

**DISTRICT OF FORT ST. JAMES  
COUNCIL PROCEDURES  
BYLAW NO. 1015, 2019**



**OFFICE CONSOLIDATION  
AUGUST 19, 2024**

**This consolidation of District of Fort St. James Council Procedure Bylaw No. 1015, 2019 is provided for convenience only. This consolidation has no Council sanction, amendments have been incorporated for convenience only, and that for all purposes of interpretation and application the original bylaws should be consulted.**

**The District of Fort St. James will, in no event, be liable for damages of any kind arising from the use of this consolidation.**

**This is not the official version of District of Fort St. James Council Procedure Bylaw No. 1015, 2019. A copy of the official version may be obtained from the District office or by contacting us at [corporate@fortstjames.ca](mailto:corporate@fortstjames.ca).**

Bylaw No.	Sections Amended	Date
Amendment Bylaw No. 1030, 2021	Part 2 (2.2) Part 5 (1)	March 9, 2021

## DISTRICT OF FORT ST. JAMES

### COUNCIL PROCEDURE BYLAW

#### BYLAW NO. 1015, 2019

#### Amending Bylaws

A bylaw of the District of Fort St. James to establish a procedure bylaw pursuant to the *Community Charter* Section 124, as amended.

The Municipal Council of the District of Fort St James enacts as follows:

#### PART 1 – INTRODUCTION

##### Title

1. This Bylaw may be cited as the “Council Procedure Bylaw No. 1015, 2019”.

##### Repeal

2. Both the “Fort St. James Council Procedure Bylaw No. 991, 2018, and associated amendment “Council Procedure Amendment No. 1, Bylaw No. 1005, 2019”, are repealed.

##### Definitions

3. In this Bylaw,
  - “Deputy Mayor” means a designate 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;
  - “District ” means the District of Fort St James;
  - “District Office” means the Municipal Office of the District of Fort St. James located at 477 Stuart Drive West;
  - “District Web Site” means the information resource found at an internet address provided by the District;
  - “Commission” means a municipal commission established pursuant to 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 Council;
  - “Corporate Officer” means the Corporate Officer for the District;
  - “Council” means the Council of the District;
  - “Public Notice Posting Places” means the notice board at the District Office and the

District website.

“In Camera” means a meeting or part of a meeting from which persons were excluded in accord with the relevant sections of the *Community Charter*.

### **Application of rules of procedure**

4. (1) The provisions of this Bylaw shall govern the proceedings of Council, COTW, Commissions and all committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, “Robert's Rules of Order, Newly Revised, 11<sup>th</sup> Edition” as amended, apply to the proceedings of Council, COTW, Commissions and Council committees to the extent that those Rules are applicable in the circumstances; and not inconsistent with provisions of this Bylaw or the *Community Charter*.

## **PART 2 – COUNCIL MEETINGS**

### **Inaugural meeting**

5. (1) Following a general local election, the first Council meeting must be held within the first 10 days of November in the year of the election.
- (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.

### **Time and location of meetings**

Bylaw 1030

6. (1) All Council meetings must take place within the District Office or Community Centre with notice given by the afternoon of the day prior to the meeting day except when Council resolves to hold the meeting elsewhere.

Bylaw 1030

- (2) Regular Council meetings must
  - (a) be held on the second and fourth Tuesdays of each month, except the months of September and December, when one meeting may be held provided that notice is posted at the Public Notice Posting Places;
  - (b) begin at 17:00 hours;
  - (c) be adjourned at 22:00 hours on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with this bylaw;
  - (d) when such meeting falls on a statutory holiday be held
    - i. on the statutory holiday;
    - ii. on the next day the District Office is open which is not a statutory holiday; or
    - iii. on the last day the District Office is open preceding the statutory holiday,

provided the necessary notice is posted at the Public Notice Posting Places.

- (3) A Regular meeting of Council may be:
  - (a) cancelled, provided that two consecutive meetings are not cancelled; or
  - (b) postponed to a different day, time and placeby the Mayor, provided at least 2 days public notice is given.

#### **Notice of Council meetings**

- 7. (1) Council must prepare annually on or before December 31 each year, 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 Places.
- (2) If revisions are necessary to the annual schedule of regular Council 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 regular Council meeting.

#### **Electronic Meetings**

- 8. (1) A Council meeting may be conducted by means of audio, visual and audio, or electronic communication if:
  - i. the Mayor requires;
  - ii. the Council requires; or
  - iii. requested by a delegation.
- (2) A member of Council or a member of a Council Committee who is unable to attend at a Council meeting, Council Committee meeting or COTW as applicable, may participate in the meeting by means of audio, visual and audio, or electronic communication if the member is unable to attend because of
  - i. travel outside the District, or
  - ii. illness.
- (3) The chair at a regular council meeting, special council meeting or council committee meeting must be present.
- (4) Unless determined by the Mayor or presiding member, no more than two members of Council at one time shall participate electronically at a regular council meeting.
- (5) If there is a failure of communication when a member or members are participating electronically at any meeting, during the time of the communication failure the member or members are deemed to be absent and not to have voted during that time.

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

- 9. (1) Annually Council must, from amongst its members, designate a Deputy Mayor
- (2) Each Councillor designated as Deputy Mayor must fulfill the responsibilities of the

Mayor in his or her absence.

- (3) If both the Mayor and Deputy Mayor are absent from the Council meeting, the Council members present must choose a councillor to preside at the Council meeting.

#### **PART 4 – COUNCIL PROCEEDINGS**

##### **Minutes of meetings to be maintained and available to public**

10. (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, at the meeting at which the minutes are adopted.
- (2) Subject to Subsection (3), and in accordance with the Community Charter, Minutes of the proceedings of Council must be open for public inspection at City Hall during its regular office hours.
- (3) Subsection (2) does not apply to Minutes of an In-Camera meeting.

##### **Calling meeting to order**

11. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor or Deputy Mayor, must take the chair and call the Council meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Deputy Mayor do not attend within 15 minutes of the scheduled time for a Council meeting:
- (a) the Corporate Officer must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

##### **Adjourning meeting where no quorum**

12. (1) If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must
- (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

##### **Agenda**

13. (1) 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) A person shall submit any material for a Council meeting no later than 15:30 on the Wednesday preceding that meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council

and the public on the afternoon of the day prior to the meeting day.

- (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.

### **Order of proceedings and business**

- 14. (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Adoption of the Agenda;
  - (b) Notice of In-Camera Meeting;
  - (c) Delegations and Requests to Address Council;
  - (d) Adoption of minutes;
  - (e) Business arising;
  - (f) Reports;
  - (g) Correspondence;
  - (h) Bylaws;
  - (i) New business;
  - (j) Supplementary Agenda;
  - (k) Recess to the In-Camera Portion of the Meeting;
  - (l) Release of In-Camera Decisions;
  - (m) Adjournment
- (2) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless varied by the Mayor or presiding member.

### **Procedures to Close Meetings**

- 15. (1) Before holding an In-Camera meeting, a council must state, by resolution passed in a public meeting:
  - (a) The general terms of each distinct matter to be discussed, and
  - (b) Sufficient detail to inform the public about the reasons for closing a meeting to enable an understanding of the purpose of the meeting and the matter or matters to be discussed without undermining the reason for closing the meeting.
- (2) In addition to subsection (2), before holding an In-Camera meeting, a council must state, by resolution passed in a public meeting:
  - (a) The fact that the meeting or part is to be closed, and

- (b) The basis under and full text of the applicable subsection of section 90 on which the meeting or part is to be closed.
- (3) The resolution to close a meeting will be read in an open meeting.
- (4) Council may close a meeting to the public to consider whether a council meeting should be closed under a provision of section 90 of the Community Charter.

#### **Procedures to Review In-Camera Minutes for Release**

- 16. (1) Council will faithfully adhere to all lawful disclosures of In-Camera resolutions to maintain public confidence in the transparency of Council proceedings.
- (2) During the preparation of the minutes or agenda for an In-Camera meeting, if the Corporate Officer determines that one or more resolutions may be appropriate or lawful for public release, then the Corporate Officer may recommend the public release of these resolutions to Council during an In-Camera meeting.
- (3) At least once annually, the Corporate Officer shall review resolutions made over the preceding year during In-Camera meetings, and may make recommendations to Council if such resolutions are appropriate or lawful for release.
- (4) Upon a resolution authorizing disclosure of information to the public from an In-Camera meeting in subsections (2) or (3) is made:
  - (a) Council will release the resolutions under the business item “(k) Release of In-Camera Decisions”.

#### **Late items**

- 17. (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 for adoption of the agenda.
- (2) When the Council makes a resolution on a late item information pertaining to late items must be distributed to the members when supporting documentation is available.

#### **Delegations**

- 18. (1) A person may address Council at a regular meeting provided written application on a prescribed form has been received and approved by the Corporate Officer by 15:30 hours on the Wednesday prior to the meeting.
- (2) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (3) 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.
- (4) If a written application has not been received by the Corporate Officer, a person may address the Council meeting if approved by the unanimous vote of the members present.

- (5) A delegate may make a presentation no longer than 15 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (6) 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.

### **Adjournment**

- 19. (1) A Council may continue a Council meeting after 22:00 hours only by an affirmative vote of two thirds (2/3) of 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 that motion has not been preceded at that meeting by the same motion.
- (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**

- 20. (1) Council may introduce a proposed bylaw 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.

### **Form of bylaws**

- 21. (1) A bylaw introduced at a Council meeting must:
  - (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**

- 22. (1) Council must consider a proposed bylaw at a Council meeting either:
  - (a) separately when directed by the presiding member or requested by another Council member, or
  - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.



### **Reading and adopting bylaws**

23. (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.

### **Bylaws must be signed**

24. (1) 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 have it placed in the District's records for safekeeping and endorse upon it:
- (a) The District's corporate seal,
  - (b) the dates of its readings and adoption; and,
  - (c) the date of Ministerial approval or approval of the electorate if applicable.

## **PART 6 – RESOLUTIONS**

### **Copies of resolutions to Council members**

25. Council may introduce a resolution at a Council meeting only if a copy of it has been delivered to the Corporate Officer and each Council member at least 24 hours before the Council meeting, or a majority of Council members agree to waive this requirement.

### **Form of resolution**

26. A resolution introduced at a Council meeting must be clearly spoken or written.

## **PART 7 - COMMITTEE OF THE WHOLE**

### **Committee of the whole**

27. 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 District business, is a meeting of COTW.

## **PART 8 – COMMITTEES**

### **Duties of standing committees**

28. (1) Standing committees must report and make recommendations to Council at all of 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,
    - i. as required by Council or the Mayor, or
    - ii. at the next Council meeting if the Council or Mayor does not specify a time.

### **Duties of select committees**

29. 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**

30. (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**

31. (1) Subject to subsection (2), 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 by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the committee.
- (2) If 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 to be given to all members of the committee at least 12 hours before the time of the meeting.

### **Attendance at Committee meetings**

32. 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**

33. (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.

### **Conduct and debate**

- 34. (1) The rules of 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.

## **PART 9 - COMMISSIONS**

### **Schedule of Commission meetings**

- 35. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.
- (2) The Chair of a Commission may call a meeting of the Commission in addition to the scheduled meetings or may cancel a meeting.

### **Notice of Commission meetings**

- 36. (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates and places of the Commission meetings, notice of the schedule must be by:
  - (a) posting a copy of the schedule at the Public Notice Posting Places; and
  - (b) providing a copy of the schedule to each member of the Commission.
- (2) If revisions are necessary to the annual schedule of the Commission meetings, the Corporate Officer must, as soon as possible, post notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time and place of a meeting called to all members of the Commission at least 12 hours before the time of the meeting.

### **Minutes of Commission meetings to be maintained and available to the public**

- 37. (1) Minutes of the proceedings of a Commission must be:
  - (a) legibly recorded;
  - (b) certified by the Corporate Officer;
  - (c) signed by the Chair or a member presiding at the meeting; and
  - (d) open for public inspection.

## **Conduct and Debate**

38. The rules of the Council procedure must be observed during Commission meetings, so far as is possible and unless as otherwise provided in this bylaw.

## **PART 10- GENERAL**

39. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with the Community Charter.

READ A FIRST TIME THE 3rd DAY OF SEPTEMBER 2019.

READ A SECOND TIME THE 3rd DAY OF SEPTEMBER 2019.

READ A THIRD TIME THE 12th DAY OF NOVEMBER 2019.

ADOPTED THE 26th DAY OF NOVEMBER 2019.

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Bev Playfair, Mayor

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Melany Helmer, Chief Administrative Officer