means of electronic or other communication facilities.

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- (2) The Lieutenant Governor in Council may make regulations permitting meetings under subsection (1) and prescribing conditions, limits and requirements respecting such meetings.
- 22 Section 562 (4) is amended by striking out “Section 566 (3) to (5.1)” and substituting “Section 566 (1.1), (1.2) and (3) to (5.1)”.**
- 23 Section 566 is amended**
- (a) by adding the following subsections:**
- (1.1) Subject to subsection (1.2), a public hearing under subsection (1) may be conducted by means of electronic or other communication facilities.
- (1.2) The facilities referred to in subsection (1.1) must enable the public hearing’s participants to hear, or watch and hear, each other. , **and**
- (b) by repealing subsection (3) and substituting the following:**
- (3) Notice of the hearing that states the following must be published in accordance with section 3, with the last publication appearing at least 7 days and not more than 14 days before the date of the hearing:
- (a) the time and date of the hearing;
- (b) the place of the hearing, if applicable;
- (c) the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable;
- (d) the place where and the times when a copy of the proposed by-law may be inspected.
- 24 Section 594 (2) is amended by striking out “Section 566 (3), (5) and (5.1)” and substituting “Section 566 (1.1), (1.2), (3), (5) and (5.1)”.**

Transitional Provisions

Transition – notice

- 25** If, before this section comes into force, a local authority, as defined in section 1 of the Schedule to the *Community Charter*, provides notice of a meeting or a hearing to be held on or after the date this section comes into force and provides the notice in accordance with item 21 [*Local Government Meetings and Bylaw Process (COVID-19) Order No. 3*] of Schedule 2 to the *COVID-19 Related Measures Act* as the item read immediately before its repeal, that notice is deemed to be provided in accordance with the *Community Charter*, the *Local Government Act* or the *Vancouver Charter*, as applicable and as amended by this Act.

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Consequential Amendments
Hospital District Act

26 *Section 17.1 (5) of the Hospital District Act, R.S.B.C. 1996, c. 202, is amended by repealing paragraph (f) and substituting the following:*

(f) sections 128 to 128.3 [*electronic meetings and electronic participation*]; .

Commencement

27 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 3	By regulation of the Lieutenant Governor in Council
3	Section 4	July 11, 2021
4	Sections 9 to 13	By regulation of the Lieutenant Governor in Council
5	Sections 14 to 18	July 11, 2021
6	Sections 21 to 26	By regulation of the Lieutenant Governor in Council

Village of Tahsis
Council Procedure Bylaw
(Consolidated Sept, 2012)
No. 495, 2004

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VILLAGE OF TAHSIS**BYLAW NO. 495, 2004****A BYLAW TO PROVIDE FOR COUNCIL PROCEDURES**

Whereas under Section 124 (1) (2) of the Community Charter Council must by bylaw, establish the procedures to be followed for the conduct of its business and, in particular, must by law, establish procedures to be followed for the conduct of Council business.

NOW THEREFORE the Council of the Village of Tahsis, in an open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION**1. Title**

This Bylaw may be cited as the "VILLAGE OF TAHSIS COUNCIL PROCEDURE BYLAW NO. 495, 2004".

2. Definitions

In this Bylaw,

"Chair" means the Mayor, Acting Mayor, or presiding officer appointed under this bylaw, who is chairing a meeting;

"Charter" means the *Community Charter*;

"Committee" means a standing, select, or other committee of Council, but does not include COTW;

"COTW" means the Committee of the Whole;

"Corporate Officer" means the person appointed by Council as the Corporate Officer, and includes every person appointed by Council by name of office or otherwise to act in the place of the Corporate office;

"Council" means the Council of the Village of Tahsis;

"inaugural meeting" means the meeting at which the members elected at the most recent general election are sworn in;

"Mayor" means the mayor of the Village;

“Meeting” means an inaugural, regular or special meeting, as the context requires;

s. 94(7)

"Municipal Hall" means the village's principal business address located at 977 South Maquinna, Tahsis British Columbia;

s.124(2)(e)

“Public Notice Posting Place” means the notice board at the Municipal Hall;

“Village” means the Village of Tahsis.

Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council, COW and all standing and select committees of Council, as applicable.

s.124(2)(a)
and (b)

(2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 10th edition, 2000, apply to the proceedings of Council, COW, and Council committees to the extent that those Rules are

a) applicable in the circumstances, and

b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

PART 2 - COUNCIL MEETINGS

Inaugural Meeting

4. (1) Following a general local election, the first Council meeting must be held on the first Tuesday in December in the year of the election.

s.124(2)(g)
s.125(1)

(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 subsection (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.

s.125(2)

Time and location of meetings

5. (1) All Council meetings must take place within the municipal hall except when Council resolves to hold meetings elsewhere and directs the corporate officer to give notice of the 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 regular council meeting.

s.125(2)

(2) Regular Council meetings must

(A) be held on the first and third Tuesday of each month.

- (B) begin at 7:00 p.m.
- (C) be adjourned at 10:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with s. 29 of this bylaw
- (D) If a regularly scheduled meeting of Council falls on a statutory holiday, or on a day which is being observed as a holiday in Tahsis, the meeting shall be held on the following day when the municipal office is open at the time fixed by bylaw.

Cancelled, Rescheduled or Called Meetings

The Council may by resolution

- a) Cancel or reschedule a regular meeting provided that two consecutive meetings are not cancelled; and
- b) Change the time or location for the holding of a meeting, , provided the Corporate Officer is given at least 2 days written notice.
- c) Call an additional regular meeting at the time and place stipulated in the resolution.
- d) The resolution to cancel or reschedule a regular meeting postpones the business on the agenda for the meeting to the next or the rescheduled regular meeting.
- e) Except in the case of a meeting for which there is no quorum or a quorum is lost, the corporate officer must give public notice of the cancelled, rescheduled or called meeting or of the change of time or location before the date and time on which the regular meeting was to be held by posting and publishing the notice in the manner referred to in section 6 (1) (3).

Notice of Regular Council Meetings

- 6. (1) In accordance with section 127 of the *Community Charter* Council must prepare annually on or before January 1th , 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.
- (2) In accordance with section 127 (1)(b) of the *Community Charter* Council must give notice annually on or before *January 1st* of the time and duration that the schedule of regular Council meetings will be available for public review in accordance with section 94 of the *Community Charter*
- (3) Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at

s.127(1)

the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

Notice of Special Council 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 meeting, by

s.127(2)

(A) posting a copy of the notice in the Council chambers at the Municipal Hall,

(B) posting a copy of the notice at the Public Notice Posting Place, and

(C) leaving one copy of the notice for each Council member in the Council member's mailbox at the Village Office.

- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

s.127(3)

Notice of Annual Meeting

8. The corporate officer must give notice of the council meeting or other public meeting in respect of which Council has resolved to consider;

- a) the annual report prepared under Section 98 of the Community Charter (*Annual municipal report*) and
- b) Submissions and questions from the public

By giving public notice by

- c) Posting notice of the date, time and place of the annual meeting at the public notice posting place, and
- d) Publishing notice of the date, time and place of the annual meeting in accordance with Section 94 of the Community Charter (*Requirements for public notice*)

Electronic Meetings

9. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter (Electronic meetings and participation by members)* are met,

s. 128

- a) a special Council meeting may be conducted by means of electronic or other communication facilities,
 - b) a member of Council or a Council Committee member who is unable to attend at a Council meeting or Council Committee meeting as a result of being out of town on Village business, illness or injury may participate in the meeting by means of land line telephone at Council's discretion.
- (2) The member presiding at a regular, special council or council committee meeting must not participate electronically.
 - (3) No more than 1 member of council at one time may participate at a council meeting under section 9(1)(b).
 - (4) No more than 1 member of a Council Committee at one time may participate at a Council Committee meeting under s.8(1)(b).

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

- 10. (1) Annually in January Council must from amongst its members designate a Councillor to serve as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- s. 130
- (2) Each Councillor designated under section 10(1) must fulfill the responsibilities of the Mayor in his or her absence.
 - (3) If both the Mayor and the member designated under section 10(1) are absent from the Council meeting, the Council members present must by resolution choose a Councillor to preside at the Council meeting.
 - (4) The member designated under section 10(1) or chosen under section 10(3) has the same powers and duties as the Mayor in relation to the applicable matter.

PART 4 - COUNCIL PROCEEDINGS

Community Charter Provisions

- 11. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [*Open Meetings*] and Division 2 of Part 5 [*Council Proceedings*]. The relevant extracts from the *Community Charter* are appended to this bylaw for convenient reference.

Attendance of Public at Meetings

12. (1) Except where the provisions of section 90 (Meetings that may or must be closed to the public) of the *Community Charter* apply, all Council meetings must be open to the public.
- s. 89
- (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*.
- s. 92
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
- s. 93
- (a) Committee of the Whole
 - (b) standing and select committees,
 - (c) parcel tax review panel,
 - (d) board of variance,
 - (e) Commissions
- (4) Despite section 12(1), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 may expel or exclude from a Council meeting a person in accordance with section 22 (8).

Minutes of meetings to be maintained and available to public

13. (1) Minutes of the proceedings of Council must be
- (A) legibly recorded,
- (B) certified as correct by the Corporate Officer, and
- (C) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (D) Need not be read, prior to their adoption
- s.124(2)(c)
- (2) Subject to subsection 13(3), and in accordance with section 97(1)(b) of the *Community Charter* [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- s.97(1)(b)
s.97(2)
- (3) Subsection 13(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under
- s.97(1)(b)

section 90 of the *Community Charter [meetings that may be closed to the public]*.

Calling the meeting to order

14. Once a quorum is present at the appointed meeting time, the Mayor must call the meeting to order and be the chair for the meeting.

If the Mayor is not in attendance at the appointed meeting time the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 10 must take the Chair and call such meeting to order.

[s.124\(1\)](#)
[s.124\(2\)\(a\)](#)

Appointment of Acting Chair – Mayor and Acting Mayor Absent

15. If a quorum of Council (3 members) is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 10 do not attend within fifteen minutes of the scheduled time for a Council meeting:
- a) the Corporate Officer must call to order the members present, and by a resolution the council must appoint a Councillor as chair for that meeting until the Mayor or Acting Mayor arrives.
 - b) If the Mayor arrives after commencement of a meeting, he or she will preside on arrival.
 - c) Subject to section 15 (b) if the Acting Mayor arrives after commencement of a meeting referred to in section 15, he or she will preside on arrival.

Adjourning Regular meeting where no quorum

16. If there is no quorum of Council present within fifteen minutes of the scheduled time for a Council meeting, or the quorum is lost during a meeting, the Corporate Officer must
- a) record the names of the members present in the minutes book and
 - b) adjourn the meeting until the following Tuesday at the same time the aforementioned meeting was called.
 - c) Post the minute book notation stating the time, date and location of the adjourned meeting on the public notice posting place.
 - d) All business on the agenda for that regular meeting not dealt with at that regular meeting is incorporated in the agenda for the meeting held on the date referred to in section 16 (b)

Agenda

17. (1) Subject to section 6 (4) and 7 (3) prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda must be 12:00 noon on the Wednesday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council the Friday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 18 (1) (b) of this bylaw.
- (5) After the agenda has been made available to Council, the corporate officer shall
 - a) post a copy of the agenda at the public notice posting place
 - b) Leave a copy of the agenda at the reception counter at the village office for the purpose of making the agenda available to members of the public.

Order of proceedings and business (as amended by Bylaw 495-2, 2012)

18. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
 - (a) CALL TO ORDER
 - (b) INTRODUCTION OF LATE ITEMS
 - (c) APPROVAL OF THE AGENDA
 - (d) PETITIONS AND DELEGATIONS (MAX. 10 MINUTES)
 - (e) PUBLIC INPUT PERIOD (TERMS OF REFERENCE AS FOLLOWS)
 - The maximum time allotted for each speaker appearing before Council during the Public Input Period is two (2) minutes (timed)
 - Speakers presentations will be audio recorded, and will form part of the public record.
 - The Public Input Period provides an opportunity for the public to speak directly to Council on items on the Council Agenda or to any topic the Chair feels is of relevance to Council.
 - The Public Input Period provides an opportunity for public input only, without expectation of response from Council,

- Speakers are requested to place their names on the sign up sheet prior to calling the meeting to order. The mayor will invite those wishing to speak in the order that their names appear.
- Public Input period speakers are to limit their comments and questions to agenda items of the current meeting they are attending.
- Speakers may not speak disrespectfully of any Council Member, staff member, or any other person and must not use offensive language or gestures.
- Speakers may speak only once at the Public Input Period.
- When appearing before Council, speakers are requested to state their name and address for the record (which is recorded.)
- Please address the Mayor as “Mayor (followed by their surname)” or your worship, and address Councillors as “Councillor (followed by their surname)”.

(f) ADOPTION OF MINUTES

(g) BUSINESS ARISING FROM THE MINUTES

(h) UNFINISHED BUSINESS

(i) COUNCIL and ADMINISTRATIVE REPORTS

(j) BYLAWS

(k) CORRESPONDENCE (for information)

(l) NEW BUSINESS

(m) RECESS REGULAR MEETING IN ORDER TO CONDUCT A CLOSED MEETING

(n) RECONVENE REGULAR MEETING (bring forward any closed items)

(o) ADJOURNMENT

- (2) Unless the Mayor or resolution of Council shall otherwise direct, the business at a Council meeting shall in all cases proceed in the order set out in section 18 (1)
- (3) When any order, resolution, or question is lost by reason of the Council or any Committee breaking up for want of a quorum, the order, resolution, or question lost shall be the first item of business under that particular heading to be proceeded with and disposed of at the next meeting of Council.

Late Items

- 19. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 19(1), information pertaining to late items must be distributed to the members and the Corporate Officer.

Addition of Agenda Items

- 20. A member may in a meeting without notice, request leave to introduce an item of business not on the agenda which the member deems to be urgent.
 - a) The member must when making the request inform the Council of the general nature of the business and the reason immediate consideration is required.
 - b) The member must make the request at the time the Council considers Introduction of late items.
 - c) If leave is granted by an affirmative vote of Council the item of business must be placed on the agenda as "New Business", at which time the member must present the Corporate Officer any supporting information on which the mover intends to rely.

Voting at meetings

- 21. (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 of Council members;
 - b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:

"All those in favor raise your hands." and then "Those opposed raise your hands."

- c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
 - (i) cross or leave the room,
 - (ii) make a noise or other disturbance, or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
- e) the presiding member's decision about whether a question has been finally put is conclusive; and
- f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
- g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative (carried) or the negative (defeated);
- h) Each Council member present at the time of a vote must vote on the matter at hand. If a council member does not indicate how he or she votes, the member is deemed to have voted in the affirmative.

Delegations, Petitions and Correspondence

- 22. (1) The Council may by resolution allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application has been received by the Corporate Officer by 12:00 noon on the Wednesday prior to the meeting. Each address must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of those members present.

This written submission should include

- a) Full particulars of the subject matter to be submitted to Council;
- b) The proposed action, which is within the authority of the Village which the delegation wishes the Village to take in response to the submission
- c) Names and addresses of the persons or the organization comprising the delegation

- d) The name, address and telephone number of the person who will speak to the Council on behalf of the delegation.
- (2) Where written application has not been received by the Corporate Officer as prescribed in section 22 (1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
 - (3) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
 - (4) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
 - (5) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
 - (6) A petition shall include the name, signature and civic address of each petitioner, and in the case of a corporation, the authority given by the corporation to sign the petition shall be produced with it. Petitions shall be considered public documents.
 - (7) The corporate officer must place on the regular agenda under correspondence written communications addressed to the Mayor and Council or to Council which are delivered in person, by post, electronically, not later than six days before the posting of the agendas for a meeting, if such communications are:
 - a) To be reviewed by Council for information or action; or
 - b) not excluded under section (8).
8. The corporate officer must deliver to members at members mailboxes written of electronic communications:
- a. That are confidential in nature; or
 - b. If they have been acted on by an officer, employee or agent of the Village

Points of order

23. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter [authority of presiding member]*, the presiding member must apply the correct procedure to a motion

s. 132

- (A) if the motion is contrary to the rules of procedure in this bylaw, and
- (B) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order
- (A) the presiding member must cite the applicable rule or authority if requested by another Council member,
- (B) another member must not question or comment on the rule or authority cited by the presiding member under subsection (3)(a), and
- (C) the presiding member may reserve the decision until the next Council meeting.

Conduct and debate

24. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Members must address other non-presiding members by the title.
- (4) No member shall speak until recognized by the presiding member.
- (5) No member must interrupt a member who is speaking except to raise a point of order.
- (6) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (7) Members who are called to order by the presiding member
- (A) must immediately stop speaking,
- (B) may explain their position on the point of order, and
- (C) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter [authority of presiding member]*.

s. 132

- (8) Members speaking at a Council meeting
- (A) must use respectful language,
 - (B) must not use offensive gestures or signs,
 - (C) must speak only in connection with the matter being debated,
 - (D) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (E) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- s. 133(1) (9) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and
- (A) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
 - (B) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- s. 133(2)
- (10) A member may request the question being debated at a Council meeting be read at any time during the debate if that does not interrupt another member who is speaking.
- (11) The following rules apply to limit speech on matters being considered at a Council meeting:
- (A) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council, or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
 - (iii) After all other members have had an opportunity to speak to the question

Motions generally

- 25 (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.

- (2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission..
- (3) A Council member may make only the following motions, when the Council is considering a question:
- a) To refer to committee;
 - b) To amend
 - c) To lay on the table*
 - d) To postpone indefinitely;*
 - e) To postpone to a certain time;*
 - f) To move the previous question;*
 - g) To adjourn.*
- * Items 3 (c) to (g) are not amendable or debatable*
- (4) 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.

Motion to commit

26. Until it is decided, a motion made at a Council meeting to refer to committee precludes¹ an amendment of the main question.

Motion for the main question

27. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
- (A)if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and

¹ Preclude – to make impossible or impractical by prior action

(B) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

Amendments generally

28. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- (4) 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.
- (5) An amendment may be amended once only.
- (6) An amendment that has been negated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
- (A) a motion to amend a motion amending the main question;
- (B) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
- (C) the main question.

Reconsideration by Council

29. (1) Subject to subsection 29 (5), a Council member may, at the next Council meeting,
- (A) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
- (B) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.

- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
 - (A) had the approval or assent of the electors and been adopted,
 - (B) been reconsidered under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]*,
 - (C) been acted on by an officer, employee, or agent of the City.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

Privilege

- 30. (1) In this section, a matter of privilege refers to any of the following motions:
 - (A) fix the time to adjourn;
 - (B) adjourn;
 - (C) recess;
 - (D) raise a question of privilege of the Council;
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

Reports from committees

31. Council may take any of the following actions in connection with a resolution it receives from COTW:
- (A) agree or disagree with the resolution;
 - (B) amend the resolution;
 - (C) refer the resolution back to COTW;
 - (D) postpone its consideration of the resolution.

Adjournment

32. (1) A Council may continue a Council meeting after 11:00 p.m. only by an affirmative vote of 2/3 the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order. If the motion to adjourn is negative no second motion to the same effect shall be made until some intermediate business or matter has been disposed of.
- (3) Subsection (2) does not apply to either of the following motions:
- (A) a motion to adjourn to a specific day;
 - (B) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 - BYLAWS

Copies of proposed bylaws to Council members

33. 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.

s.124(2)(a)

Form of bylaws

34. 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;

Bylaws to be considered separately or jointly

35. 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.

Reading and adopting bylaws

36. (1) The presiding member of a Council meeting may
- (A) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
 - (B) request a motion that the proposed bylaw or group of bylaws be read;
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to section 882 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.
- (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 with the requirement that there must be at least one day between the third reading and the adoption of a bylaw.
- (5) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 890(9) of the *Local Government Act [public hearings]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

s.135(2)
(3)

Bylaws must be signed

37. After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must endorse upon it the Village's corporate seal, dates of readings and adoptions and date of Ministerial approval or approval of the electorate if applicable and have it placed in the City's records for safekeeping

s.135(6)

s.148(a)

PART 6 - RESOLUTIONS

Copies of resolutions to Council members

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

Form of Resolution

39. A resolution introduced at a Council meeting must be printed and have a distinguishing number.

Introducing resolutions

40. (1) The presiding member of a Council meeting may:
- a) have the corporate officer read the resolution; and
 - b) request a motion that the resolution be introduced.

PART 7 - COMMITTEE OF THE WHOLE

Going into Committee of the Whole

41. (1) At any time during a Council meeting, Council may by resolution go into COTW "...that the Council does now resolve itself into a Committee of the Whole".
- (2) A meeting of the Committee of the Whole may be called at any time by the Mayor.
- (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the Village's business, is a meeting of COTW.

Notice for COTW meetings

42. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:

s.124(2)(d)

- a) posting a copy of the notice at the Public Notice Posting Place; and
 - b) leaving a copy of the notice for each Council member in the Council member's mailbox at the Municipal Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 41, during a Council meeting for which public notice has been given under section 6 or 7.

Minutes of COTW meetings to be maintained and available to public

43. (1) Minutes of the proceedings of COTW must be
- (A) legibly recorded,
 - (B) certified by the Corporate Officer,
 - (C) signed by the member presiding at the meeting, and
 - (D) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.

[s.97\(1\)\(c\)](#)

124 (c)

Presiding members at COTW meetings and Quorum

- 44.. (1) Any Council member may preside in COTW..
- (2) The quorum of COTW is the majority of Council members.

Points of order at meetings

- 45.. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and debate

- 46.. The following rules apply to COTW meetings:
- a) a motion is not required to be seconded;
 - b) a motion for adjournment is not allowed;
 - c) a member may speak any number of times on the same question;
 - d) a member must not speak longer than a total of ten (10) minutes on any one question.

Voting at meetings

47. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.

Reports

48. (1) COTW may consider reports and bylaws only if
- (A) they are printed and the members each have a copy, or
- (B) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.

Rising without reporting

49. (1) A motion made at a COTW meeting to rise without reporting
- (A) is always in order and takes precedence over all other motions,
- (B) may be debated, and
- (C) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 41(1), the Council meeting must resume and proceed to the next order of business.

PART 8 - COMMITTEES**Duties of standing committees**

50. (1) Standing Committees must consider, inquire into, report and make recommendations to Council about all the following matters:

s. 141
s. 142

- a) matters that are related to the general subject indicated by the the name of the committee,
- b) matters that are assigned by Council
- c) matters that are assigned by the Mayor.

- (2) Standing committees must report and make recommendations to Council at all the following times:

- a) In accordance with the schedule of the committee's meetings,
- b) on matters that are assigned by Council or the Mayor, or
 - 1. as required by Council or the Mayor, or
 - 2. at the next Council meeting if the Council or Mayor does not specify a time.

Duties of Select Committees

- 51 (1) Select committees must consider, inquire into, report and make recommendations to Council about the matters referred to the committee by Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

Schedule of committee meetings

52. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

Notice of committee meetings

53. (1) Subject to subsection 52 (1), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:

s.124(2)(d)

- a) posting a copy of the schedule at the Public Notice Posting Place and
 - b) providing a copy of the schedule to each member of the committee and the corporate officer at least 24 hours before the meeting..
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 52 (2) to be given to all members of the committee at least 24 hours before the time of the meeting.

Attendance at Committee meetings

54. Council members who are not members of a committee may attend the meetings of the committee.

Minutes of committee meetings to be maintained and available to public

55. (1) Minutes of the proceedings of a committee must be
- a) legibly recorded,
 - b) certified by the Corporate Officer,
 - c) signed by the chair or member presiding at the meeting, and
 - d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter [other records to which public access must be provided]*.
- (2) If a staff person has not been assigned by Council to take minutes, then the committee from amongst its members shall select a member to be responsible to take minutes of the committee meetings.

s.124(2)(c)
s.97(1)(c)

Quorum

56. The quorum for a committee is a majority of all of its members.

Conduct and debate

57. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

Voting at meetings

58. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 9 - GENERAL

- 59. 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.
- 60. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter [public notice]*.
- 61. Village of Tahsis Procedure Bylaw No. 477 is hereby repealed.

READ A FIRST TIME THIS 6th day of April, 2004.

READ A SECOND TIME THIS 6th day of April, 2004.

READ A THIRD TIME THIS 6th day of April, 2004.

ADOPTED THIS 20th day of April, 2004.

CORPORATE OFFICER

MAYOR

Appendix

Community Charter Provisions

Division 3 - Part 4 (Open Meetings) - Sections 89-93

Division 2 - Part 5 (Council Proceedings) - Sections 122-134



VILLAGE OF TAHISIS

REVENUE ANTICIPATION BORROWING BYLAW No. 642, 2021

A BYLAW TO PROVIDE FOR THE BORROWING OF MONEY IN ANTICIPATION OF REVENUE

WHEREAS the Village of Tahsis does not have sufficient money on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the *Community Charter* that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

- a) The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year; and
- b) The whole amount of any sums of money remaining due from other governments;

AND WHEREAS there are no liabilities outstanding under Section 177;

AND WHEREAS the total amount of liability that Council may incur is two million nine hundred eighty-one thousand seven hundred forty-seven dollars (\$2,981,747) made up of the sum of seven hundred ninety-four thousand three hundred thirteen dollars (\$794,313) being the whole amount of unpaid taxes levied for all purposes and remaining due for the current year, and two million one hundred eighty-seven thousand four hundred thirty-four dollars (\$2,187,434) being the whole amount of the sum of money remaining due from other governments;

NOW THEREFORE the Council of the Village of Tahsis, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "Revenue Anticipation Borrowing Bylaw No. 642, 2021."
2. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the municipality an amount or amounts not exceeding the sum of two million nine hundred eighty-one thousand seven hundred forty-seven dollars (\$2,981,747).

- 3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and Financial Administrator.
- 4. All unpaid taxes and the taxes of the current year when levied or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

READ a first time this 6th day of July, 2021

READ a second time this day of July, 2021

READ a third time this day of July, 2021

Reconsidered, Finally Passed and Adopted this day of, 2021

MAYOR

CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 613, 2019 duly passed by the Council of the Village of Tahsis on this day of 2021.

CORPORATE OFFICER