

CITY OF BURNABY

BYLAW NO. 14610

A BYLAW to establish procedures for meetings of Council
and Advisory Bodies

The **Council** of the City of Burnaby ENACTS as follows:

PART 1: CITATION

1.1 This Bylaw may be cited as **BURNABY PROCEDURE BYLAW 2024**.

PART 2: INTERPRETATION

2.1 In this Bylaw,

- “Advisory Body”** means a group of **members** in an advisory function to **Council** including:
- (a) a Standing Committee of **Council** appointed by the Mayor under section 141 of the *Community Charter*
 - (b) a Select Committee of **Council** appointed by **Council** under section 142 of the *Community Charter*
 - (c) a commission appointed by **Council** under section 143 of the *Community Charter*
 - (d) a special task force or ad hoc group that gathers at the appointment and direction of **Council**
- “Bylaw”** means this bylaw, including all schedules attached hereto
- “Chair”** means the Mayor, Acting Mayor, or other person appointed under the *Community Charter, Local Government Act* or this **Bylaw** to preside at a **meeting of Council**, a **Public Hearing** or meeting of an **Advisory Body**
- “City”** means the City of Burnaby
- “City Hall”** means the **City’s** principal physical location at 4949 Canada Way, Burnaby, British Columbia;
- “Committee of the Whole”** means a committee in which the **members** of **Council** may give detailed consideration to a matter under conditions of freedom approximating those of an **Advisory Body**
- “Community Charter”** means the *Community Charter, SBC 2003, c. 26*

“ Corporate Officer ”	means the corporate officer or designate for the City appointed pursuant to section 148 of the <i>Community Charter</i> ;
“ Council ”	means the municipal council of the City
“ electronic meeting ”	has the meaning set out in section 6.1(c) of this Bylaw
“ electronic participation ”	means participating in a meeting by means of electronic or other communication facilities
“ hybrid meeting ”	has the meaning set out in section 6.1(b) of this Bylaw
“ Inaugural Meeting ”	means the first meeting of Council following a general local election at which the members of Council elected at the general election are sworn in
“ <i>Local Government Act</i> ”	means the <i>Local Government Act</i> , RSBC 2015, c. 1
“ meeting of Council ”	means an Inaugural Meeting , Regular Meeting , Special Meeting , or meeting of the Committee of the Whole , as applicable
“ member ”	in the case of Council means the Mayor or a Councillor, and in the case of an Advisory Body a person appointed as a voting member of that Advisory Body
“ motion ”	means a formal proposal made by a member at a meeting of Council or of an Advisory Body that the Council or Advisory Body adopt in the affirmative by the majority of the members necessary
“ public notice posting place ”	means the bulletin board on the ground floor of City Hall at the entrance to the Legislative Services Office
“ Public Hearing ”	means a hearing held pursuant to Part 14, Division 3 of the <i>Local Government Act</i>
“ question ”	means the subject matter of a motion
“ quorum ”	means: (a) in the case of Council , a majority of the number of members of which the Council consists (b) in the case of an Advisory Body , a majority of the voting members appointed

“Recording Officer” means the person charged with keeping the minutes of meetings, which:

- (a) in the case of **meetings of Council and Public Hearings**, means the **Corporate Officer**
- (b) in the case of meetings of **Advisory Bodies**, means the person delegated by the **Corporate Officer**

“Regular Meeting” means a **meeting of Council**, whether open or closed, other than an **Inaugural Meeting, Special Meeting or Committee of the Whole**

“Special Meeting” means a **meeting of Council**, whether open or closed, called in accordance with section 126 of the *Community Charter*

“Urgent Business” means business of a time-sensitive nature that requires consideration before the next scheduled meeting

- 2.2 All references to the statutes, regulations, bylaws, orders, policies or guidelines of a federal, provincial, municipal or other governmental authority is a reference to such statute, regulation, bylaw, order, policy or guideline as amended or replaced from time to time.
- 2.3 The schedule(s) to this **Bylaw** are attached to and form an integral part of this **Bylaw**.
- 2.4 For any meeting procedure not otherwise provided for in this **Bylaw**, the *Community Charter, Local Government Act* or another enactment, the procedure will be governed by the most recent edition of *Robert’s Rules of Order*.

PART 3: COUNCIL MEETINGS

INAUGURAL MEETING

- 3.1 An **Inaugural Meeting** will be held within first 10 days of November following a general local election. The meeting will be held at a time and a location chosen by the Mayor-elect in consultation with the **Corporate Officer**.
- 3.2 If a **quorum** of **Council members** elected at the general local election has not taken office by the date referred to in section 3.1 of this **Bylaw**, the **Inaugural Meeting** will be called by the **Corporate Officer** and held as soon as reasonably possible after a **quorum** has taken office.
- 3.3 Public notice of the **Inaugural Meeting** will be posted at the **public notice posting place** at least four days before the time of the **Inaugural Meeting**.

REGULAR MEETINGS

- 3.4 **Regular Meetings** will be held in accordance with the schedule for the date and time of **Regular Meetings** adopted by **Council** pursuant to section 5.1 of this **Bylaw**.
- 3.5 An open portion of a **Regular Meeting** will be adjourned after three (3) hours on the day scheduled for the meeting, unless a unanimous resolution to suspend the meeting procedure time limit is adopted by **Council**.
- 3.6 **Council** may, by resolution, cancel, reschedule or change the time or location of a **Regular Meeting**, or call an additional **Regular Meeting** at the time and place stipulated in the resolution.
- 3.7 The resolution to cancel or reschedule a **Regular Meeting** postpones the remaining business on the agenda to the next or the rescheduled **Regular Meeting**.

SPECIAL MEETINGS

- 3.8 A **Special Meeting** may be called in accordance with Part 5, Division 2 of the *Community Charter*.
- 3.9 Except where notice of a **Special Meeting** is waived by a unanimous vote of all **members** of **Council**, the **Corporate Officer** will give notice of a **Special Meeting** at least 24 hours before the meeting by:
- (a) by posting a notice at **Council** chambers in **City Hall**;
 - (b) by posting a notice, and a copy of the agenda, at the **public notice posting place**; and
 - (c) by leaving one copy of the notice for each **member** of **Council** at the place to which the **member** of **Council** has directed that notice be sent.

PUBLIC HEARINGS

- 3.10 The Mayor will be the **Chair** at **Public Hearings**.
- 3.11 **Council** may, by resolution, **call**, cancel, reschedule or change the time or location of a **Public Hearing**, or call an additional **Public Hearing** at the time and place stipulated in the resolution.
- 3.12 Where no reports have been submitted for a **Public Hearing**, the **Corporate Officer** may, in consultation with the Mayor, cancel the **Public Hearing**.
- 3.13 If a **Public Hearing** is not terminated on the same day that it is held, it may be adjourned with no further notice of the **Public Hearing** by stating to those in attendance at the time the **Public Hearing** is adjourned:

- (a) the time and date of the resumption of the **Public Hearing**;
- (b) if applicable, the place of the resumed **Public Hearing**;
- (c) if applicable, the way in which the **Public Hearing** will be conducted by means of electronic or other communication facilities.

CLOSED MEETINGS

- 3.14 Subject to section 3.16 of this **Bylaw**, a **meeting of Council** or portion of a **meeting of Council** that is closed to the public will be held immediately following the “Call to Order” of the meeting.
- 3.15 Before closing a **meeting of Council** or portion of a **meeting of Council** to the public, the subject matter of the closed meeting or closed portion of the meeting must comply with one or more criteria under section 90 of the *Community Charter* and **Council** must pass a resolution in accordance with section 92 of the *Community Charter*.
- 3.16 The Mayor or the **Corporate Officer** may schedule the start time of a closed portion of a **Regular Meeting** to a time other than that specified in the annual schedule adopted pursuant to section 5.1 of this **Bylaw**.

QUORUM

- 3.17 If there is no **quorum** at the location for a **meeting of Council** within 30 minutes of the time stated in the public notice for the meeting, or a **quorum** is lost during a meeting:
 - (a) the **Corporate Officer** will record in the minutes the **members** present;
 - (b) the **members** present will direct that the **meeting of Council** be held or continued at the same time and location on the next available day that is not a Saturday, Sunday or statutory holiday, or on the date of the next meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**; and
 - (c) all unfinished business on the agenda for the meeting is incorporated into the agenda for the meeting to be held on the earlier of the dates referred to in paragraph (b).

PART 4: ACTING MAYOR SCHEDULE

- 4.1 On or before January 1st each year, **Council** will adopt by resolution the schedule for the Acting Mayor for the upcoming year, which will provide for each Councillor to serve as Acting Mayor on a rotating basis when the Mayor is absent or otherwise unable to act or when the Office of the Mayor is vacant.

- 4.2 If both the Mayor and Acting Mayor are absent from a **meeting of Council**, the **members** present at the meeting will choose a **member** to preside at the meeting.
- 4.3 If both the Mayor and Acting Mayor are absent or otherwise unable to act, the next available Councillor on the schedule adopted pursuant to section 4.1 of this **Bylaw** will serve as Acting Mayor until such time as the Mayor or Acting Mayor is no longer absent or is otherwise able to act.

PART 5: ANNUAL MEETING SCHEDULE AND LOCATION

- 5.1 On or before January 1st each year, **Council** will adopt by resolution an annual schedule of the date, time and location of all **Regular Meetings**, scheduled **Public Hearings**, and scheduled meetings of **Advisory Bodies**.
- 5.2 The **Corporate Officer** will give public notice of the time, date and location of meetings scheduled pursuant to section 5.1 of this **Bylaw** by posting a notice at the **public notice posting place** and publishing a notice in accordance with the Burnaby Public Notice Bylaw.
- 5.3 Except in the case of a meeting for which there is no **quorum** within 30 minutes of the time stated in the public notice for the meeting, or a **quorum** is lost for 30 minutes, the **Corporate Officer** will give public notice of cancelled or rescheduled meeting or change of time or location of a meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw** by posting a notice at the **public notice posting place** before the date and time at which the meeting is to be held.
- 5.4 All **meetings of Council**, **Public Hearings** and meetings of **Advisory Bodies** will be held at **City Hall** unless another location is specified in the annual schedule adopted pursuant to section 5.1 of this **Bylaw** or by public notice given by the **Corporate Officer** in relation to the meeting.

PART 6: HYBRID AND ELECTRONIC MEETINGS

- 6.1 (a) Except as provided in this **Bylaw**, all **meetings of Council**, **Public Hearings** and meetings of **Advisory Bodies** are deemed to be held and attended in person.
- (b) Where facilities are made available for **members of Council** or any **Advisory Body**, or delegations or the public, to attend a meeting in person or by **electronic participation**, such meeting is a **hybrid meeting**.
- (c) A meeting that is held and attended entirely by all participants by means of electronic or other communication facilities is an **electronic meeting**.
- 6.2 Electronic or other communication facilities for a **hybrid meeting** and an **electronic**

meeting must:

- (a) enable the meeting's participants to hear, or watch and hear, the meeting and the persons attending by **electronic participation**; and
 - (b) 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 the persons attending by **electronic participation**.
- 6.3 If all or part of a **hybrid meeting** or **electronic meeting** is closed to the public, each person attending by **electronic participation** must ensure no person, other than those authorized under section 91 of the *Community Charter*, is able to hear, or watch and hear, the closed part of the meeting.
- 6.4 Each **member** attending a **hybrid meeting** by **electronic participation** or attending an **electronic meeting** must:
- (a) ensure they are heard, or seen and heard, during the meeting and will be deemed to not be present at the meeting or portion of the meeting when not heard, or seen and heard; and
 - (b) must be heard, or seen and heard, during any voting to be deemed to be present and if not heard, or seen and heard, the **member** will be deemed to be absent during the vote and the **Corporate Officer** or **Recording Secretary**, as applicable, will not count the **member** as voting in the affirmative.

HYBRID MEETINGS

- 6.5 A **member** of **Council** who is unable to attend in person at a **Regular Meeting**, **Public Hearing** or **Special Meeting**, as applicable, or a **member** of any **Advisory Body** unable to attend in person at a meeting of that **Advisory Body**, may attend the meeting by **electronic participation**, provided that:
- (a) the **member** presiding at the meeting must not attend by **electronic participation**;
 - (b) the **member** must provide written notice to the **Corporate Officer** of the intent to attend by **electronic participation** at as soon as practicable prior to the start of the meeting;
 - (c) except in the case of illness or with leave of **Council** or the **Advisory Body**, as applicable,
 - (i) a **member** of **Council** may not attend a **Regular Meeting** by **electronic participation** more than five (5) times per calendar year;
 - (ii) a **member** of **Council** may not attend a **Public Hearing** by **electronic**

participation more than five (5) times per year; and

(iii) a **member** of an **Advisory Body** may not attend by **electronic participation** more than 25% of the meetings on the annual schedule of **Advisory Body** meetings adopted pursuant to section 5.1 of this Bylaw.

- 6.6 Subject to section 6.4, a **member** of **Council** or an **Advisory Body** attending a meeting by **electronic participation** is deemed to be present in the meeting as though the **member** is physically present.
- 6.7 A delegation authorized to address **Council** or an **Advisory Body** may, with the permission of the **Corporate Officer**, attend the meeting by **electronic participation** by submitting a written request at least 24 hours prior to the start of the meeting.
- 6.8 Minutes of meetings will record the **members**, delegations and the public, as applicable, who attended by **electronic participation** as well as those who attended in person.

ELECTRONIC MEETINGS

6.9 An **electronic meeting** may be held in the following circumstances:

(a) for a **Special Meeting**,

(i) at the discretion of the Mayor; or

(ii) at the request of two **Council members** who have called a **Special Meeting** pursuant to section 126 (3) of the *Community Charter*, where both the Mayor and Acting Mayor are absent or otherwise unable to act, and the **Corporate Officer** considers it is feasible to do so;

(b) for a **meeting of Council** (other than a **Special Meeting**), **Public Hearing** or a meeting of an **Advisory Body**, in circumstances which prevent or make it difficult for **members** to attend the meeting in person, at the discretion of the **Chair**, provided the **Chair** provides sufficient prior written notice to the **Corporate Officer** for statutory requirements to be met.

6.10 Notice of an **electronic meeting** will be provided as follows:

(a) for a **Regular Meeting** or **Advisory Body** meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**, by posting the notice of the **electronic meeting** at the **public notice posting place**;

(b) for a **Special Meeting** or an **Advisory Body** that is not on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**, in accordance with sections 127(2) and 128.1(2) of the *Community Charter*; and

(c) for a **Public Hearing**, in accordance with section 466 of the *Local Government Act*.

6.11 For a **Regular Meeting** or **Special Meeting** held by way of an **electronic meeting**:

(a) the specified place where the public may attend to hear, or watch and hear, the proceedings that are open to the public shall be **Council Chamber at City Hall** or such other place specified by the **Corporate Officer**; and

(b) the designated municipal officer in attendance at the specified place for the public to hear, or watch and hear shall be the Deputy Corporate Officer or such other person specified by the **Corporate Officer**.

6.12 During an **electronic meeting**, the **Chair** will announce the results of each vote, and any opposition votes, immediately following each vote.

PART 7: MEETING AGENDAS

7.1 Prior to each **meeting of Council** and **Public Hearing**, the **Corporate Officer** will prepare an agenda of all items to be considered by **Council** at such meeting, and **Council** must proceed in the order set out, unless the order is varied or items are added, deleted or postponed by **Council**, by resolution at the beginning of the meeting during the adoption of the agenda.

7.2 The items of business for **Regular Meetings** will be as follows:

- (a) Call to Order
- (b) Land Acknowledgement
- (c) Announcements
- (d) Adoption of Agenda
- (e) Adoption of Minutes
- (f) Delegations and Invited Presentations
- (g) Administrative Reports
- (h) Committee Reports
- (i) Consent Agenda
- ~~(j) Items Removed from Consent Agenda~~
- (j) Information Reports
- (k) Bylaws
- (l) Correspondence
- (m) Other Business
- (n) Release of Closed Meeting Information
- (o) Adjournment

7.3 The agenda for **Special Meetings** will contain the same order of business as a **Regular Meeting** agenda, but only those items of business to come before the meeting will be listed. The order of business at a **Special Meeting** may be varied and items added, deleted or postponed in accordance with section 7.1 of this **Bylaw**.

- 7.4 Except as set out in section 7.5 of this **Bylaw**, all submissions to the agenda of a **Regular Meeting**, except for reports of **Advisory Bodies** and **City** staff, must be submitted to the **Corporate Officer** by 12:00 Noon on the Tuesday of the week preceding the **Regular Meeting**.
- 7.5 For **Urgent Business**, the **Corporate Officer** may, where practical, include on a **Regular Meeting** agenda, any items which are not received by the **Corporate Officer** by the timeline specified in section 7.4 of this **Bylaw**.
- 7.6 The agenda of **Regular Meetings** will be made available electronically to each **member** at least 72 hours before the time when a **Regular Meeting** is to be held.
- 7.7 The agenda of meetings will be made available for viewing by the public as follows:
- (a) **Regular Meetings**: by 5:00 PM on the Thursday of the week preceding each such meeting;
 - (b) **Advisory Body** meetings: by 5:00 PM on the Friday of the week preceding the meeting;
 - (c) **Public Hearings**: at least 10 days prior to the **Public Hearing** date; and
 - (d) **Special Meetings**: at least 24 hours prior to the meeting or, if notice is waived by unanimous vote of all **members**, as soon as practicable.

PART 8: MINUTES

- 8.1 Minutes of all **meetings of Council, Public Hearings**, standing committees of **Council** and select committees of **Council** must be:
- (a) legibly recorded;
 - (b) signed and certified by the **Corporate Officer** or **Recording Officer**, as applicable, who was present at the meeting; and
 - (c) signed by the **Chair** presiding at the meeting at which the minutes are adopted.
- 8.2 Minutes of meetings of all **Advisory Bodies**, except standing committees of **Council** and select committees of **Council**, must be:
- (a) legibly recorded;
 - (b) signed by the **Recording Officer** who was present at the meeting; and
 - (c) signed by the **Chair** presiding at the meeting at which the minutes are adopted.

- 8.3 Minutes of **meetings of Council** and meetings of **Advisory Bodies** must record the decisions, opposition votes, declarations of conflict of interest, and results of votes for all items on the meeting agenda, and the attendance and the times when **members** withdraw from and return to the meeting.
- 8.4 Signed and, if applicable, certified copies of minutes of **meetings of Council** and meetings of **Advisory Bodies**, other than for a meeting or part of a meeting that is closed to the public, will be available for public inspection at the Legislative Services Office at **City Hall** during its regular office hours.

PART 9: MEETING CONDUCT AND DEBATE

- 9.1 No **member** may speak in a meeting until the **Chair** has recognized the **member**.
- 9.2 No **member** or person attending a meeting may interrupt a **member** who is speaking, except that a **member** may raise a point of order.
- 9.3 No **member** or person attending a meeting may cause a disturbance, disrupt or in any manner delay the conduct of business at the meeting.
- 9.4 No **member** or person permitted or invited to speak on any matter at a meeting may use any rude or offensive language or, by tone or manner of speaking, express any point of view or opinion or make any allegation which, directly or indirectly, reflects upon the public conduct or private character of any person.
- 9.5 The **Chair** may speak at a meeting at any time, but may not interrupt a **member** except to restore order.
- 9.6 If a person resists or disobeys an order of the **Chair** to leave a meeting, that person may be removed at the request of the **Chair** by the **Corporate Officer** or **Recording Officer** or, if necessary, by a peace officer.
- 9.7 No person attending a meeting may address the **Council** or **Advisory Body** on any item of business on the agenda unless the **Council** or **Advisory Body**, by unanimous resolution of those **members** present and voting at the meeting agrees to allow that person to address it.
- 9.8 At a meeting, the **Chair** will be addressed as “Chair”, “Mayor” or “Acting Mayor”, as applicable, followed by their surname and other **members** will be addressed by “Councillor”, “Commissioner” or “Representative”, as applicable, followed by their surname.
- 9.9 If the **Chair** desires to leave the **Chair** position for any reason, they will call upon the Acting Mayor or Vice Chair, as applicable, or in their absence another **member**, to take

the chairing role until the matter is resolved.

- 9.10 When two or more **members** request to speak, the **Chair** will name the **member** who is to have the floor.
- 9.11 No **member** will speak more than once to the **motion** without approval of the **Chair**, except in clarification of their previous speech which may have been misconceived. For clarity, this section does not allow clarification speeches to introduce new matters to the **motion**.
- 9.12 No **member** without approval of the **Chair** will speak to any **motion** that has been given first and second movers, for a longer time than five (5) minutes per **motion**.
- 9.13 After the **Chair** calls the **question** to a vote, no **member** will speak further to the **question**, nor will any other **motion** be made until after **members** have voted and the **Chair** declares whether the **question** was carried or defeated.
- 9.14 A resolution shall be dealt on a **motion** put by a **member** and seconded by another **member**, and once a **motion** receives a seconder the **motion** belongs to **Council** or the **Advisory Body**, as applicable.
- 9.15 A Notice of Motion may be introduced by a **member** at a **meeting of Council** if all **members** present at the meeting unanimously agree to waive the notice requirement. If the **members** do not unanimously agree to waive the notice requirement, the Notice of Motion will appear in the minutes of the meeting and the **motion** will be considered on the agenda of the next **meeting of Council**. or a subsequent meeting if additional time or information is required.
- 9.16 A **member** may raise a point of order at any time during a meeting and the **Chair** will immediately:
- (a) interrupt a matter of consideration on the agenda;
 - (b) interrupt a **member** who had been speaking, until the point of order is ruled on;
 - (c) ask the **member** raising the point of order to state the substance of and the basis for the point of order; and
 - (d) decide the point of order, stating the provision of this **Bylaw** or other rule of order applicable to the point of order, which the **Chair** will do at once without debate.
- 9.17 A **member** may appeal a decision by the **Chair** on a point of order, in which case, the **Chair** will immediately put the question as to whether the **Chair** is to be sustained and the question must be decided without debate, in accordance with section 132(3) and (4) of the *Community Charter*.

- 9.18 If the **Chair** refuses to immediately put the appeal question to a vote pursuant to section 9.17 of this **Bylaw**, the **members** must immediately appoint another member to preside temporarily until the matter is resolved by way of a vote.
- 9.19 Motions and points of order for **meetings of Council, Public Hearings** and **Advisory Body** meetings will be conducted as established in Schedule “A” of this **Bylaw**.

PART 10: VOTING

- 10.1 Every **member** who is present at a meeting when a **question** is put must vote on the matter, except as set out in this **Bylaw**, the *Community Charter*, the *Local Government Act*, or another enactment.
- 10.2 If a **member** does not indicate how the **member** votes in respect to a **question**, the member is deemed to have voted in the affirmative and their vote will be counted accordingly.
- 10.3 Whenever any **member** calls for a roll call of votes in favour or against a **question**, the **members** will speak aloud their vote or the **Corporate Officer** or **Recording Officer**, as applicable, will read aloud the vote of each **member** before the result of the vote on the **question** is declared.

PART 11: RECONSIDERATION OF PREVIOUS COUNCIL DECISION

- 11.1 Subject to section 11.4 of this **Bylaw**, a **member** of **Council** who voted on the prevailing side of **Council** for a resolution that was the subject of a vote may bring a **motion**, other than to postpone indefinitely, that **Council**:
- (a) reconsider and vote again on the resolution;
 - (b) amend the resolution; or
 - (c) rescind the resolution.
- 11.2 A **member** of **Council** who wishes to bring a **motion** for reconsideration must provide the **Mayor** with written reasons for reconsideration so that:
- (a) **Council** will know why reconsideration is being requested;
 - (b) the reconsideration can be debated; and
 - (c) a public record of the reconsideration and the reasons for it will be captured in the minutes.
- 11.3 Subject to section 11.4 of this **Bylaw**, the Mayor may require **Council** to reconsider and vote again on a resolution that was the subject of a vote, by providing **Council** with

verbal or written reasons for the reconsideration in accordance with section 11.2 of this **Bylaw**.

- 11.4 A matter may only be the subject of reconsideration by the Mayor or of a **motion** by a **member** of **Council** at the same **Council** meeting as the vote took place or at a **Council** meeting within the 30 days following that meeting, provided that a resolution may not be reconsidered if:
- (a) it has the approval of the electors or the assent of the electors and was subsequently adopted by **Council**;
 - (b) there has already been a reconsideration of the resolution under section 11.1 or 11.3 of this **Bylaw**; or
 - (c) the resolution has been acted upon irreversibly by:
 - (i) a **City** officer, employee or agent; or
 - (ii) a third party who reasonably relied on the resolution.
- 11.5 In receipt of the reconsideration **motion** under section 11.1 of this **Bylaw**:
- (a) no discussion of the main **question** shall be allowed unless the **motion** to reconsider has been adopted; and
 - (b) no **question** shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- 11.6 **Council** must deal with a reconsideration as soon as convenient and on reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- 11.7 If the original decision being reconsidered is the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

PART 12: DELEGATIONS

- 12.1 **Council** or an **Advisory Body** may, by resolution, allow up to three delegations to speak at a meeting, provided written application has been received by the **Corporate Officer**, in a form established by the **Corporate Officer**, on or before 12:00 Noon on the Tuesday in the week preceding the meeting.
- 12.2 The **Corporate Officer** may, if the addition of the delegation will not exceed the maximum of three, include on the agenda of a **meeting of Council** or **Advisory Body** meeting a delegation in respect to **Urgent Business** where the written application was not provided to the **Corporate Officer** by the timeline specified in section 12.1 of this

Bylaw.

- 12.3 Each delegation at a **meeting of Council** or **Advisory Body** meeting may speak for a maximum of five (5) minutes unless a longer period is approved by the unanimous vote of the **members** present at the meeting.
- 12.4 No person may address a **meeting of Council** regarding a bylaw in respect of which a **Public Hearing** or other hearing has been held, where the hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

PART 13: COMMITTEE OF THE WHOLE

- 13.1 The Mayor may establish an annual meeting schedule for a **Committee of the Whole**. The **Corporate Officer** will give notice of the time, date and location of such meetings in accordance with section 5.2 of this **Bylaw**.
- 13.2 During any **Regular Meeting** or **Special Meeting**, **Council** may convene as **Committee of the Whole** by a resolution “THAT this **Council** do now resolve itself into a **Committee of the Whole**.”
- 13.3 The Mayor will act as **Chair** of the **Committee of the Whole** unless the **members** present resolve otherwise.
- 13.4 The procedures of **meetings of Council** will be observed in **Committee of the Whole**.
- 13.5 When all matters referred to a **Committee of the Whole** have been considered, only a **motion** to rise and report will be required, provided that the **Committee of the Whole**, when it has partly considered the matter, may report progress and ask leave to sit again.
- 13.6 The minutes of the **Committee of the Whole** will be reported to **Council** for adoption and approval.

PART 14: ADVISORY BODIES

- 14.1 The Mayor will provide recommendations and **Council** will appoint **members** of **Council** to each select committee and commission, including the **Chair** and Vice Chair roles.
- 14.2 The Mayor will appoint **members** of **Council** to each standing committee, including the **Chair** and Vice Chair roles.
- 14.3 The Mayor will provide recommendations to **Council** for appointment of **members** to **Advisory Bodies** who are not **members** of **Council** for consideration and approval by **Council**.

- 14.4 The Mayor will draft a Terms of Reference for each Advisory Body and forward it to the designated Advisory Body for input and review as a requirement prior to Council approval and adoption.
- 14.5 Updates to the Advisory Body Terms of Reference, may be requested by the Mayor, Council or the Chief Administrative Officer (CAO) and submitted to the designated Advisory Body for its input and review as a requirement prior to Council approval and adoption.
- 14.6 If there is no **quorum** at the location for an **Advisory Body** meeting within 30 minutes of the start time of the meeting, or a **quorum** is lost during a meeting:
- (a) the **Recording Officer** will record in the minutes the **members** present;
 - (b) the **members** present will direct that the meeting will be held or continued at the same time and location on the next available day that is not a Saturday, Sunday or statutory holiday, or on the date of the next meeting on the annual schedule adopted pursuant to section 5.1 of this **Bylaw**; and
 - (c) all unfinished business on the agenda for the meeting is incorporated into the agenda for the meeting to be held on the earlier of the dates referred to in paragraph (b).
- 14.7 If an **Advisory Body** wishes to present a written report to a **Regular Meeting**, it must deliver the report to the **Corporate Officer** by the second Thursday preceding the next **Regular Meeting**. For **Urgent Business, Special Meetings**, or meetings not included in the annual schedule adopted pursuant to section 5.1 of this **Bylaw**, the **Corporate Officer**, in consultation with the Mayor, may set a time by which the report must be received that they consider reasonable in the circumstances.
- 14.8 The **Chair** of an **Advisory Body** may, by request to the **Corporate Officer**, cancel a meeting, call an additional meeting, or change the time, date or place of a meeting. In any such case, the **Corporate Officer** will, as soon as practicable, post at the **public notice posting place** a public notice stating, as applicable:
- (a) that the meeting has been cancelled;
 - (b) that an additional meeting has been called, and the time, date and place of that meeting;
or
 - (c) that the meeting has been rescheduled, and the time, date and place of the rescheduled meeting.
- 14.9 The decisions and resolutions, including motions or recommendations that were carried and defeated of all **Advisory Bodies** are subject to approval by **Council**.
- 14.10 Before closing an **Advisory Body** meeting or portion of an **Advisory Body** meeting to the

public, the subject matter of the closed meeting or closed portion of the meeting must comply with one or more criteria under section 90 of the *Community Charter* and the **Advisory Body** must pass a resolution in accordance with section 92 of the *Community Charter*.

PART 15: COUNCIL POLICIES

15.1 A new Council Policy may be requested by:

(a) the Mayor or Councillors through a Notice of Motion or proposed motion during a meeting; or

(b) a passed resolution of an Advisory Body subject to Council approval; or

(c) the CAO, the applicable department head or designate in writing to Council.

15.2 An Administrative Report must be submitted to Council, and approved to begin work on the policy.

15.3 The designated Advisory Body will contribute input and deliberate on the draft policy and submit it to Council for approval.

15.4 Amendments to existing Council Policies may be initiated by Mayor, Council, or the CAO or the department head and referred to the appropriate Advisory Body for its input and review before submitting to Council for approval.

PART 16: BYLAWS

16.1 Every proposed bylaw:

(a) must be in written form with a copy provided to each **member** of **Council**;

(b) introduced by **a single or grouped motion** in the open portion of a **Regular Meeting** or **Special Meeting**, specifying its ~~title and~~ **assigned bylaw** number;

(c) subject to the *Community Charter*, the *Local Government Act* or another enactment, may be given first, second and third readings at one meeting;

(d) is adopted when fourth and final reading is adopted by motion of **Council**, and comes into effect on the date of its adoption or on a later date set by the bylaw; and

(e) **has all readings recorded in the minutes as separate votes with distinct resolution numbers, despite if Council read the bylaws in single or grouped motions, for official public record keeping purposes.**

16.2 Subject to the *Community Charter*, the *Local Government Act* or another enactment, **Council** may, by resolution, rescind the most recent reading of a bylaw, other than the

first reading, and then give the bylaw that reading:

- (a) with an amendment that has been approved by resolution; or
- (b) without amendment.

16.3 **Council** may consider a proposed bylaw separately when directed by the **Chair** or requested by a **member** of **Council**, or jointly with other proposed bylaws in the sequence set out in the meeting agenda.

16.4 Except as authorized by the *Community Charter, Local Government Act* or another enactment, there must be at least one clear day between the third reading and adoption of the bylaw.

16.5 Once a bylaw is adopted, the **Corporate Officer** and the **Chair** presiding at the meeting at which the bylaw was adopted must sign the bylaw.

PART 17: SEVERABILITY AND REPEAL

17.1 If a portion of this **Bylaw** is held invalid by a Court of competent jurisdiction, the invalid portion must be severed and the remainder of this **Bylaw** is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

17.2 **Burnaby Procedure Bylaw, 2004**, and all subsequent amendments thereto, are hereby repealed.

PART 18: EFFECTIVE DATE

18.1 This **Bylaw** comes into force and effect on January 1, 2024

FIRST READING this 16th day of October, 2023

SECOND READING this 20th day of November, 2023

THIRD READING this 20th day of November, 2023

PUBLIC NOTICE PROVIDED ON 23rd day of November, 2023 and 30th day of November,
2023

FINAL ADOPTION this 11th day of December, 2023

MAYOR

CORPORATE OFFICER

SCHEDULE “A”**PROCEDURAL MOTIONS AND POINTS OF ORDER**

Motions or Points of Order <u>with</u> Precedence						
<i>Note: These motions or points are listed in established order of precedence. When any one item is pending, another that is listed below may not be introduced, but one that is above it may be introduced.</i>						
Action/Intent:	Motion:	Interrupt Speaker?	Second Needed?	Debatable?	Amendable?	Vote Needed?
Adjourn/end meeting	“I move that we adjourn”	No	Yes	No	No	Majority
Take a break	“I move that we recess until ...”	No	Yes	No	Yes	Majority
Raise concerns on mics, noise, temp., etc.	“Point of privilege regarding...”	Yes	No	No	No	Chair decides
Return to agenda order of business	“I call for a return to business orders of the day”	Yes	No	No	No	Chair decides
Table discussion /defer for later	“I move to lay the question on the table/ defer discussion until”	No	Yes	No	No	Majority
Call for voting / end debate/discussion	“I move to call the question”	No	Yes	No	No	2/3
Limit / Extend debate	“I move to limit/extend debate to ...”	No	Yes	No	Yes	2/3
Postpone indefinitely / defer to other date	“I move to postpone indefinitely / defer until...”	No	Yes	Yes	Yes	Majority
Refer to staff or Advisory Body	“I move to refer the motion to...”	No	Yes	Yes	Yes	Majority
Modify wording of main motion	“I move to amend the motion by...”	No	Yes	Yes	Yes	Majority
Kill or cancel the main motion	“I move that the motion be postponed indefinitely”	No	Yes	Yes	No	Majority
Main motion	“I move that...”	No	Yes	Yes	Yes	Majority
Unanimous consent / without objection	“By unanimous consent / without objection I move that...” then “Seeing no objection, the motion is adopted/ unanimously carried.”	Yes “I object”	No	No	No	Unanimous OR if objected, requires the item to be a main motion

SCHEDULE “A”

PROCEDURAL MOTIONS AND POINTS OF ORDER

Motions or Points of Order <u>without</u> Precedence						
<i>Note: These motions or points can be introduced at any time except for when the meeting is considering the following motions: adjourn, recess, point of privilege, or call for orders of the day.</i>						
Action/Intent:	Motion:	Interrupt Speaker?	Seconder Needed?	Debatable?	Amendable?	Vote Needed?
Enforce debate rules / procedure bylaw	“Point of order”	Yes	No	No	No	Chair decides
Appeal ruling of decision made by Chair	“Point of order to appeal the ruling of the Chair...”	Yes	No	No	No	50% affirmative required, Chair cannot vote
Request information / clarification	“Point of information”	Yes	No	No	No	Chair handles
Procedural question / Parliamentary inquiry	“Parliamentary inquiry”	Yes	No	No	No	Chair handles
Suspend rules of procedure bylaw or debate	“I move to suspend the rules to allow for...”	No	Yes	No	No	Unanimous
Division of the question (motion)	“I move for a division of the question / motion”	No	Yes	No	Yes	Majority
Consideration in specific order of clauses /seriatim	“I move the motion be considered in order of ...”	No	Yes	No	Yes	Majority
Take up matter previously tabled	“I move to take up from the table...”	No	Yes	No	No	Majority
Reconsider motion (during same meeting of vote reconsidered)	“I move to reconsider the previous vote of...”	No	Yes	Yes	No	2/3
Move into Closed session	“To move into a closed session under section 90 of the <i>Community Charter</i> to discuss matters regarding section 90(x)...”	No	Yes	Yes	Yes	Majority
Adjourn Closed session and move back into Open meeting	“To adjourn the closed session and return to the open meeting”	No	Yes	Yes	Yes	Majority
Move into Committee of the Whole	“To move Council into a Committee of the Whole to discuss...”	No	Yes	Yes	Yes	Majority
Adjourn Committee of the Whole	“To adjourn Committee of the Whole session and rise with report to the Council meeting X”	No	Yes	Yes	Yes	Majority