

VILLAGE OF PEMBERTON
BYLAW NO. 993, 2025

**A bylaw to regulate meetings of the Council of the Village of Pemberton and its
Committees**

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A bylaw to regulate meetings of the Council of the Village of Pemberton and its Committees

The Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS:**

PART 1 - INTERPRETATION

1. Citation

1. This bylaw may be cited for all purposes as the “Village of Pemberton Council Procedure Bylaw No. 993, 2025”.

2. Definitions

2. In this bylaw:

- a) *Chair* means the *mayor*, acting *mayor*, or other member who is chairing a meeting;
- b) *Chief administrative officer* means the *chief administrative officer* for the Village of Pemberton.
- c) *Commission* means a municipal commission established under s. 143 of the *Community Charter*;
- d) *Committee of the whole* means a committee comprised of all *members* of the Village of Pemberton council to consider and recommend to the *council* on matters of the Village’s business.
- e) *Corporate officer* means the municipal officer assigned this responsibility under section 148 of the *Community Charter*;
- f) *Council* means the Council of the Village of Pemberton
- g) *Council Chambers* means the regular meeting places of Council at 7400 Prospect Street
- h) *Councillor* means a *member* of *council* other than the *mayor*;
- i) *Electronic meeting* means a meeting where all attendees participate electronically;
- j) *Mayor* means the *Mayor* of the Village of Pemberton;

- k) *Member* in the case of *council* means the *mayor* or a councillor and, in the case of a committee, means a person appointed as a member of that committee;
- l) *Municipality* means the Village of Pemberton; and
- m) *Public notice posting places* means the external bulletin boards at the public entrance to Municipal Hall, and at the Canada Post Office located at 3-7431 Prospect Street, Pemberton, BC V0N 2L0
- n) *Special council meeting* means a meeting of the *council* other than a regular or inaugural Meeting.
- o) *Swearing in ceremony* means the event at which the newly elected *members of council* take the oath of office.
- p) *Village* means the Village of Pemberton;
- q) *Village Office* means the premises located at 7400 Prospect Street, Pemberton, B.C.;
- r) *Village website* means the information resource found at an internet address provided by the Village.

3. Interpretation

- 3 (1) The [*Interpretation Act*](#) applies to this bylaw.
- (2) In this bylaw, a reference to an *Act* refers to a statute of British Columbia and a reference to any statute, regulation or other enactment refers to that enactment as amended or replaced from time to time.
- (3) A reference to a person who holds an office includes a person appointed to act for that person from time to time.
- (4) The table of contents is for convenience of reference only and is not for interpretation or enforcement of this bylaw.

4. Severability

- 4. If any definition, section, subsection, paragraph, subparagraph, clause or phrase in this bylaw is held invalid by a court of competent jurisdiction, the invalid definition, section, subsection, paragraph, subparagraph, clause or phrase must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed definition, section, subsection, paragraph, subparagraph, clause or phrase.

5. Purpose

- 5. The purpose of this bylaw is to establish regulations for the conduct of meetings of the *Council* of the Village of Pemberton and its committees.

6. Application

- 6 (1) The provisions of this bylaw govern the proceedings of *council*, and all standing, select committees and commissions of *council*, as applicable.
- (2) The failure of Council to observe the provisions of this Bylaw does not affect the validity of resolutions passed or bylaws enacted by Council.
- (3) In cases not provided for under this bylaw, the then most current edition of Robert's Rules of Order applies to the proceedings of *council*, committees and commissions to the extent that those rules are:
 - a) applicable in the circumstances, and
 - b) consistent with provisions of this bylaw or the *Community Charter*.

PART 2 - COUNCIL MEETINGS

7. Inaugural Meeting

- 7 (1) Following a general local election, an *inaugural meeting* must be held on the first Tuesday in November.
- (2) If a quorum of *members* elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the *inaugural meeting* must be called by the *corporate officer* and held as soon as reasonably possible after a quorum has taken office.

8. Schedule of Regular Council Meetings

- 8 (1) In accordance with section 127 of the *Community Charter*, *council* must prepare annually on or before December 31 each year, a schedule of the dates, times and places of regular *council* meetings for the following year, and must make the schedule available to the public by posting it at the *public notice posting places*.
- (2) In accordance with section 127 of the *Community Charter*, *council* must give notice annually on or before January 1 of the time and duration that the schedule of regular *council* meetings will be available beginning on that date in accordance with section 94 of the *Community Charter*.
- (3) If revisions are necessary to the annual schedule of the regular *council* meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places and publish in the newspaper to indicate any revisions to the date, time, duration and place of, or cancellation of, a regular *council* meeting.

9. Times and Locations of Council Meetings

- 9 (1) Regular meetings of *council* will:
 - a) be held on Tuesdays, with dates and times established by *council* resolution before December 15th of each year for meetings of the subsequent year;

- b) be held in *Council Chambers* unless otherwise resolved by *council*;
 - c) be adjourned no later than three (3) hours after being called to order unless *council* resolves to proceed beyond that time;
 - d) notwithstanding 8 (1) (a), there shall not be a meeting during the month of August unless *council* otherwise resolves.
- (2) Regular *council* meetings may:
 - a) be cancelled or postponed to a different day, time and place by *council* by resolution, provided that two consecutive meetings are not cancelled; and
 - b) be postponed to a different day, time and place by the *mayor*, provided the *corporate officer* is given at least two (2) days' written notice.
- (3) Closed *council* meetings may be held on the same day as a regular council meeting.
- (4) *Special council meetings* may:
 - a) be called by *council* at a regular meeting of *council*;
 - b) be called by the *mayor* at his or her discretion at any time;
 - c) be requested by two or more *councillors*, in writing to the *mayor*, *chief administrative officer* and *corporate officer*.
 - d) If the *mayor* or acting *mayor* is absent or unable to act, or for any reason neither has arranged within twenty-four (24) hours after receiving a request under this section, then two (2) or more *councillors* may themselves call a *special meeting* to be held within the next seven (7) days.

10. Notice of Council Meetings

Notice of Regular Council Meetings

- 10 (1) The *corporate officer* must post notice at the *public notice posting places* at least three days before the date of the regular *council* meeting.
- (2) If the agenda for the meeting contains a proposed resolution to close all or part of the meeting to the public, the notice must state the basis under the *Community Charter* on which all or part of the meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the meeting is to be closed.

Notice of Special Council Meetings

- (3) Except where notice of a special meeting is waived by unanimous vote of all *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 twenty-four (24) hours before the time of meeting, by:

- a) posting a copy of the notice at the *public notice posting places*,
 - b) delivering a copy of the notice to each *member*.
- (4) The notice under (3) must describe in general terms the purpose of the meeting and be signed by the *mayor* or the *corporate officer*.
- (5) Notice of any meeting called under section 7 (4)(d) will be signed by the *members* calling the meeting or by the *corporate officer*.

Notice of Annual Meeting

- (6) 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; and
 - b) submissions and questions from the public;
- by giving public notice by:
- a) posting notice of the date, time and place of the annual meeting at the public notice posting places; and
 - b) publishing notice in the newspaper in accordance with section 94 of the *Community Charter*.

11. Electronic Meetings and Electronic Participation at Meetings

- 11 (1) A regular or special *council* meeting or other *council* committee meeting may be conducted by electronic means.
- (2) Electronic meetings will follow the rules established by the *Community Charter* and *council* policies pertaining to electronic meetings.
- (3) Advance public notice of electronic meetings that are open to the public will be posted in the *public notice posting places* according to the procedures established in this bylaw for giving notice, and will include:
- a) the way in which the electronic meeting will be conducted, and
 - b) the place where the public may attend to hear, or watch and hear, the proceedings.
- (4) Provided that all conditions set out in section 128.3 of the *Community Charter* are met, a *member* of *council* who is unable to attend a *council* or committee meeting in person may participate in the meeting by means of electronic or other

communications facilities.

- (5) *Members* participating in a meeting under this section are deemed to be present at the meeting;

12. Absence from Council Meetings

- 12 (1) In accordance with section 125 of the *Community Charter*, a *council member* is disqualified from holding office until the next general local election, if a *member* is absent from *council* meetings for:

- a) a period of 60 consecutive days; or
- b) four consecutive regularly scheduled *council* meetings;

whichever is the longer time period, except if the absence is due to illness or injury or with the leave of the *council*.

13. Meeting Proceedings

Attendance of Public at Meetings

- 13 (1) Except where the provisions of section 90 of the Community Charter [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- (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 [requirements before *council* meeting is closed].
- (3) This section applies to all meetings of the bodies referred to in section 93 of the Community Charter, including without limitation:
- a) Committee of the Whole
 - b) Standing and Select Committees,
 - c) Parcel Tax Review Panel,
 - d) Board of Variance,
 - e) Advisory bodies established by *council*.
- (4) Despite 13 (1), the *mayor* or the *councillor* designated to act in the place of the *mayor* may expel or exclude from a meeting a person in accordance with section 14.

Minutes of Meetings

- (5) Minutes of the proceedings of *council* and its committees and commissions must be:
- a) legibly recorded,

- b) certified as correct by the Corporate Officer or designate, and
 - c) signed by the *mayor* or other member presiding after adoption of the minutes.
- (6) Minutes of the proceedings of *council* and its committees and commissions shall record:
 - a) The place, date and time of meeting;
 - b) The names of the presiding *member* or *members* and record of the attendance of *members*;
 - c) Motions of the meeting without note or comment.
- (7) With exception to the reports of the *chief administrative officer*, *mayor*, and *councillors*, and subject to (8), only the motions and actions of *council* will be recorded.
- (8) The *corporate officer* may choose to record summaries of discussion, comments or questions, except for discussion that occurs during section public input period or public question period, which shall reflect only the name of the speaker and the topic of their submission.
- (9) In accordance with section 97(1) (b) of the *Community Charter*, minutes of the proceedings of *council* must be open for public inspection at the Village Office during its regular office hours.
- (10) Section 13 (8) does not apply to minutes of a meeting or that part of a meeting from which persons were excluded under section 90 of the *Community Charter*.

Disclosure of Closed Meeting Decisions

- (11) At a regular meeting of *council* after a closed meeting, the *mayor* shall announce the decisions made in the closed meeting that *council* has determined by resolution are no longer confidential matters, and this disclosure will include which *members* declared conflict in a closed matter when brought forward to the public.
- (12) At least annually the corporate officer shall bring to the attention of the *council* those items that were dealt with in a closed meeting and have not been released for public information, and *council* shall then determine by resolution which items are no longer confidential matters and announce the decisions at a regular meeting of *council*.

14. Call to Order

- 14 (1) As soon after the time specified for a *council* meeting as there is a quorum present, the *mayor*, if present, must take the *chair* and call the *council* meeting to order.
- (2) If the *mayor* is absent, the *councillor* designated as the *councillor* responsible for acting in the place of the *mayor* must take the *chair* and call such meeting to order.

- (3) If a quorum of *council* is present but the *mayor* or the *councillor* designated as the member responsible for acting in the place of the *mayor* do not attend within twenty (20) minutes of the scheduled time for a *council* meeting:
 - a) the *corporate officer* must call to order the members present, and
 - b) the *councillors* present must choose a *councillor* to preside at the meeting.
- (4) If the *mayor* arrives after commencement of a meeting, they will preside upon arrival.
- (5) If there is no quorum of council present within twenty (20) minutes of the scheduled time for a *council* meeting, the *corporate officer*:
 - a) record the names of the *members* present and those absent, and
 - b) adjourn the meeting until the next scheduled meeting.

15. Duties of the Chair

- 15 (1) The *chair* must:
 - a) preserve order and decide points of order that may arise in accordance with the *Community Charter*;
 - b) announce the business before *council* in the order in which it is to be acted on;
 - c) receive and submit, in proper manner, all motions presented by *members*;
 - d) decline to put to vote motions which infringe on the rules of procedure;
 - e) inform the *council*, when necessary or when referred to for the purpose, on a point of order or usage;
 - f) ensure that the decisions of *council* are in conformity with the laws and bylaws governing the activities of the *council*;
 - g) close the meeting when the business is concluded; and
 - h) terminate the meeting without question put in the case of grave disorder arising in *Council Chambers*.

16. Order of Business

- 16 (1) Unless the *council* otherwise resolves, the agenda for all regular *council* meetings will contain the following matters:
 - a) Call to order

- b) Approval of Agenda
 - c) Rise with Report from Closed Meeting, if applicable
 - d) Public Input Period
 - e) Approval of Minutes
 - f) Business Arising from the Committee of the Whole
 - g) Committee Minutes
 - h) Delegations
 - i) Reports
 - j) Bylaws
 - (i) Bylaws for first and second readings
 - (ii) Bylaws for first, second, and third readings
 - (iii) Bylaws for third reading
 - (iv) Bylaws for adoption
 - k) Mayor's report
 - l) Councillors' Reports
 - m) Correspondence
 - (i) Correspondence for action
 - (ii) Correspondence for information
 - n) Other Business
 - o) Notice of Motion
 - p) Open Question Period
 - q) Termination
- (2) When preparing the agenda prior to the meeting, the *mayor* and *corporate officer* may, in their discretion:
- a) vary the order set out in (1); and
 - b) delete agenda headings if there is no business under those headings.

17. Late Addition of Agenda Items

- 17 (1) The *mayor* will, at the time the *council* considers approval of the posted agenda, query whether any *councillor* wishes to add an item of business to the agenda.

- (2) A *member* may request to add an item to the agenda at the time the *council* considers approval of the posted agenda.
- (3) The *member* must, when making the request, inform the *council* of the general nature of the business and the reason for urgent consideration.
- (4) The *mayor* must immediately call a vote on the request, which must be granted if a majority of the *members* present vote in the affirmative.
- (5) If the request is approved the item of business must be placed on the agenda under Other Business, at which time the *member* must present any supporting information on which the *member* intends to rely.
- (6) In the case of a meeting or portion of a meeting from which the public is excluded, (3) through (8) apply after the *council* has passed the resolution under section 92 of the Community Charter [Requirements before meeting is closed].
- (7) An additional agenda item may only be added to the agenda of a special *council* meeting if all *members* in attendance unanimously agree to the addition of the agenda item.

18. Agenda

- 18 (1) The corporate officer and the *chief administrative officer*, in consultation with the *mayor*, shall prepare an agenda setting out all the items for consideration at that meeting.
- (2) At least three days before the day of the meeting, the corporate officer shall give public notice of the time, place and date of the meeting by:
 - a) providing a copy of the agenda to each *member*; and
 - b) ensuring copies of the agenda are available to the public in the reception area of the Village Office.
- (3) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as an item pursuant to section 18.

19. Notice of Motion

- 19 (1) Any *member* may give a notice of motion respecting an item which they intend to present by giving a copy of such motion to the corporate officer during a meeting of *council*.
- (2) Upon the *member* being acknowledged by the *chair* and the notice of motion being read to the meeting, such motion shall appear in the minutes of that meeting as a notice of motion and must be placed on the agenda of the next regular *council* meeting or other future meeting designated by the *member* bringing forward the notice of motion for consideration.

20. Petitions and Correspondence

- 20 (1) Petitions and correspondence presented to *council* must:
- a) Be addressed to *Mayor and Council*;
 - b) contain the author's name and city of residence;
 - c) be legibly written or printed;
 - d) be sent by email to the corporate e-mail inbox, submitted through the online form for such purpose, or by letter addressed care of the corporate officer and sent to the municipality mailing address;
 - e) be received by the Corporate Officer by:
 - (i) 12:00pm on the Wednesday prior to each *council* meeting or public hearing;
 - (ii) 8:00am on the day of a regular *council* meeting as late correspondence, if it pertains to an item on that meeting's agenda; or
 - (iii) 8:00am. on the day of the scheduled Public Hearing as late correspondence.
- (2) Communication presented to *council* must not contain unsolicited information including advertising or serve as an advertisement for products and services.

21. Delegations

- 21 (1) Any person, persons or organization desiring to present to *council* at a regular *council* meeting must submit a written request to the corporate officer who will schedule delegations on a regular *council* meeting agenda in accordance with this bylaw.
- (2) Delegation requests must provide the following:
- a) a cover letter addressed to the corporate officer or a completed delegation request form with a detailed synopsis of the presentation;
 - b) names and contact information of the person(s) comprising the delegation; and
 - c) all presentation materials.
- (3) The corporate officer will schedule delegations on a first come, first served basis subject to direction from the *chief administrative officer* where a delegation appearance is deemed to be a priority.
- (4) The corporate officer may seek direction from the *chief administrative officer* if a delegation application appears to be suspect, will address an offensive subject, or is vexatious.
- (5) The *chief administrative officer* may reject a delegation application.

- (6) The *corporate officer* will include information on the nature of the delegation and the names of presenters on the meeting agenda.
- (7) The *corporate officer* will advise the requester of the meeting date at which the delegation may appear.
- (8) The maximum time permitted for any one delegation is ten minutes except that upon the consent of *council* a delegation may be permitted a longer time.
- (9) A maximum of two delegations may be received at any regular council meeting.
- (10) 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 majority vote of the *members* present.
- (11) *Council members* shall not respond to requests or questions from a delegation or engage in debate with a delegation but may ask clarifying questions and may correct misinformation.
- (12) Following a delegation presentation, *council* may refer the issue to staff for a report or refer the issue to a committee.
- (13) *Council* must not permit a delegation to address:
 - a) a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to adoption of the bylaw;
 - b) an issue which is before the courts or on which *council* has authorized legal action; or
 - c) a purpose or subject that is beyond the jurisdiction of *council*,except as otherwise permitted by *council*.

22. Voting at Meetings

- 22 (1) When debate on a matter is closed the presiding *member* must put the matter to a vote of *members* by stating:
 - a) "Those in favour raise your hands" and then
 - a) "Those opposed raise your hands."
- (2) When the presiding *member* is putting the matter to a vote a *member* must not:
 - a) leave the room;
 - b) make a noise or other disturbance; or
 - c) interrupt the voting procedure unless the interrupting *member* is raising a point of order.
- (3) After the presiding *member* finally puts the question to a vote, a *member* must not

speak to the question or make a motion concerning it;

- (4) The presiding *member*'s decision about whether a question has been finally put is conclusive.
- (5) Whenever a vote of *council* on a matter is taken, each *member* present shall signify their vote by raising their hand.
- (6) Should any *member* refrain from voting when any question is put, the *member* shall be regarded as having voted in the affirmative and the *members* vote shall be counted accordingly.
- (7) If a vote is not unanimously in favour the *corporate officer* shall record the names of the *members* who voted in opposition.
- (8) The presiding *member* must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- (9) If requested by a *member*, *council* must vote separately on each distinct part of a motion that is under consideration.

23. Points of Order

- 23 (1) Without limiting the presiding *member*'s duty under section 132(1) of the *Community Charter*, if a motion is contrary to the rules of this bylaw, the presiding *member* must apply the correct procedure to a motion.
- (2) Without limiting the presiding *member*'s duty under the *Community Charter*, a *member* may raise a point of order at any time.
- (3) When a point of order is raised, the *chair* must at once without debate:
 - a) interrupt a matter of consideration on the agenda;
 - b) interrupt a *member* who had been speaking, until the point of order is ruled upon;
 - c) ask the *member* raising the point of order to state the substance of and the basis for the point of order;
 - d) state the provision of the bylaw or other rule of order applicable to the point of order.
- (4) 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 *member*,
 - b) another *member* must not question or comment on the rule or authority cited by the presiding *member* under section 23 (b) (i), and

- c) the presiding *member* may reserve the decision until the next *council* meeting.

24. Conduct at a Meeting

- 24 (1) A *member* may speak to a question or motion at a *council* meeting only if that *member* first addresses the presiding *member*.
- (2) While in a *council* meeting or *council* committee meeting, a *member* must adhere to the standards of conduct expressed in the Village of Pemberton Code of Conduct Bylaw 958, 2024.
- (3) *Councillors* must address the presiding *member* by that person's title of *Mayor*, *Acting Mayor* or *Councillor*.
- (4) *Councillors* must address other non-presiding *members* by the title *Councillor*.
- (5) No *member* may 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 *Councillor* who, in the presiding *member*'s opinion, first spoke.
- (7) *Councillors* 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*.
- (8) *Members* speaking at a *council* meeting:
 - a) must use respectful language,
 - b) must speak only in connection with the matter being debated,
 - c) may speak about a vote of *council* only for the purpose of making a motion that the vote be rescinded, and
 - d) 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.
- (9) 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;
- b) a *member* who has made a substantive motion to the *council* may reply to the debate;
- c) a *member* may speak to a question, or may speak in reply, for longer than a total time of ten (10) minutes only with the permission of *council*.

25. Improper Conduct

- 25 (1) No *member* or person attending the meeting may cause a disturbance, disrupt or in any manner delay the conduct of business at a meeting.
- (2) No *member* or person permitted or invited to speak on any matter coming before the *council* or a committee may use rude or offensive language or gestures or signs, by the tone or manner of speaking, express any point of view or opinion or make any allegation which, directly or indirectly, reflects negatively upon the public conduct or private character of any person.
- (3) Improper conduct includes conduct of any *member* or other person attending a meeting which, in the opinion of the *chair*, is contrary to (1) or (2).
- (4) Improper conduct will be dealt with by the *chair* and includes the option of expulsion from the meeting in accordance with the Community Charter.
- (5) The *mayor* may request the assistance of the RCMP in expelling a person from a meeting.

26. Motions

- 27 (1) *Council* may debate and vote on a motion only if it is first made by one *member* and then seconded by another.
- (2) A *member* may make only the following motions when the *council* is considering a question:
 - i) to refer to committee;
 - ii) to amend;
 - iii) to lay on the table;
 - iv) to postpone indefinitely;
 - v) to postpone to a certain time;
 - vi) to move the previous question, or the question;

- vii) to adjourn.
- (2) A motion made under (2) is not amendable or debatable.
- (3) *Council* must vote separately on each distinct part of a question that is under consideration if requested by a *member*.

Motion to Commit

- (4) Until it is decided, a motion made to refer to a committee precludes 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) If a *member* 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
- (3) 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.

Withdrawal of a Motion

- (4) A motion may not be withdrawn after:
 - a) it has been moved and seconded; or
 - b) it has been voted on by the *council*.

Amendment of a Motion

- (5) A *member* may, without notice, move to amend a motion that is being considered at a *council* meeting.
- (6) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (7) A proposed amendment must be reproduced in writing by the mover if requested by the presiding *member*.
- (8) 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.
- (9) An amendment may be amended once only.

- (10) An amendment that has been negated by a vote of *council* cannot be proposed again.
- (11) A *member* may propose an amendment to an adopted amendment.
- (12) 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 (12) (a) is affirmative;
 - c) the main question.
- (13) Amendments shall be voted on in the reverse order to that in which they are moved.
- (14) If a motion to amend is:
 - a) carried, the motion which has been amended is to be voted on as amended; or
 - b) defeated, the motion in respect of which the amendment was moved is to be voted on unamended.

27. Reconsideration by Mayor

- 27 (1) In accordance with section 131 of the *Community Charter*, the *mayor* may, at the same *council* meeting as the vote took place or at any time within thirty (30) days after the adoption or rejection of any bylaw, resolution or proceeding, return same for consideration by *council* if the bylaw, resolution, or proceeding:
 - a) has not had the approval or assent of the electors and been adopted,
 - b) has not already been reconsidered by *council*; and
 - c) has not been acted upon by any officer, employee or agent of the *Village*.
- (2) In returning matters for *council's* reconsideration, the *mayor* may state the reasons or objections, which will be recorded in the minutes.
- (3) On the *mayor's* direction to reconsider a bylaw, resolution, or proceeding, *council* shall consider the reasons or objections if stated by the *mayor* and either;
 - i) reaffirm the bylaw, resolution or proceedings; or
 - ii) reject the bylaw, resolution or proceedings.
- (4) Bylaws and resolutions that are rejected after reconsideration are deemed to be absolutely vetoed, rescinded and repealed, are of no force or effect whatsoever, and

shall not be reintroduced for a period of six (6) months except with the unanimous consent of *council*.

- (5) A bylaw, resolution, or proceeding that is reaffirmed under section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration

28. Reconsideration by a Council Member

- 28 (1) Subject to subsection (4), a *member* who voted with the majority either for or against a motion, may at the next *council* meeting introduce a motion:
 - a) to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, or
 - b) to reconsider an adopted bylaw after an interval of at least twenty-four (24) hours following its adoption.
- (2) *Council* must not discuss the main matter referred to in (1) unless a motion to reconsider that matter is adopted by an affirmative vote of *council*.
- (3) A vote to reconsider must not be reconsidered.
- (4) *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) of section 131 of the *Community Charter*; or
 - c) been acted on by an officer, employee or agent of the *Village*.
- (5) A motion to reconsider under subsection (1) must be introduced in accordance with section 18 (Late Addition to Agenda).
- (6) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be considered by the *council* within six months except by way of a new and substantially different motion.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under section 29 is deemed as valid and has the same effect as it had before reconsideration.
- (8) Bylaws or resolutions that are rejected after reconsideration under section 29 are deemed to be absolutely vetoed, rescinded and repealed, and are of no force or effect whatsoever, and shall not be reintroduced for a period of six (6) months except with the unanimous consent of *council*.

PART 3 – BYLAWS

29. Readings and Adoption of Bylaws

- 29 (1) A proposed bylaw may be introduced at a *council* meeting only if:
- a) a copy of it has been delivered to each *member* before the *council* meeting, or
 - b) all *members* unanimously agree to waive this requirement
- (2) 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 state of purpose;
 - e) be divided into sections.
- (3) The presiding *member* of a *council* meeting may:
- a) have the *corporate officer* read a synopsis of each proposed bylaw, and then;
 - b) request a motion that the proposed bylaw be read.
- (4) The readings of the bylaw may be given by stating its title.
- (5) *Council* may debate and amend a proposed bylaw at any time during the first three readings unless prohibited by the *Community Charter*.
- (6) Each reading of a proposed bylaw must receive the affirmative vote of a majority of the *members* present.
- (7) In accordance with section 135 of the *Community Charter*, *council* may give two or three readings to a proposed bylaw at the same *council* meeting and may pass one motion for all three readings, unless otherwise determined by *council*.
- (8) In accordance with sections 477 (6) and 480 of the *Local Government Act*, *council* may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.
- (9) After a bylaw is adopted and signed by the *corporate officer* and the presiding *member* of the *council*, the *corporate officer* must have it placed in the Village's records for safekeeping and endorse upon it:
- a) the Village's Corporate Seal;

- b) the dates of its readings and adoption; and
- c) the date of Ministerial Approval or Approval of the Electorate as applicable.

PART 4 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

30. Appointment of Acting Mayor

- 30 (1) Annually by December 31, *council* must, from amongst its *members*, designate *councillors* to serve on a rotating basis 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, for the subsequent year.
- (2) Each *councillor* designated under (1) must fulfill the responsibilities of the *mayor* in their absence.
- (3) If both the *mayor* and the *councillor* designated under (1) are absent from a *council* meeting, the *councillors* present must choose a *councillor* to preside at the *council* meeting.

PART 5 – COMMITTEE OF THE WHOLE

31. Procedures of Committee of the Whole Meetings

- 31 (1) A notice of the day, hour and place of a COTW meeting must be given at least twenty-four (24) hours before the time of the meeting by:
- a) posting a copy of the notice at the *public notice posting places*; and
 - b) providing the notice and agenda electronically for each *member*.

Minutes of Committee of the Whole Meetings

- (2) 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.

Presiding Members at Committee of the Whole Meetings and Quorum

- (3) The *mayor* shall preside a committee of the whole meeting if present.

- (4) If the mayor is absent, the *councillor* designated as the *member* responsible for acting in the place of the *mayor* must take the *chair* and call the meeting to order.
- (5) The quorum of the committee of the whole is the majority of *members*.

Meeting Proceedings

- (6) The presiding *member* must preserve order at a committee of the whole meeting and, subject to an appeal to other *members* present, decide points of order that may arise.
- (7) The rules of procedure of the *council* shall be observed in a committee of the whole meeting, so far as may be applicable, except that:
 - a) a *member* may speak any number of times on the same question; and
 - b) no *member* shall speak continuously for more than five (5) minutes to a question.
 - c) Resolutions passed by the committee of the whole must be referred to *council* for ratification except for the following:
 - (i) a motion referring items to staff;
 - (ii) a motion deferring an item;
 - (iii) a defeated motion;
 - (iv) a motion receiving a report; or
 - (v) a motion providing feedback to staff for the preparation of a policy, bylaw, strategy, or program that will subsequently be provided to *council* for approval at a future date.
- (8) Votes at a committee of the whole meeting must be taken by a show of hands if requested by a *member*.
- (9) The presiding *member* must declare the results of voting.
- (10) When all matters referred to COTW have been considered a motion to terminate shall be adopted.
- (11) At a regular *council* meeting following the committee of the whole meeting, the *chair* in committee of the whole shall report to council and the council may:
 - a) adopt the recommendation;
 - b) reject the recommendation;
 - c) adopt the recommendation with amendments;
 - d) commit the subject matter to further consideration, either in part or in total;
 - e) postpone action on the recommendation; or

- f) approve the request of committee to sit again, the committee having reported progress after partial consideration of the subject

PART 6 – COMMITTEES

32. Procedures of Committees of Council

- 32 (1) All resolutions adopted by a committee must be presented to *council* for ratification except for the following:
- a) resolutions referring items to staff;
 - b) resolutions deferring an item;
 - c) resolutions receiving a report or information; and
 - d) defeated resolutions.

Standing Committees

- (2) A standing committee must consider, inquire into, report, and make recommendations to *council* about the following matters:
 - a) matters that are related to the general subject indicated by the name of the committee;
 - b) matters that are assigned by *council*;
 - c) matters that are assigned by the *mayor*.
- (3) A standing committee reports and makes recommendations to *council* through their minutes.

Select Committees

- (4) A select committee must consider, inquire into, report, and make recommendations to *council* about the matters referred to the committee by the *council*.
- (5) A select committee reports and makes recommendations to *council* through their minutes.

Notice of Committee Meetings

- (6) Notice and Agenda of committee meetings, including the times, dates and places of the meetings must be given by:
 - a) posting a notice of the meeting at the *public notice posting places*; and
 - b) providing a copy of the notice and agenda electronically to each *member* of the committee at least twenty-four (24) hours prior to the meeting.

Minutes of Committee Meetings

- (7) Minutes of the proceedings of a committee must be:
 - a) legibly recorded,
 - b) certified by the *corporate officer* and the presiding member, and
 - c) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

Quorum

- (8) The quorum for a committee is a majority of all *members*.

Conduct and Debate

- (9) The rules of *council* procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this bylaw.
- (10) *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.

Voting at Meetings

- (11) *Council members* attending a meeting of a committee of which they are not a *member* must not vote on a question.
- (12) The *mayor* is an ex officio *member* of all Committees and therefore is entitled to vote on any matter before the Committee.

PART 7 – COMMISSIONS

- 33. The procedures for governing conduct of a commission shall be set out within the commission's establishing bylaw and shall follow the *council* meeting proceedings as set out in Part 2 where applicable and appropriate.

PART 8 - REPEAL

- 34. Village of Pemberton Council Procedure Bylaw No. 788, 2015 and its amendments are repealed.

PUBLIC NOTICE provided in the Pique Newsmagazine and at the public notice posting places on June 13 and June 20, 2025

READ A FIRST TIME this 24th day of June, 2025

READ A SECOND TIME this 24th day of June, 2025

READ A THIRD TIME this 24th day of June, 2025.

ADOPTED this 15th day of July, 2025.

Mike Richman
Mayor

Gwendolyn Kennedy
Corporate Officer