

**Date:** September 21, 2021

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Gwendolyn Kennedy, Legislative Assistant

**Subject:** Electronic Meetings – Response to COVID-19 Legislated Changes

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## **PURPOSE**

The purpose of this report is to seek input from the Committee of the Whole regarding electronic and hybrid meeting formats after the term of Ministerial Order M192 ends on September 28<sup>th</sup>.

## **BACKGROUND**

Since June 17, 2020, local governments have been operating under Ministerial Order M192, permitting meetings and public hearings to be conducted electronically during the COVID-19 pandemic. On June 30, 2021 the COVID-19 provincial state of emergency was ended; however, certain orders and regulations including M192 were extended to allow time to transition back to normal.

On September 28, 2021, 90 days after the end of the provincial state of emergency, the authority to hold electronic meetings under M192 will expire. On September 29, 2021, *Bill 10, Municipal Affairs Statutes Amendments Act*, providing permanent authority for local governments to conduct meetings electronically, will come into effect. Once the amendments come into force, local governments may provide public notice, communicate changes to the public, and begin to do readings of an amended procedure bylaw. Until this process has been completed, meetings must be held under the provisions of the existing procedures bylaw.

Council Procedures Bylaw No. 788, 2015, Amendment Bylaw No. 888, 2020, added provision for electronic meetings only during a health, environmental, or safety emergency. A consolidated version of the Bylaw is attached for reference as **Appendix A**. Thus, effective September 29, 2021, and remaining in effect until the necessary provisions are added to the Council Procedures Bylaw, Council and Council Committee meetings must be held in person, with no more than two Council members, excluding the presiding member, permitted to attend by electronic means at any meeting.

## **DISCUSSION & COMMENTS**

During the tenure of Ministerial Order M192, Council meetings have been held remotely by ZOOM webinar with all Council members, Staff, delegations, media, and the public participating electronically, and recordings being made available to the public after the meeting. The format has enabled the Village to comply with COVID-19 distancing requirements while facilitating public participation in meetings and ensuring transparency of proceedings.

The COVID-19 pandemic accelerated the acceptance of online or electronic alternatives to in-person meetings and forever changed expectations regarding accessibility and transparency. There is now an assumption from delegations and the public that provision will be made for electronic attendance at meetings, and that meetings will continue to be either live-streamed or recorded and posted online. Thus, although a return to in-person meetings in the format used prior to the onset of the COVID-19 pandemic is one solution to managing meetings after the expiry of M192, Staff acknowledge that electronic and hybrid meeting formats may be necessary to satisfy expectations in the post COVID-19 world, particularly for delegations to Council who may be reluctant to travel unnecessarily due to COVID-19 and carbon footprint considerations. Also, Staff acknowledge the possibility that COVID-19 pandemic-related physical distancing requirements and occupancy limits may be reinstated and that personal comfort with indoor gatherings varies. As a result, some meeting participants may prefer or may be required to attend meetings by electronic means.

### ***Legislative Consideration***

*Bill 10, Municipal Affairs Statutes Amendments Act*, requires that local governments holding meetings in a format that includes electronic participation provide a place for the public to hear, or watch and hear, the meetings. Council Chambers is equipped with a large screen which would permit the public in attendance to watch and hear those participating in the meeting by electronic means, provided COVID-19 pandemic-related occupancy limits and physical distancing requirements are not reinstated. The *Act* also requires that a municipal officer (Chief Administrative Officer, Corporate Officer, or Finance Officer) be in attendance at the place where the public can attend. As such, if Council Chambers is offered as the location for the public to attend to watch and hear meetings, one of the above noted staff members would also have to be in attendance regardless of whether public were present.

*Guidance for Adapting to the New Electronic Meetings Framework*, published by the Ministry of Municipal Affairs, Governance and Structure Branch, Local Government Division (**Appendix B**), provides a list of questions for Council and Staff consideration when adding authorization for electronic meetings to a council procedures bylaw. Staff have included the questions, with answers if available, as **Appendix C**, and ask that the Committee provides comment on these questions to assist Staff in drafting an amendment to Council Procedures Bylaw No. 788, 2015.

*Guidance for Adapting to the New Electronic Meetings Framework* suggests best practices for inclusion in a procedure bylaw or electronic meeting policy to support elected officials, staff, and the public in participating in and attending electronic meetings. Key considerations include the following:

- describe the circumstances under which electronic meetings are permitted;
- avoid referring to specific technology (i.e.: ZOOM, Microsoft Teams, or Google meets);
- outline procedures for determining quorum, taking and verifying votes, addressing conflict of interest, shifting from open to closed meetings, adding items to the agenda, and the methods for making a motion or a point of order; and
- provide as much notice as possible and publish the agenda well in advance of the meeting date.

Staff are suggesting that, if an amendment is made to Council Procedures Bylaw No. 788, 2015 to permit electronic and hybrid meetings, it should be crafted to allow sufficient flexibility to accommodate the need for fully electronic and hybrid meeting formats as circumstances, technology, and the Village's needs evolve. Further rules and procedures could be included in an

Electronic Meetings Policy that would supplement the bylaw and could be amended in response to changing circumstances and technology. Video Recording and Broadcasting Policy COU-011, approved by Council on May 26, 2020, attached as **Appendix D**, has guided electronic meetings under Ministerial Order M192, but is restricted to meetings held by ZOOM webinar under M192. Thus, Staff recommend that a new policy, applicable to electronic and hybrid meetings held pursuant to Bill 10, be drafted to provide additional details not included in the amendment to Council Procedures Bylaw No. 788, 2015.

### ***Technology Considerations***

The Village does not currently have the video conferencing hardware to facilitate hybrid meetings in a manner that would ensure a consistent, unified experience for all participants. Furthermore, the shape and size of Council Chambers are not conducive to satisfactory audio and video recording.

Staff have tested the hybrid meeting format using existing technology including laptops in Council Chambers and have found the arrangement to be cumbersome to implement and marginally satisfactory. Acceptable audio and video broadcasting and recording can be achieved if each participant joins the meeting through the ZOOM application on a personal device and disconnects the personal audio feed. This enables video feed for each participant while avoiding the feedback that results from multiple audio devices in one room. One laptop with audio connected provides adequate audio feed for participants and attendees in Council Chambers, provided background noise is not excessive.

Disadvantages of this arrangement include the inability of ZOOM to recognize the individual speaker, as all speakers use the same microphone; variable audio quality depending on the relative positions of the microphone and the speaker; the screech of audio interference if someone in the room neglects to disconnect their personal audio; and the need for each meeting participant to join the meeting through ZOOM on their personal laptop, making it more cumbersome to simultaneously view the agenda and other files on the laptop. As well, if Council, Staff, and the public are in attendance in the room, everyone will be required to wear a mask which could result in further difficulty in hearing speakers talk. Staff would like to emphasize that this is a short-term solution only, and that hardware upgrades would be necessary to ensure that hybrid meetings meet the requirements of accessibility, transparency, and accountability, and enhance the user experience for remote and in-person participants and attendees.

Staff have consulted with the Squamish-Lillooet Regional District (SLRD) regarding the video conferencing system installed in the SLRD Boardroom and have inquired regarding the possibility of the Village renting the boardroom for Council meetings. The system installed in the SLRD boardroom includes a 360-degree Owl camera with multiple built-in speakers and microphones as well as a ceiling mounted camera and microphone unit. Meeting participants do not need to join the meeting through their personal devices, and instead may use these to access the agenda and files during the meeting. Screen sharing is facilitated through USB connections to the system, and remote participants join the meeting through their personal devices. Unfortunately, renting the space is not an option at this time, but implementing a similar video conferencing system in Council Chambers may be a consideration, depending on budget constraints.

To guide the discussion, three options are presented below:

#### **Option One: Return to pre-COVID-19 in-person meetings:**

- Council Procedures Bylaw No. 788, 2015, would not be amended.

- Staff, elected officials, media, and the public would attend meetings in person.
- Subject to the restrictions of Council Procedures Bylaw No. 788, 2021, **up to two Council members who are unable to attend in person, but not the presiding member**, would be permitted to attend electronically, no more than four times in a calendar year. Remote attendance would be by telephone, as was the case prior to COVID-19, but could be adjusted subject to new technology being installed in Council Chambers.
- Under current public health orders, in-person meeting attendees, participants, and members of the public would be required to wear masks when anyone other than elected officials and staff is present in Council Chambers (i.e.: public or delegations).
- Meetings would not be live-streamed, recorded or broadcasted online unless technology upgrades are made to facilitate this.

**Option Two: Return to pre-COVID in-person meetings but use ZOOM or a similar video conferencing platform to permit recording & broadcasting of meetings:**

- Council Procedures Bylaw No. 788, 2015, would not be amended but an electronic meeting policy would need to be developed.
- Video conferencing hardware upgrades would be necessary.
- All elected officials and relevant staff would attend in person in Council Chambers and would simultaneously attend through a ZOOM webinar or a similar video conferencing platform by means of video conferencing hardware and software.
- Subject to the restrictions of Council Procedures Bylaw No. 788, 2021, **up to two Council members who are unable to attend in person, but not the presiding member**, would be permitted to attend electronically, no more than four times in a calendar year. Remote attendance would include video and audio feed.
- Other staff, media, delegations, and the public would have the option of participating and attending the meeting remotely using ZOOM (or another similar video conferencing platform) or in person.
- Under current public health orders, in-person meeting attendees, participants, and members of the public would be required to wear masks when anyone other than elected officials and staff is present in Council Chambers (i.e.: public or delegations).
- Meetings would be live-streamed, recorded and broadcasted online.
- The public would have the option of watching and hearing remote participants on the large screen in Council Chambers.

**Option Three: Permit hybrid and fully electronic meetings, subject to conditions determined by Council:**

- Council Procedures Bylaw No. 788, 2015, would be amended to permit electronic meetings.
- An electronic meetings policy would be developed.
- Video conferencing hardware upgrades would be necessary.
- Subject to conditions specified by Council in an amendment to Council Procedures Bylaw No. 788, 2015, and an electronic meetings policy, Council members would have the option of attending a meeting in person or electronically.

- The media, delegations, staff, and the public would have the option of attending a meeting in person or electronically.
- Under current public health orders, in-person meeting attendees, participants, and members of the public would be required to wear masks when anyone other than elected officials and staff is present in Council Chambers (i.e.: public or delegations).
- The public would have the option of watching and hearing meetings on the large screen in Council Chambers.
- To meet the legislated requirements to accommodate the above, an officer (CAO, Corporate Officer or Finance Officer) of the Village would be required to be present in Council Chambers during fully electronic meetings.
- Meetings would be live-streamed, recorded and broadcasted online.

If options two or three are selected, Staff recommend exploring the possibility of moving the meetings out of the existing Council Chambers. As noted above, the room is small and attempts to accommodate the hybrid meeting format have not been very successful in test runs. A portable trailer located at Municipal Hall, outfitted with the appropriate technology to facilitate in-person, electronic, and hybrid meeting formats, may be a viable solution that would permit the Village to continue to live-stream and record meetings, providing greater opportunities for the public to attend and participate in meetings. This would have the added benefit of alleviating the space challenges we are facing as we bring Staff back to the workplace after a year and a half of working remotely.

Should the Committee wish to pursue this option, Staff would work with an audio-visual provider to ensure that the selected video conferencing hardware meets the Village's needs, is comfortable for those in attendance both in person and electronically, is easy to use, and enhances the meeting experience for all.

### **COMMUNICATIONS**

This issue does not require a communications element at this stage. However, an amendment to Council Procedures Bylaw No. 788, 2015, will trigger the need for notice to the public. Should the Committee recommend to Council that an amendment be considered, Staff will ensure that notification to the public is provided in accordance with section 124 of the *Community Charter*.

### **LEGAL CONSIDERATIONS**

*Bill 10, Municipal Affairs Statutes Amendments Act*, extends to Council the authority to allow, by bylaw, Council and Council Committee meetings to be held by electronic means, effective September 29, 2021.

### **IMPACT ON BUDGET & STAFFING**

The costs associated with establishing facilities for hybrid and electronic meetings have not been confirmed. However, these costs may be eligible to be covered by funds remaining from the Village's COVID-19 Restart Grant.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

Interdepartmental Approval by:	Nikki Gilmore, Chief Administrative Officer
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## **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

This initiative will have no impact on the region or on neighbouring jurisdictions.

## **ALTERNATIVE OPTIONS**

**Option 1: THAT** the Committee provides input to Staff regarding an amendment to Council Procedures Bylaw No. 788, 2015, that would permit council, committee, and commission meetings to be held electronically pursuant to *Bill 10, Municipal Affairs Statutes Amendments Act*.

**Option 2: THAT** the Committee directs Staff not to pursue an amendment to Council Procedures Bylaw No. 788, 2015, and that council, committee, and commission meetings be held in accordance with the existing bylaw.

## **RECOMMENDATIONS**

**Recommendation 1: THAT** the Committee of the Whole provides direction regarding facilitating electronic and hybrid meetings after September 28, 2021.

**Recommendation 2: THAT** the Committee of the Whole provides comment on amending Council Procedures Bylaw No. 788, 2015, to permit electronic council, committee, and commission meetings to be held electronically subject to specified conditions.

**Recommendation 3: THAT** the Committee of the Whole recommends to Council that Staff be directed to draft an amendment to Council Procedures Bylaw No. 788, 2015, to permit electronic attendance at council, committee, and commission meetings for review at a future Committee of the Whole Meeting (or we could put a set date);

**Recommendation 4: THAT** the Committee of the Whole recommends to Council that Staff be directed to present at a future meeting of Council recommendations for meeting space along with suitable hardware and software for the facilitation of electronic meetings.

## **ATTACHMENTS:**

**Appendix A:** Village of Pemberton Council Procedures Bylaw No. 788, 2015, Consolidated November 2020, proposed changes shown in red.

**Appendix B:** *Guidance for Adapting to the New Electronic Meetings Framework*, published by the Ministry of Municipal Affairs, Governance and Structure Branch, Local Government Division

**Appendix C:** Questions for Consideration

**Appendix D:** Video Recording and Broadcasting Policy COU-11

Prepared by:	Gwendolyn Kennedy, Legislative Assistant
Manager Approval:	Sheena Fraser, Manager, Corporate & Legislative Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

Committee of the Whole

# VILLAGE OF PEMBERTON COUNCIL PROCEDURE BYLAW NO. 788, 2015

**Fourth & Final Readings  
July 7, 2015**



**OFFICE CONSOLIDATION: November 5, 2020**

This document is an office consolidation of the Village of Pemberton Council Procedure Bylaw No. 788, 2015 (adopted July 7, 2015) and subsequent amendments adopted by Village Council as noted on the next page.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application that original bylaw should be consulted.

The Village of Pemberton will, in no event, be liable or responsible for damages of any kind arising out the use of this consolidation.

This is not the official version of the Village of Pemberton Council Procedure Bylaw No. 788, 2015, nor is it admissible in a court of law. For such purposes, official certified copies can be obtained from the Village Office or by contacting us at: [admin@pemberton.ca](mailto:admin@pemberton.ca).



## List of Amending Bylaws

<b>Bylaw No</b>	<b>Section Amendment</b>	<b>Council Meeting</b>	<b>Date</b>
Village of Pemberton Council Amendment (Section 31) Bylaw No. 864, 2019	Section 31 – Reconsideration by Council Member	Regular Council Meeting No. 1494	June 11, 2019
Council Procedure Amendment (Electronic Participation) Bylaw No. 875, 2020	Section 10 – addition of sub-clause (h)	Special Council Meeting No. 1511	March 31, 2020
Council Procedure Amendment (Order of Proceedings) Bylaw No. 888, 2020	Sections 6, 13, 22, 26, 31 – numbering corrections Section 10 (h) – clarification that electronic participation deemed present Section 18 – Order of Proceedings Adjustment	Regular Council Meeting No. 1526	November 3, 2020

## Village of Pemberton

### BYLAW No. 788, 2015

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A bylaw to repeal and replace the Village of Pemberton Council Procedure Bylaw No. 656, 2011 and its amendments, Bylaw No. 687, 2012 and Bylaw No. 737, 2013.

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**WHEREAS** the Council of the Village of Pemberton must by bylaw regulate Council meetings and their conduct, and must by bylaw provide for the procedure that is to be followed in passing bylaws, pursuant to Section 124 (1) of the *Community Charter*.

**THEREFORE BE IT RESOLVED** that the Municipal Council of the Village of Pemberton enacts a Procedure Bylaw as follows:

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## **PART 1 – INTRODUCTION**

### **1. Title**

This Bylaw may be cited as the “**COUNCIL PROCEDURE BYLAW NO. 788, 2015**”.

### **2. Table of Contents**

The table of contents is for convenience of reference only, and is not for use in interpreting or enforcing this Bylaw.

### **3. Definitions**

“**Chief Administrative Officer**” means the Chief Administrative Officer for the Village;

“**Chair**” means the Mayor, Acting Mayor or other Member who is chairing a meeting;

“**Commission**” means a municipal commission established under s. 143 of the *Community Charter*;

“**Committee**” means a standing, select, or other committee of Council established under s. 141 and 142 of the *Community Charter*;

“**Committee of the Whole**” means a committee comprised of all Council Members of the Village of Pemberton to consider and recommend to Council on matters of the Village’s business. The Committee sits in a deliberative rather than a legislative capacity, for informal debate and preliminary consideration of matters awaiting action;

“**Corporate Officer**” means the municipal officer assigned responsibility under section 148 [*corporate officer*];

“**Council**” means the council of the Village of Pemberton;

“**Councillor**” means a member of a council other than the mayor;

“**Council Chambers**” means the premises located at 1350 Aster Street, Pemberton, B.C. or the Village Office, 7400 Prospect Street;

“**Delegation**” means an individual or group who wishes to bring information to Council or committee or other advisory body on a topic specified on a Request to Appear as a Delegation Form;

“**Inaugural Meeting**” means the first meeting of the newly elected Council at which the members elected at the most recent general local election are sworn in or are meeting for the first time after the swearing in ceremony;

**“In Camera”** means a meeting of the Village of Pemberton Council, committees or commissions which is closed to the public pursuant to the provisions of s. 90 of the *Community Charter*;

**“Mayor”** means the Mayor of the Village of Pemberton;

**“Public Notice Posting Places”** means the notice board at the Village Office at 7400 Prospect Street, the Post Office at 7431 Prospect Street and on the Village Web Site;

**“Special Council Meeting”** means a meeting of the Council other than a Regular or Inaugural Meeting.

**“Swearing In Ceremony”** means the event at which the newly elected members of Council take the oath of office. This could take place at the Inaugural Meeting or at a different time and place prior to the Inaugural meeting of Council.

**“Village”** means the Village of Pemberton;

**“Village Office”** means the premises located at 7400 Prospect Street, Pemberton, B.C.;

**“Village Web Site”** means the information resource found at an internet address provided by the Village.

#### **4. Application of Rules of Procedure**

- a) The provisions of this Bylaw govern the proceedings of Council, and all standing, select committees and commissions of Council, as applicable.
- b) 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:
  - i) applicable in the circumstances, and
  - ii) consistent with provisions of this Bylaw or the *Community Charter*.

### **PART 2 – COUNCIL MEETINGS**

#### **5. Inaugural Meeting**

- a) Following a general local election the first Council meeting must be held on the first Tuesday of November.

- b) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in section 4 (a), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

## **6. Dates, Times and Locations of Meetings**

- a) All Council meetings must take place at the Council Chambers within the Village except when Council resolves to hold meetings elsewhere.
- b) Regular Council meetings must:
  - i) be held on Tuesdays the dates and times shall be established by Council resolution before December 15th of each year for the subsequent year;
  - ii) be adjourned no later than three (3) hours after being called to order unless Council resolves to proceed beyond that time in accordance with section 32; (section number correction Amended BL 888, 2020)
  - iii) notwithstanding clause (b) (i) above, there shall not be a meeting during the month of August unless Council otherwise resolves.
- c) Regular Council meetings may:
  - i) be cancelled or postponed to a different day, time and place by Council by resolution, provided that two consecutive meetings are not cancelled; and
  - ii) 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.
- d) In Camera (Closed) Council meetings may:
  - i) be held on the same day as the Regular Council Meeting as established in section 6 (b) (i).
- e) Special Meetings, being a meeting other than a statutory, regular or adjourned meeting, may:
  - i) be called by Council at a Regular meeting of Council;
  - ii) be called by the Mayor at his or her discretion at any time;

- iii) be requested by two or more Council Members, in writing to the Mayor, Chief Administrative Officer and Corporate Officer. If the Mayor or Acting Mayor is absent or unable to act, or for any reason neither have arranged within twenty-four (24) hours after receiving a request under this section then two (2) or more members of Council may themselves call for a Special Meeting to be held within the next seven (7) days.

## **7. Notice of Regular Council Meetings**

- a) In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 1 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.
- b) 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*.
- c) 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.

## **8. Notice of Special Meetings**

- a) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter*, a notice of the date, hour, and place of a Special Council meeting must be given at least twenty-four (24) hours before the time of meeting, by:
  - i) posting a copy of the notice at the Public Notice Posting Places, and
  - ii) providing the notice and the agenda electronically by email as well as providing a copy of both for each Council member in the Council member's mailbox at the Village Office as requested.
- b) The notice under section 7 (a) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.
- c) Notice of any Meeting called under Section 5 (e) (ii) will be signed by the Members calling the Meeting, or by the Corporate Officer in place of the Mayor.

## 9. Confidential Matters

- a) As stated in the *Community Charter*, matters deemed to be of a confidential nature in accordance with the provisions of section 90 may be considered in a meeting closed to the public (In Camera).

## 10. Electronic Participation at Meetings

- a) Provided that all of the conditions set out in section 128 (2) of the *Community Charter* are met, and subject to section 9 (b), a member of council or of a council committee or commission, other than the presiding member, who is unable to attend at any council, committee, commission or special meeting, as applicable, may participate in the meeting by means of electronic or other communications facilities.
- b) As a limit on section 9 (a), no more than two (2) members of Council, committee or commission may participate at any one meeting by way of electronic or other communications facilities.
- c) In instances where the Mayor will participate in a meeting electronically, the Council member designated to act in place of the Mayor shall preside.
- d) In absence of the Mayor and the Council member designated to act in the place of the Mayor the member present shall elect from among themselves a presiding member for that meeting;
- e) Where a meetings is held under this section the facilities must enable the public to hear, or see and hear, the participation of the member or members participating electronically unless the meeting is closed pursuant to section 90 of the *Community Charter*;
- f) Members of Council who are participating in a meeting under this section are deemed to be present at the meeting;
- g) Council members may not attend by electronic means more than a maximum of four (4) meetings as identified in this section per calendar year.
- h) Despite (b) and (c) above, in the event of a health, environmental or safety emergency, where it is not possible to have a quorum or the Mayor or Acting Mayor physically present for a meeting, all or any portion of the members may participate in a Council, committee, commission or special meeting by means of electronic or other communication facilities, and are deemed to be present at the meeting (**Amendment BL 888, 2020**), so long as they comply with the remaining requirements of this Section. (**Amendment Bylaw No. 875, 2020**)



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

### **11. Appointment of Acting Mayor**

- a) Annually by December, 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.
- b) Each Councillor designated under section 10 (a) must fulfill the responsibilities of the Mayor in his or her absence.
- c) If both the Mayor and the member designated under section 10 (a) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting pursuant to section 14 (b).
- d) The member designated under section 10 (a) or chosen under section 10 (c) has the same powers and duties as the Mayor in relation to the applicable matter.

## **PART 4 – COUNCIL MEETING PROCEEDINGS**

### **12. Attendance of Public at Meetings**

- a) 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.
- b) 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]*.
- c) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - i) Committee of the Whole
  - ii) Standing and Select Committees,
  - iii) Parcel Tax Review Panel,
  - iv) Board of Variance,
  - v) Advisory bodies as established by Council.
- d) Despite section 11(a), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under

section 10 may expel or exclude from a Council meeting a person in accordance with section 24 (h).

### **13. Minutes of Meetings to Be Maintained and Available to Public**

- a) Minutes of the proceedings of Council and its Committees and Commissions must be:
  - i) legibly recorded,
  - ii) certified as correct by the Corporate Officer or designate, and
  - iii) signed by the Mayor or other member presiding after adoption of the minutes.
- b) Minutes of the proceedings of Council and its committees and commissions shall record:
  - i) The place, date and time of meeting;
  - ii) The names of the Presiding Member or members and record of the attendance of members;
  - iii) Motions of the meeting without note or comment.
- c) With exception to the Mayor and Councillor reports only the motions and actions of Council (action minutes) will be recorded.
- d) Subject to section 13 (e) (**Amended BL 888,2020**), and 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.
- e) Section 13 (d) (**Amended BL 888, 2020**) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

### **14. Release of In Camera (Closed) Meeting Items**

- a) At the first 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 that this include which Councillors declared conflict in a closed matter when brought forward to the public.
- b) Biannually, 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 the next Regular Meeting of Council.

### **15. Calling Meeting to Order**

- a) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 10 must take the Chair and call such meeting to order.
- b) 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 under section 10 do not attend within twenty (20) minutes of the scheduled time for a Council meeting:
  - i) the Corporate Officer must call to order the members present, and
  - ii) the members present must choose a member to preside at the meeting.

### **16. Adjourning Meeting Where No Quorum**

- a) If there is no quorum of Council present within twenty (20) minutes of the scheduled time for a Council meeting, the Corporate Officer or designate must:
  - i) record the names of the members present, and those absent, and
  - ii) adjourn the meeting until the next scheduled meeting.

### **17. Agenda**

- a) Prior to each Regular Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting.
- b) The Corporate Officer must make the agenda available to the members of Council on the Friday afternoon prior to the meeting.
- c) The Corporate Officer must make the agenda available to the members of the public no later than the Friday afternoon prior to the meeting.
- d) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced and approved as a late item of business pursuant to section 18.

- e) Materials relating to late items of business presented at a Regular Council meeting shall be distributed to the Corporate Officer, Chief Administrative Officer, Recording Secretary and all senior staff in attendance.

## 18. Order of Proceedings and Business

- a) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below (**Amended BL 888, 2020**):
  - i) Call to Order
  - ii) Approval of Agenda
  - iii) Rise with Report from In Camera (Closed) [*If applicable*]
  - iv) Adoption of Minutes
  - v) Business Arising from the Minutes
    - (1) Regular Meeting
    - (2) Committee of the Whole
  - vi) Committee Minutes – for Information
  - vii) Delegations – requests to address Council
  - viii) Staff Reports
  - ix) Bylaws
    - (1) First and second Reading
    - (2) First, Second and Third Reading
    - (3) Third Reading
    - (4) Adoption
  - x) Mayor's Report
  - xi) Councillor Reports
  - xii) Correspondence
    - (1) For action
    - (2) For information
  - xiii) Decision on Late Business
  - xiv) Late Business
  - xv) Notice of Motion

xvi) Question Period

xvii) Adjournment

- b) 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 otherwise resolved by Council.

## **19. Late Business**

- a) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late business is approved by Council at the time allocated on the Agenda for such matters.
- b) If the Council makes a resolution under section 18 (a) to deal with a matter at the same meeting it is introduced, information pertaining to the late business must be distributed to the members.

## **20. Notice of Motion**

- a) Any Council member may give a "Notice of Motion" respecting an item which he or she intends to present by giving a copy of such motion to the Corporate Officer during a meeting of Council.
- b) 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.

## **21. Petitions and Correspondence**

- a) Petitions and correspondence, presented to Council must be legibly written or printed, signed and contain a return address and telephone number.
- b) Unsigned email correspondence will be accepted if it contains the name of the author, return mailing and civic address, and telephone number. All communication presented to Council will be subject to *Freedom of Information and Protection of Privacy Act*.
- c) Every petition or correspondence for a Council meeting must be delivered to the Corporate Officer by 12 noon on the Wednesday prior to a regular meeting.

## 22. Voting at Meetings

- a) The following procedures apply to voting at Council meetings:
  - i) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - ii) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:

"Those in favour raise your hands." and then "Those opposed raise your hands."
  - iii) when the presiding member is putting the matter to a vote under section 22 (Amended BL888, 2020) (a) (i) and (ii) a member must not:
    - (1) leave the room;
    - (2) make a noise or other disturbance; or
    - (3) interrupt the voting procedure under section 21 (a) (ii) unless the interrupting member is raising a point of order.
  - iv) after the presiding member finally puts the question to a vote under section 22 (Amended BL 888, 2020) (a) (ii), a member must not speak to the question or make a motion concerning it;
  - v) the presiding member's decision about whether a question has been finally put is conclusive;
  - vi) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand;
  - vii) 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;
  - viii) if a vote is not unanimously in favour the presiding member must ask the opposing member if they wish their vote and name to be recorded in opposition and the recording secretary will be so instructed;
  - ix) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

## 23. Delegations

- a) Persons or groups of persons wishing to appear as a delegation before Council shall advise the Corporate Officer in writing by noon on the seventh (7) day prior to the date of the meeting.
- b) Requests to appear as a delegation before Council must include the name, address and telephone number of the person who wishes to speak on behalf of the delegation and the purpose of the presentation that will form part of the presentation must be provided at the time of the application.
- c) Each address must be limited to ten (10) minutes with a question period of five (5) minutes for a total of fifteen (15) minutes unless a longer period is agreed to by unanimous vote of those members present.
- d) Where written application has not been received by the Corporate Officer as prescribed in section 22 (a), an individual or delegation may address the meeting if approved by the majority vote of the members present.
- e) 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.
- f) The Corporate Officer may schedule a maximum of two (2) delegations to any Council meeting. Delegations shall be placed on the agenda on a first come basis.
- g) The Corporate Officer may schedule delegations to another Council meeting, a committee or advisory body or ask staff to address the delegate's issue as deemed appropriate according to the subject matter of the delegation.
- h) The Corporate Officer may decline 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.
- i) Council shall not act on a request from a delegation until the next regular meeting, unless consent by two-thirds vote of Council present is given to consider the matter following the delegation presentation.
- j) A delegate may not speak on an issue that is the subject of a staff report not yet presented to a Council meeting.

## 24. Points of Order

- a) Without limiting the presiding member's duty under section 132(1) of the *Community Charter*, the presiding member must apply the correct procedure to a motion:
  - i) if the motion is contrary to the rules of procedure in this bylaw, and
  - ii) whether or not another Council member has raised a point of order in connection with the motion.
- b) When the presiding member is required to decide a point of order:
  - i) the presiding member must cite the applicable rule or authority if requested by another Council member,
  - ii) another member must not question or comment on the rule or authority cited by the presiding member under section 23 (b) (i), and
  - iii) the presiding member may reserve the decision until the next Council meeting.

## 25. Conduct and Debate

- a) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- b) Members must address the presiding member by that person's title of Mayor, Acting Mayor or Councillor.
- c) Members must address other non-presiding members by the title Councillor.
- d) No member must interrupt a member who is speaking except to raise a point of order.
- e) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- f) Members who are called to order by the presiding member:
  - i) must immediately stop speaking,
  - ii) may explain their position on the point of order, and
  - iii) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
- g) Members speaking at a Council meeting:



- i) must use respectful language,
  - ii) must not use offensive gestures or signs,
  - iii) must speak only in connection with the matter being debated,
  - iv) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
  - v) 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.
- h) If a member does not adhere to section 24 (g), the presiding member may order the member to leave the member's seat, and
- i) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
  - ii) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- i) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- j) The following rules apply to limit speech on matters being considered at a Council meeting:
- i) a member may speak more than once in connection with the same question only:
    - (1) with the permission of Council, or
    - (2) if the member is explaining a material part of a previous speech without introducing a new matter;
  - ii) a member who has made a substantive motion to the Council may reply to the debate;
  - iii) 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.

## **26. Motions Generally**

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

- b) A Council 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.
- c) A motion made under section 26 (Amended BL888, 2020) (b) (iii) to (vii) is not amendable or debatable.
- d) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

## **27. Motion to Commit**

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

## **28. Motion for the Main Question**

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

## **29. Amendments Generally**

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

- b) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- c) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- d) 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.
- e) An amendment may be amended once only.
- f) An amendment that has been negated by a vote of Council cannot be proposed again.
- g) A Council member may propose an amendment to an adopted amendment.
- h) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - i) a motion to amend a motion amending the main question;
  - ii) a motion to amend the main question, or an amended motion amending the main question if the vote under section 28 (h) (i) is positive;
  - iii) the main question.

### **30. Reconsideration by Mayor**

- a) 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 subject to the following:
  - i) it has not had the approval or assent of the electors and been adopted,
  - ii) it has not already been reconsidered by Council; and
  - iii) it has not been acted upon by any Officer, employee or Agent of the Village.
- b) In returning matters for council's reconsideration the Mayor may state the reasons or objections, which will be recorded in the minutes. Council shall as soon thereafter as convenient, consider the reasons or objections and either;

- i) reaffirm the Bylaw, resolution or proceedings; or
  - ii) reject the bylaw, resolution or proceedings.
- c) Bylaws and resolutions that are rejected after reconsideration 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.
- d) 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

**31. Reconsideration by Council Member (Amendment Bylaw No. 864, 2019)**

- a) Subject to subsection d) a Council Member who voted with the majority either for or against a motion, may at the next Council Meeting introduce a motion;
  - i. to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - ii. to reconsider an adopted bylaw after an interval of at least twenty-four (24) hours following its adoption.
- b) Council must not discuss the main matter referred to in subsection a) unless a motion to reconsider that matter is adopted by an affirmative vote of Council.
- c) A vote to reconsider must not be reconsidered.
- d) Council may only reconsider a matter that has not:
  - i. had the approval or assent of the electors and been adopted;
  - ii. been reconsidered under subsection (1) of section 131 of the Community Charter [Mayor may require council reconsideration of a matter]; or
  - iii. been acted on by an officer, employee or agent of the Municipality.
- e) A motion under subsection a) must be introduced in compliance with section 19 (Late Business).
- f) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be open for consideration by the Council within six months except by way of a new and substantially different motion.

- g) A bylaw, resolution, or proceeding that is reaffirmed under section 31 (a) is deemed as valid and has the same effect as it had before reconsideration.
- h) Bylaws or resolutions that are rejected after reconsideration under section 31 (Amended BL888, 2020) (a) 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.

### **32. Adjournment**

- a) Council may continue a council meeting after three (3) hours only by an affirmative vote.

## **PART 5 – BYLAWS**

### **33. Copies of Proposed Bylaws to Council Members**

- a) A proposed bylaw may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least twelve (12) hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **34. Form of Bylaws**

- a) A bylaw introduced at a council meeting must:
  - i) be printed;
  - ii) have a distinguishing name;
  - iii) have a distinguishing number;
  - iv) contain an introductory state of purpose;
  - v) be divided into sections.

### **35. Reading and Adopting Bylaws**

- a) The presiding member of a Council meeting may:
  - i) have the Corporate Officer read a synopsis of each proposed bylaw, and then;
  - ii) request a motion that the proposed bylaw be read.
- b) The readings of the bylaw may be given by stating its title and object.

- c) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- d) Subject to section 882 of the *Local Government Act* [*OCP Adoption Procedures*], each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- e) In accordance with section 135 of the *Community Charter* [*Requirements for passing bylaws*], Council may give two or three readings to a proposed bylaw at the same Council meeting.
- f) Despite section 135 (3) of the *Community Charter*, and in accordance with section 890(9) of the *Local Government Act* [*Public Hearings*], Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

### **36. Bylaws Must Be Signed**

- a) 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:
  - i) the Village's Corporate Seal;
  - ii) the dates of its readings and adoption; and
  - iii) the date of Ministerial Approval or Approval of the Electorate as applicable.

## **PART 6 – RESOLUTIONS**

### **37. Copies of Resolutions to Council Members**

- a) A resolution may be introduced at a Council meeting only if a copy of it has been delivered to each Council member at least twelve (12) hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

## **PART 7 – COMMITTEE OF THE WHOLE (COTW)**

### **38. Notice for COTW Meetings**

- a) 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:

- i) posting a copy of the notice at the Public Notice Posting Places; and
- ii) providing the notice and agenda electronically by email as well as providing a copy of both for each Council Member in the Council member's mailbox at the Village Office as requested.

### **39. Minutes of COTW Meetings to Be Maintained and Available to Public**

- a) Minutes of the proceedings of COTW must be:
  - i) legibly recorded,
  - ii) certified by the Corporate Officer,
  - iii) signed by the member presiding at the meeting, and
  - iv) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

### **40. Presiding Members at COTW Meetings and Quorum**

- a) The Mayor shall preside the COTW if present, however, where the Mayor is absent the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 10 must take the Chair and call the meeting to order. The quorum of COTW is the majority of Council members.

### **41. Points of Order at Meetings**

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

### **42. Conduct and Debate**

- a) The rules of procedure of the Council shall be observed in the COTW, so far as may be applicable, except that:
  - i) a member may speak any number of times on the same question; and
  - ii) no member shall speak continuously for more than five (5) minutes to a question.

### **43. Voting at Meetings**

- a) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
  - i) the presiding member must declare the results of voting.

#### **44. Adjournment**

- a) When all matters referred to COTW have been considered a motion to terminate and report to Council shall be adopted.

### **PART 8 -- COMMITTEES**

#### **45. Duties of Standing Committees**

- a) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
  - i) matters that are related to the general subject indicated by the name of the committee;
  - ii) matters that are assigned by Council;
  - iii) matters that are assigned by the Mayor.
- b) Standing committees report and make recommendations to Council through their minutes.

#### **46. Duties of Select Committees**

- a) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- b) Select committees report and make recommendations to Council through their minutes.

#### **47. Ratification of Committee Resolutions by Council**

- a) All resolutions adopted by a Committee must be presented to Council for ratification except for the following:
  - i) Resolutions referring items to staff;
  - ii) Resolutions deferring an item;
  - iii) Resolutions receiving a report or information; and
  - iv) Defeated resolutions.

#### **48. Notice of Committee Meetings**

- a) Notice and Agenda of committee meetings, including the times, dates and places of the meetings must be given by:



- i) posting a notice of the meeting at the Public Notice Posting Places; and
- ii) providing a copy of the notice and agenda electronically by email to each member of the committee at least twenty-four (24) hours prior to the meeting.

**49. Minutes of Committee Meetings to Be Maintained and Available to Public**

- a) Minutes of the proceedings of a committee must be:
  - i) legibly recorded,
  - ii) certified by the Corporate Officer or his/her designate and the presiding member, and
  - iii) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

**50. Quorum**

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

**51. Conduct and Debate**

- a) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- b) 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.

**52. Voting at Meetings**

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

**PART 9 - COMMISSIONS**

**53. Commission Meeting Conduct**

- a) The procedures for governing conduct of Commissions shall be set out within the Commissions establishing bylaw and shall reflect the Council Meeting Proceedings as noted in Part 4 of this Bylaw as amended from time to time.

## **PART 10 – GENERAL**

### **54. Validity of the Bylaw**

- a) If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- b) This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter*.

### **55. Repeal**

- a) Village of Pemberton Council Procedure Bylaw No. 656, 2011 and its amendments, Bylaw No. 687, 2012 and Bylaw No.737, 2013, are hereby repealed.

**NOTICE OF INTENTION TO CONSIDER** Council Procedures Bylaw No. 788, 2015 **WAS PUBLISHED IN THE** Pique Newsmagazine **on June 4th and June 11th.**

**READ A FIRST TIME** this 16<sup>th</sup> day of June, 2015

**READ A SECOND TIME** this 16<sup>th</sup> day of June, 2015

**READ A THIRD TIME** this 16<sup>th</sup> day of June, 2015

**ADOPTED** this 7<sup>th</sup> day of July, 2015

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer



# Guidance for Adapting to the New Electronic Meetings Framework

## Introduction

This document provides municipal councils, regional district boards, Islands Trust local trust committees and local government staff with information about the new electronic meetings rules and best practices to consider when amending a procedure bylaw to allow for electronic meetings.

Since June 17, 2020, local governments have been operating under Ministerial Order [M192](#), which allows all meetings and public hearings to be conducted electronically during the COVID-19 pandemic. M192 became part of the [COVID Related Measures Act](#) (CRMA) on July 8, 2020.

### COMMON QUESTIONS: Electronic meetings vs electronic participation

*Electronic meetings*, if authorized by bylaw, are meetings where all members of a council or board may participate electronically (e.g., videoconference, audioconference or telephone).

*Electronic participation*, if authorized by bylaw, allows for a hybrid meeting where some members of a council or a board attend in person, and other members attend by electronic means.

On June 1, 2021, [Bill 10 Municipal Affairs Statutes Amendments Act](#) was passed. Bill 10 includes change to the Community Charter to provide permanent authority for municipalities to choose, by bylaw, whether to conduct regular and committee meetings electronically (in addition to special meetings already authorized under the Charter). These new rules will come into force by regulation on September 29, 2021 after the authority to hold electronic meetings under the CRMA and M192 expires on September 28, 2021.

### Amended Sections of the Community Charter

- Section 128, 128.1, 128.2, 128.3

#### Ministry of Municipal Affairs

Governance and Structure Branch  
Local Government Division

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[www.gov.bc.ca/muni](http://www.gov.bc.ca/muni)

Further work will be done to update regulations and align meeting rules to ensure that the new, broader electronic meeting authorities apply to all local governments, including the City of Vancouver, regional districts and the Islands Trust. The intention is that the updated regulations will be brought into force at the same time as the amendments to the Charter and coincide with the expiration of M192 under CMRA. This will allow time for local governments to consider the new authorities and whether to amend their procedure bylaw.

Under the permanent new rules, local governments are not required to adopt electronic meeting provisions in their procedure bylaw if there is no intention to hold electronic meetings. However, local governments are encouraged to proactively consider whether there are circumstances where electronic meetings may be beneficial for the community. The Ministry has heard many local governments express the advantages and enhanced transparency and accessibility that electronic meetings offer their residents. The decision whether to authorize electronic meetings in a procedure bylaw will depend on local circumstances such as:

- Population size;
- Available technology; and
- The needs of the council or board, staff and the public, for example improved accessibility or flexibility.

#### **COMMON QUESTIONS: When can local governments amend their procedure bylaw to allow for electronic regular and committee meetings?**

- The new authorities for electronic regular and committee meetings in the Community Charter will be brought into force by regulation on September 29, 2021 once Ministerial Order [M192](#) and the [COVID Related Measures Act](#) (CRMA) have expired, 90 days after the end of the provincial state of emergency (September 28, 2021).
- Local governments are encouraged to initiate a review of their current procedure bylaw and consider whether any amendments are required to prepare for when the authority to hold electronic meetings under M192 ends.
  - **Local governments must not amend their procedure bylaws until the provincial amendments are brought into force on September 29, 2021.**
  - Local governments can continue to hold electronic meetings and electronic public hearings under the authority of M192.
- Once the amendments are brought into force, local governments can then provide public notice, communicate changes to the public, and begin to do readings of an amended procedure bylaw.

## Electronic Meetings

All local government meetings must be open to the public unless the subject matter falls under the closed meetings provisions in the legislation. The requirement for open meetings is intended to ensure openness, transparency and accountability.

Electronic meetings may be a useful tool for councils and boards in certain circumstances; however, as a best practice, they should not be a substitute for all in-person meetings. Local government electronic meetings should attempt to resemble in-person meetings as much as possible, adhering to rules of procedural fairness and the local government's procedure bylaw.

When brought into force, the new electronic meeting rules will give authority to councils and boards to conduct regular and committee meetings electronically, if authorized in their procedure bylaw. Councils and boards may want to consider under what circumstances to allow electronic meetings in their community, for example, emergency circumstances only or to increase accessibility and create more flexibility.

The legislation continues to provide councils and boards the option to hold special meetings electronically, by bylaw, and to allow some electronic participation of members at meetings (regular, special or committee). Best practices for electronic special meetings and electronic participation can be found in the [Procedure Bylaw Guide: For B.C.'s Local Governments](#).

If a council or board authorizes electronic meetings in the procedure bylaw they should consider additional rules or policies for the conduct of electronic meetings. Some of these rules may be included in the procedure bylaw and others may be more appropriately placed in an electronic meetings policy, technology policy, code of conduct, or public participation policy.

It is at the discretion of local governments to determine procedural rules for other kinds of advisory committees and bodies barring any legislated rules. Although there is no requirement to put procedures

*Regular council and board meetings are regularly scheduled meetings of a council or board as required by the local government legislation*

*A special meeting is a council or board meeting other than a regular or statutory meeting.*

*A council or board committee may be:*

- a select or standing committee that includes council or board members and members of the public appointed to the committee
- any other body established by a council or a board that is composed solely of council or board members.

for electronic meetings for other advisory bodies in the procedure bylaw, as a best practice, local governments are encouraged to align meeting rules to ensure accessibility, openness and transparency for the public also exists for these other types of meetings (e.g., community commissions).

If a council or board wants to allow for electronic regular and committee meetings in emergency situations only, ensure that consideration is given to defining what constitutes an emergency, such as a provincial or local state of emergency. Depending on how the council or board chooses to word the bylaw, the local government may wish to seek legal advice to be certain that there is a common understanding of when the bylaw would allow for electronic regular and committee meetings to be held.

### **COMMON QUESTIONS: Electronic public hearings and the procedure bylaw**

Amendments to the *Local Government Act* will also enable local governments – at their discretion - to hold electronic public hearings. These amendments will also be brought into force at the same time as the amendments for electronic meetings, once M192 is no longer in force.

Procedures for public hearings are not required in a local government procedure bylaw; however, those local governments that have included public hearing procedures in their procedure bylaw are encouraged to review their public hearing procedures and update as necessary to accommodate the new authorities.

## **Amending the Procedure Bylaw to Enable Electronic Meetings**

For detailed information about amending a local government procedure bylaw please see [Procedure Bylaw Guide: For B.C.'s Local Governments \(PDF\)](#). **The procedure bylaw must not be amended until the new electronic meeting rules are in force.**

Local governments will want to proactively consider whether electronic regular and committee meetings are appropriate for their community before making changes to the procedure bylaw. If amendments are planned, local governments are encouraged to consider an opportunity for the public to provide comment and questions on electronic meetings.

Councils and boards may want to use the existing authorities for special electronic meetings and electronic participation (if permitted in the local government procedure bylaw) to assist with the process of amending the procedure bylaw. This may include holding a special electronic meeting to do the readings of the amended procedure bylaw (with some council or board members participating electronically).

### **COMMON QUESTIONS: What to consider before authorizing electronic meetings**

- Do electronic meetings increase accessibility for elected officials and the public?
- Does the council or board want to authorize electronic regular and committee meetings? If yes, under what circumstances?
- Can the legislative requirements for electronic meetings be met (e.g. meeting participants are able to hear, or watch and hear, each other; members of the public may attend a specified place to hear, or watch and hear, the proceedings)?
- Does the procedure bylaw currently authorize electronic special meetings and electronic participation? Are there limits on the number of times or consecutive number of meetings a council or board member can participate electronically? Do these limits apply in emergency scenarios?
- Are there electronic meetings procedures (e.g. procedure bylaw, electronic meetings policy or technology policy) for the chair and staff to follow for electronic meetings?
- Can council or board members participate in both open and closed meetings electronically? If closed meetings are authorized, how is confidentiality being maintained by the participating council or board members?
- Is the technology available reliable? How secure is the wifi used for remote access? Are there plans for new or additional technology to support electronic meetings?
- Does the technology support elected officials and the public to participate in electronic meetings (and allow everyone to hear, or watch and hear the meeting)?
- Does the code of conduct (if applicable) support electronic meetings?
- Is there a public facing document for the public to understand how to participate in electronic meetings?
- Are electronic meetings accessible to persons with disabilities (e.g. closed captioning)?
- Is there staff capacity to support electronic meetings?

# New Legislative Requirements for Electronic Meetings - Municipalities

## Electronic Regular Council Meetings

Under the Charter, electronic regular council meetings must:

- Be authorized in the procedure bylaw;
- Be conducted in accordance with the procedure bylaw;
- Establish procedures for giving advance notice of regular meetings to be held electronically;
- Provide notice of the way in which the regular meeting is to be conducted and the place where the public can attend to hear, or watch and hear, the regular meeting;
- Provide a location for the public to attend to hear, or watch and hear the meeting;
- Use technology that enables the meeting participants and the public to hear, or watch and hear, each other (members participating in electronic regular council meetings are deemed to be present at the meeting); and,
- Have a designated municipal officer at the place where the public can attend.

### Municipalities

#### *Community Charter*

- Section 128 Electronic regular council meetings

The term “facilities” in the legislation is used to refer to the technology used for conducting electronic meetings.

The term “municipal officer” refers to those officer positions established by bylaw. The term “municipal officer” also applies to the officer’s deputy and any person designated by the council to act in the officer’s place.

## Electronic Council Committee Meetings

Electronic council committee meetings must:

- Be authorized in the procedure bylaw;
- Be conducted in accordance with the procedure bylaw;
- Provide advance public notice and establish procedures for giving notice including the way in which the committee meeting is to be conducted;
- Use technology that enables the meeting participants and the public to hear, or watch and hear, the meeting (members participating in electronic council committee meetings are deemed to be present at the meeting).

### Municipalities

#### *Community Charter*

- Section 128.2 Electronic council committee meetings



## Adapting to the New Requirements for Electronic Meeting

### **Procedure Bylaw Best Practices for Electronic Meetings**

The choice of when to use the electronic meetings authority (e.g., how often and in what circumstances) and other rules for electronic meetings is up to each local government.

In addition to the legislative requirements, there are some best practices local governments may wish to consider including in their procedure bylaw to support elected officials, staff and the public navigate electronic meetings.

- Describe the circumstances when electronic meetings are permitted (e.g., regular, special, committee, open/closed);
- Provide as much notice as possible if a meeting will be held electronically;
- Provide adequate instructions in the notice so the public knows how to access or participate in the meeting electronically (e.g. provide a teleconference number or a link to the local government website for information on how to watch an audio or video conference);
- Include procedures for shifting from an open to a closed meeting during electronic meetings;
- Outline procedures to determine quorum (and procedures to follow if quorum is lost due to technical difficulties);
- Avoid referring to a specific technology to use for electronic meetings in case it changes;
- Outline the methods for members to make a motion or point of order during the meeting (either in the procedure bylaw or an electronic meeting policy);
- Select and outline the method of taking and verifying votes in the electronic context (e.g. amending bylaws; secret ballot for election of board chair);
- Determine how conflict of interest is dealt with for electronic meetings;
- Provide the process for delegations and the public to participate in electronic meetings and how to deal with members of the public that have not been invited to speak;
- Outline how council or board members may add items to the agenda in an electronic meeting; and,
- Publish the agenda well in advance of meeting date (if possible).

### **Electronic Meeting Policies**

Local governments may decide to include further electronic meeting rules and procedures to guide council and board members, staff and the public in an electronic meetings policy. Local government staff may also want to provide additional training to council or boards on how to chair electronic meetings and the associated electronic meeting policies. Ideas to consider could include:

- Initiate a roll call in alphabetical order at beginning of each meeting to ensure those attending/ watching know who is present;

- Develop and provide scripts for Chairs to ensure that the rules of voting procedures are stated at the beginning of each meeting so all attendees are aware of procedure;
- Determine whether the Chair or Acting Chair must be physically present with the staff in council chambers to determine next steps in the event of a technology failure;
- Outline how to deal with connectivity issues or interruptions to video/audio (e.g. loss of quorum or during voting);
- Discuss where members may attend electronic meetings from (e.g. must be in B.C. or Canada due to FOI concerns);
- Provide clear expectations to members to remain connected throughout the entire meeting and set parameters around when members must be on or off camera or muted;
- Provide information to members on etiquette (e.g. lighting, privacy, use of virtual backgrounds).
- Develop a process the Corporate Officer will use to temporarily remove someone from a meeting due to a declared conflict of interest (e.g. person must disconnect or be placed in waiting room);
- Determine how quorum will be monitored and how it will be determined and recorded that a member is present, has left or returned to the meeting;
- Detail information on how voting will be handled in electronic meetings and how concerns about accuracy of the vote will be dealt with;
  - how to handle connectivity issues and potential legalities (e.g. when quorum might have been lost or when votes are recorded inaccurately)
  - how to ensure the public has clear info and managed expectations
- Provide a contact person for the public to contact with technical difficulties (e.g. email or telephone number on local government website and/or in the public notice);
- How staff will assist the chair to recognize council or board members or the public who may want to speak;
- If livestreaming ensure a staff member outside of the meeting checks and confirms that the livestream is working; and,
- Describe what will be used for backup technology if it fails during a meeting (e.g. regular phone conference line)

### **Aligning Corporate Policies and Procedures**

Local governments may have supporting policies and procedures to review and amend to align with procedure bylaw amendments for electronic meetings. Electronic meeting policies can contain more details about electronic meeting processes and the technology used than the procedure bylaw itself. Having these details set out in policy may in turn help increase transparency, openness, accountability and consistency around electronic meetings.

Such policies may include:

- Electronic meetings policy (e.g. procedures for public question period; etiquette guidelines or tip sheet for electronic meetings; how personal privacy will be protected under Freedom of Information and Protection of Privacy Act)
- Records retention policy (e.g. recording and retention of electronic meetings);
- Technology policy (e.g. technology used to access meetings and closed meetings);
- Code of Conduct (e.g. include conduct for electronic meetings);
- Respectful workplace policy (e.g. inclusion of electronic meetings);
- Procedures for public participation in meetings (including delegations and public question period); and,
- Remuneration policy (e.g. for electronic attendance at meetings).

## RESOURCES

**Note: Once the legislation is in force, the procedure bylaw guidance about electronic regular and committee meetings will be incorporated into the Procedure Bylaw Guide: For B.C.'s Local Governments.**

[Procedure Bylaw Guide: For B.C.'s Local Governments](#)

[Open Meetings: Best Practices Guide for Local Governments](#)

[Electronic Meetings & Public Hearings Considerations for Local Governments](#)

[Bill 10 – Municipal Affairs Statutes Amendments Act](#)

[Ministerial Order 192 Local Government Meetings and Bylaw Process Order No. 3](#)

## APPENDIX C

### Council Procedure Bylaw Amendment – Questions for Consideration

Question	Corporate Response	CAO Comment
Do electronic meetings increase accessibility for elected officials and the public?	Yes, elected officials and members of the public who must interrupt other activities to attend meetings find it saves time to attend electronically.	Yes, further to Corporate’s response, this also allows work efficiencies by Staff who can continue to work while listening to the Council meeting until it is their turn to present.
Does the council or board want to authorize electronic regular and committee meetings? If yes, under what circumstances?		n/a
Can the legislative requirements for electronic meetings be met (e.g. meeting participants are able to hear, or watch and hear, each other; members of the public may attend a specified place to hear, or watch and hear, the proceedings)?	No, the Village does not currently have the hardware (speakers, microphones, cameras) necessary to hold hybrid meetings in Council Chambers and to record and broadcast the meetings. Staff are considering alternative meeting spaces and hardware requirements.	No further comments to add
Does the procedure bylaw currently authorize electronic special meetings and electronic participation?	Yes, see section 10. Details below.	n/a
Are there limits on the number of times or consecutive number of meetings a council or board member can participate electronically? Do these limits apply in emergency scenarios?	<ul style="list-style-type: none"> <li>• Section 10 authorizes no more than two (2) members of Council, committee, or commission, but not the presiding member, to participate in a meeting by electronic means.</li> <li>• Council members may not attend by electronic means more than a maximum of four (4) meetings as identified in this section per calendar year</li> <li>• In the event of a health, environmental or safety emergency, where it is not possible to have a quorum or the Mayor or Acting Mayor physically present for a meeting, all or any portion of the members may participate in a Council, committee, commission or special meeting by means of electronic or other communication facilities, and are deemed to be present at the meeting (<i>Amendment BL 888, 2020</i>),</li> </ul>	No further comments to add
Are there electronic meeting procedures for the chair and staff to follow for electronic meetings?	<ul style="list-style-type: none"> <li>• Yes, Staff provides notes to assist the presiding member at each meeting.</li> <li>• Staff and Council have been guided by Policy COU-11 under M192, but this policy is no longer applicable.</li> </ul>	No further comments to add

## APPENDIX C

<p>Can council and board members participate in both open and closed meetings electronically? If closed meetings are authorized, how is confidentiality being maintained by participating council or board members?</p>	<ul style="list-style-type: none"> <li>• Yes, Council members have been participating in both open and closed meetings through Zoom webinar under M192.</li> <li>• Closed meetings are locked to prevent access to the webinar by unauthorized attendees.</li> </ul>	<p>No further comments to add</p>
<p>Is the technology available reliable?</p>	<ul style="list-style-type: none"> <li>• Yes, the Zoom technology is reliable, but some Council members have experienced technical difficulties accessing meetings due to home network deficiencies.</li> <li>• The Zoom technology meets the needs of electronic meetings when all participants attend electronically from a remote location; the Village does not currently have the technology necessary for hybrid meetings.</li> </ul>	<p>Although we have been using the Zoom platform for electronic meetings, Staff are currently exploring alternative platforms that may be more user-friendly or have less costs.</p>
<p>How secure is the wifi used for remote access?</p>	<p>This is unknown.</p>	<p>Each individual user's wifi has differing security settings, at this time, no minimum security standards have been established.</p>
<p>Are there plans for new or additional technology to support electronic meetings?</p>	<ul style="list-style-type: none"> <li>• Yes, new hardware will be required to permit hybrid meetings, to equip a location from which the public may hear, or watch and hear, electronic meetings, and to record and broadcast meetings, even if they are held entirely in person. Meeting hardware systems that accomplish these tasks are available.</li> </ul>	<p>No further comments to add</p>
<p>Does the code of conduct support electronic meetings?</p>	<ul style="list-style-type: none"> <li>• COU-004, Code of Conduct Policy, is not applicable.</li> <li>• It is recommended that Conduct for Electronic Meetings Policy be developed.</li> </ul>	<p>No further comments to add</p>
<p>Is there a public facing document for the public to understand how to participate in electronic meetings?</p>	<ul style="list-style-type: none"> <li>• Yes, Staff provide this for each meeting. A sample is attached. The document was drafted pursuant to M192 and will be revised and updated once the Council Procedures Bylaw amendment has been adopted.</li> </ul>	<p>No further comments to add</p>
<p>Are electronic meetings accessible to persons with disabilities (e.g. closed captioning)?</p>	<ul style="list-style-type: none"> <li>• No. Zoom does not provide this service. Staff will search for a solution to this.</li> </ul>	<p>Through preliminary review of other platforms, it has been identified that at least one alternative can provide closed captioning.</p>
<p>Is there staff capacity to support electronic meetings?</p>	<ul style="list-style-type: none"> <li>• Yes, staff have been facilitating electronic meetings through Zoom and will support other electronic meeting formats to the extent of their ability. However, Staff are not IT experts and may need support from our IT contractor if a new format is selected or if electronic meetings are held in other facilities.</li> </ul>	<p>Alternatively, we may need to contract to another provider should our current contractor not have the capacity to dedicated to recurring Council meetings.</p>

**Video Recording & Broadcasting of Electronically Held Council, Committee and Board Meetings**

Department:	<u>Council</u>	Policy No.:	<u>COU-011</u>
Sub-department:	<u>Corporate</u>	Created By:	<u>Sheena Fraser</u>
Approved By:	<u>Council</u>	Amended By:	<u></u>
Approved Date:	<u>26 May 2020</u>	Amendment:	<u></u>
Meeting No.:	<u>1515</u>	Meeting No.:	<u></u>

**POLICY PURPOSE**


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The Video Recording and Broadcasting of Electronically Held Council Meetings Policy will provide guidelines for Broadcasting and management of video recordings of Council and Committee Meetings that are open to the public in the event of an emergency situation which requires the meetings to be held via electronic means and which also prevents the public from attending.

**REFERENCES**


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The Village of Pemberton Records Management Bylaw  
 Village of Pemberton Records Retention Schedule  
 Council Procedure Bylaw  
 Ministerial Orders 139, dated May 1, 2020, as amended or replaced

**DEFINITIONS**


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“Chair” means the Mayor or Chair of the meeting.

“Chief Administrative Officer” means the Chief Administrative Officer as appointed by Council or their designate from time to time.

“Council” means the Council of the Village of Pemberton and in this policy includes the Committee of the Whole.

“Committee” means any committees, commissions or boards as established by Council.

“Open Meeting” means any meeting of Council or a Committee open to the public in accordance with section 89 of the *Community Charter*.

“Village” means the Village of Pemberton.

“Village Website” means the website administered and controlled by the Village of Pemberton which may include other social media platforms controlled by the Village.

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Meeting No.:	<u>1515</u>	Meeting No.:	<u></u>

## POLICY

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In the event of an emergency situation that precludes in-person attendance by Council, Staff or the public at open meetings of Council or Committees, meetings may be held by electronic means and may be broadcast, video recorded and posted on the Village's website in an effort to ensure transparency, public participation and access to municipal decision making pursuant to a Ministerial Order.

Any Council meeting or portion of a Council meeting closed to the public in accordance with section 90 of the *Community Charter* will not be broadcast or recorded.

## PROCEDURE

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### Meeting Technical Procedure:

The Village of Pemberton has elected to utilize the ZOOM Webinar program to facilitate virtual meetings during emergency situations that prevents Council, Staff and the public to attend an open meeting in person.

Council and Committee Meetings conducted using the ZOOM Webinar program allow Council or Committee members to attend as Panelists and the public to attend as Attendees.

Attendees making a presentation will be invited into the meeting to participate as a Panelist at the time the agenda item is considered. Following the presentation and if there are no questions from Council or Committee members the presenter's role will be changed from Panelist back to Attendee.

During Open Question Period, members of the public who wish to ask a question (in accordance with Open Question Period Policy COU-002) will be unmuted by Staff in order to present their question to Council. Once the individual's opportunity for questions is finished, their microphone will be returned to mute. A member of the public participating in Open Question Period remains an Attendee and does not have video capability.

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Staff will be responsible for issuing the meeting invitation, testing and making best efforts to try to make links workable and providing information on how to join a meeting. Staff will be responsible for facilitating the hosting duties of the webinar.

Other video conferencing platforms may be utilized as deemed appropriate.

**MEETING RECORDINGS:**

The official record of Council or Committee meetings shall be the written minutes. The keeping of a video recording of a Council or Committee meeting shall in no way detract or undermine the position of approved minutes as the official record of Council or Committee decisions.

The Village of Pemberton will make every reasonable effort to ensure that broadcasting and video recordings are available to the public. However, there may be situations where due to technical difficulties the broadcasting and video recording may be unavailable or delayed. Meetings will not be cancelled, postponed or delayed due to technical issues with broadcasting or recordings of meetings.

The Chair of the meeting will make a statement at the beginning of the meeting to ensure that presenters and members of the public attending via electronic means are aware that the meeting is being broadcast, recorded and will be made available over the internet.

Recordings will be accessible to the public on the Village’s website within five (5) days of the meeting and will remain on the website for a period of three (3) years from the date of the meeting. By participating in a ZOOM or live streamed meeting attendees consent to the utilization, storage and availability of recordings as set out in this Policy.

Original unmodified recordings will be classified, stored and retained in accordance with the Village’s Records Management Bylaw.



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## **RISK MITIGATION:**

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Council meetings are a public forum of statements, questions and answers.

Opinions expressed and statements made during a Council or Committee meeting are those of the individual making them and not those of Council. Unless set out in a resolution of Council, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council or Committee meeting and which may be contained in the recording.

It is possible that statements could be made which may be regarded as offensive, defamatory, incorrect, or contrary to law and may be the subject of potential liability. As the broadcasting and publishing of recordings of meetings increases the potential audience, potential risks may also increase.

Accordingly, the Chair has the discretion and authority at any time to direct the termination or interruption of the broadcasting and recording of the meeting if they consider it prudent or advisable to do so. Such direction will only be given in exceptional circumstances.

Council may by a majority vote:

- a) Direct the Chief Administrative Officer to direct Staff to terminate or interrupt the recording of a Council meeting if they consider it advisable to do so due to conduct that is deemed inappropriate; or
- b) Direct the Chief Administrative Officer to direct Staff to remove recordings or portions of recordings from the Village's website where they consider it advisable to do so due to content, they deem inappropriate to be published.

Material considered to be inappropriate may include, but is not limited to, material that may:

- Be false or misleading communication which damages the reputation of another individual or organization;
- Infringe on copyright;
- Breach the privacy of an individual or unauthorized disclosure of the personal information of an individual;

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- Be offensive;
- Constitute discrimination;
- Constitute hatred of a person or group of people and is likely to offend, insult, humiliate or intimidate;
- Disclose confidential or privileged information.

**LICENCE AND USE:**

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Unless otherwise indicated, copyright to the recordings of meetings made available on the Village’s website is owned by the Village of Pemberton. Permission is granted to produce or reproduce the recordings posted on the website, or any substantial part of such recordings, for personal, non-commercial, educational and new reporting purposes only, provided that the copied material is not modified or altered and ownership of the material is attributed to the Village.

For certainty, no person may use the recordings for commercial activity.

Unless expressly authorized herein, no part of the recorded materials posted on the Village’s website may be reproduced except in accordance with the provisions of the *Copyright Act*, as such *Act* may be amended or replaced from time to time, or with the express written permission of the Village.

**RESPONSIBILITIES**

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Council is responsible to:

- a) Approve this Policy and any amendment thereto.

The Chief Administrative Officer is responsible to:

- a) Implement, monitor and evaluate this Policy.