



DISTRICT OF PORT HARDY

BYLAW NO. 1028-2014

A Bylaw to Amend Council Procedure Bylaw No. 03-2009 to Address Various Housekeeping Matters

WHEREAS the Council of the District of Port Hardy deems it expedient to amend Bylaw No. 03-2009;

NOW THEREFORE the Council of the District of Port Hardy in open meeting assembled enacts as follows:

PART 1 CITATION

1.1 This Bylaw shall be cited as "Council Procedure Bylaw Amendment Bylaw No. 1028-2014".

PART 2 TEXT AMENDMENTS

2.1 Council Procedure Bylaw No. 03-2009 is hereby amended as follows:

a) Renumbering section 5. under "Notice of Council Meetings" in Part 2 to section 6. and advancing every section number thereafter by one.

b) Section 9.(1) of PART 3 is hereby deleted and replaced with the following new Section 9.(1):

"At the inaugural meeting of Council, Council must designate each of its members to serve, on a rotating basis, as Deputy Mayor. The Deputy Mayor shall be responsible to act in the place of the Mayor when the Mayor is absent or otherwise unable to act, or when the office of Mayor is vacant."

c) Section 9.(3) of PART 3 is hereby deleted and replaced with the following new section 9.(3):

"If both the Mayor and the Deputy Mayor designated under subsection (1) are absent from a Council meeting, the Council members present at the Council meeting must appoint one of its members as Deputy Mayor for that Council meeting."

d) Section 9.(4) of PART 3 is hereby deleted and replaced with the following new section 9.(4):

"The Council member designated as Deputy Mayor in accordance with subsection (1) or appointed as Deputy Mayor to preside at a Council meeting under subsection (2), has the same powers and duties as the Mayor while acting in those capacities."

e) Section 5. of Part 2 is hereby amended by adding the following new section 5.(4) as follows:

"For the purpose of section 5.(3)(a), where the cancellation of a Regular Council meeting is proposed, a poll of the Council members may be conducted by the Mayor, Corporate Officer or Chief Administrative Officer, either in person, by email or by telephone, and where a majority of all of the members of Council agree to cancel a Regular Council meeting, the meeting shall be cancelled accordingly and the Corporate Officer shall ensure a notice is posted at the public notice posting place to that effect."

- f) Section 5. of Part 2 is hereby amended by adding the following new section 5.(5) as follows:

"For the purpose of section 5.(3)(b), where a Regular Council meeting has been postponed, the Corporate Officer shall post a notice to that effect at the public notice posting place."

- g) Section 2. of Part 1 is hereby amended by deleting the definition for "Municipal Office" and replacing it with the following new definition of "Municipal Hall":

"Municipal Hall" means the District of Port Hardy administrative office building located at 7360 Columbia Street, Port Hardy, British Columbia;"

- h) Where the term "Municipal Office" is used in sections 2., 5.(1), 5.(2)(d), 7.(1)(c), 11.(2) and 38.(1)(b), it is hereby replaced with the term "Municipal Hall".

- i) Section 7.(1) of Part 2 is hereby amended by deleting it in its entirety and replacing it with the following new section 7.(1):

"Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the Community Charter [notice of council meeting], a notice of the date, hour, and place of a special Council meeting must be given by the Corporate Officer at least 24 hours before the time of meeting, by

(a) posting a copy of the notice at the public notice posting place; and,

(b) advising each Council member at least 24 hours before the time of the commencement of the special meeting, by email or by putting a copy of the notice in the Council member's mailbox at the Municipal Hall, or by telephoning, or a combination thereof."

- j) Section 10.(4) of Part 4 is hereby deleted in its entirety.

- k) Section 20.(2) of Part 4 is hereby deleted and replaced with the following new section 20.(2):

"Members must address the presiding member by that person's title of Mayor, Deputy Mayor or Councillor as the case may be, and in a situation whereby a Council member has been appointed by Council to preside at the Council meeting in accordance with section 9(3) herein, that member shall be addressed as Deputy Mayor. The Mayor or Deputy Mayor may also be addressed as Your Worship."

- l) Section 20.(3) of Part 4 is hereby deleted and the remaining subsections of section 20. are renumbered accordingly.

- m) Section 11.(1) of Part 4 is hereby deleted and replaced with the following new section 11.(1) as follows:

"Minutes of the meetings of Council must be

(a) legibly recorded;

(b) signed as being correct by the Corporate Officer, or when the Corporate Officer is absent, by another Officer who was present at the meeting; and,

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- (c) *signed by the Mayor or Deputy Mayor, whomever was present at the meeting to which the minutes apply.*
- n) Section 12.(1) of Part 4 is hereby deleted and replaced with the following new section 12.(1):
- "As soon after the time specified for a Council meeting to commence and there is a quorum of members present, the Mayor, if present, must take the Chair and call the Council meeting to order however, where the Mayor is absent, the Deputy Mayor must take the Chair and call such meeting to order."*
- o) Section 12.(2) of Part 4 is hereby deleted and replaced with the following new section 12.(2):
- " If a quorum of Council is present but the Mayor or the Deputy Mayor do not attend within 15 minutes of the scheduled time for the Council meeting to commence:
- (a) the Corporate Officer must call to order the members present; and
- (b) the members present must appoint a member to act as Deputy Mayor as per section 9(3) herein to preside at that meeting.
- p) Section 2. of Part 1 is hereby amended by adding the following definition of "Deputy Mayor":
- "'Deputy Mayor' means the Council member designated or appointed to act in the place of and in the capacity of Mayor, as per sections 9(1) or 9(3) herein, as the case may be."*
- q) Section 2. of Part 1 is hereby amended by deleting the definition of "Corporate Officer" and replacing it with the following new definition of "Corporate Officer":
- "'Corporate Officer' means the District Officer position appointed by bylaw to act in the capacity of Corporate Officer in accordance with the Community Charter, and in the absence of the Corporate Officer, the Chief Administrative Officer shall act in the capacity of Corporate Officer."*
- r) Where the term "secretary" is used in Section 14 of Part 4, it is hereby replaced with the term "Confidential Secretary".
- s) Section 2. of Part 1 is hereby amended by adding the following definition of "Chief Administrative Officer":
- "'Chief Administrative Officer' means the District Officer position appointed by bylaw to act as Chief Administrative Officer."*
- t) Where the term "Administrator" is used, it is hereby replaced with the term "Chief Administrative Officer".
- u) Section 16.(2) of Part 4 is hereby deleted and replaced with the following new section 16.(2):
- "If the Council makes a resolution under subsection (1), information pertaining to late items must be distributed or presented to its members."*
- v) Section 2. of Part 1 is hereby amended by adding the following definition of "Presiding Member":

"Presiding Member" means the Mayor, or in the absence of the Mayor, the Deputy Mayor, who is presiding as chair of a meeting of Council or committee of Council."

w) Section 34. of Part 6 is hereby deleted and replaced with the following new section 34:

"A resolution may be introduced at a Council meeting only if it relates to a matter that is included on the agenda associated with that Council meeting, or in the alternative, all Council members unanimously agree to waive this requirement."

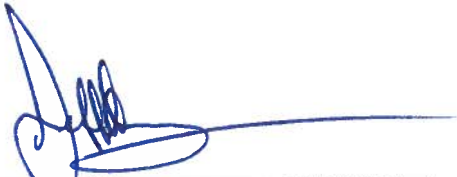
x) Sections 35. and 36. of Part 6 are hereby deleted and the remaining sections thereafter are renumbered accordingly.

PART 3 SEVERABILITY

3.1 If a court of competent jurisdiction declares any portion of this Bylaw invalid, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Council Procedure Bylaw Amendment Bylaw No. 1028-2014 was given first, second and third readings the 23rd day of June, 2014.

Council Procedure Bylaw Amendment Bylaw No. 1028-2014 was adopted on the 7TH day of July, 2014.



Director of Corporate &
Development Services



Deputy Mayor

