

# VILLAGE OF RADIUM HOT SPRINGS

## BYLAW NO. 513, 2024

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A bylaw to establish the rules of procedure for council and meetings,  
pursuant to the *Community Charter*.

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The Council of the Village of Radium Hot Springs, in open meeting assembled, **HEREBY**

**ENACTS AS FOLLOWS:**

### SECTION 1. INTRODUCTION

#### Title

1.0 This bylaw may be cited as “*Village of Radium Hot Springs Council Procedure Bylaw No. 513, 2024*”.

#### Definitions

1.1 In this bylaw,

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

“Committee” means a standing, select, or other committee of Council, but does not include Committee of the Whole;

“Committee of the Whole” means the entire membership of Council when sitting as a Committee;

“Community Charter” means the *Community Charter*, SBC 2003, ch. 26 as amended from time to time;

“Corporate Officer” means the Corporate Officer for the Village;

“Council” means the Council of the Village of Radium Hot Springs;

“Council Chambers” means the chambers meeting room located in the Village Office;

“Delegation” means an individual or group of individuals permitted to address Council in accordance with Section 4;

“Live Stream” means a live, publicly streamed broadcast;

“Mayor” means the Mayor of the Village of Radium Hot Springs;

“Meeting” includes Committee of the Whole, Committees and Council, but does not include meetings that are closed to the public in accordance with the Community Charter;

“Public Notice Posting Place” means the notice board located in the foyer of the Village Office or, in the event that the Village Office is inaccessible, the Village Website shall serve as the Public Notice Posting Place;

“Village” means the Village of Radium Hot Springs;

“Village Office” means the Village Office located at 4836 Radium Boulevard, Radium Hot Springs, BC;

“Village Website” means the information resource found at an internet address provided by the Village.

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

- 1.2 The provisions of this bylaw govern the proceedings of Council, Committee of the Whole and all Committees, as applicable.
- 1.3 In cases not provided for under this bylaw, the Robert's Rules of Order, current edition, apply to the proceedings of Council, Committee of the Whole, and Council Committees, to the extent that those Rules are:
  - a) applicable in the circumstances; and
  - b) not inconsistent with provisions of this bylaw or the *Community Charter*.

## **SECTION 2. COUNCIL MEETINGS**

### **Inaugural Meeting**

- 2.0 Following a general local election, the first Council meeting must be held on the first Monday in November in the year of the election, provided that that date allows sufficient time for the required legislative time periods involved in a contest of an election or judicial recount. If required, the first Council meeting will be held on the second Monday in November.

### **Quorum of Council**

- 2.1 The Council of the Village of Radium Hot Springs shall consist of a Mayor and four Councillors. The quorum shall consist of three Council members present.
- 2.2 If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in section 2.0, the first Council meeting must be

called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

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

- 2.3 All Council meetings must take place within Council Chambers except when Council resolves to hold meetings elsewhere. Any reference to time means the Mountain Time zone.
- 2.4 Regular Council meetings must:
- a) be held on the second and fourth Monday of each month;
  - b) begin at 4:00 p.m.;
  - c) be adjourned by 6:30 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time; and
  - d) unless resolved otherwise by Council, be held only once in the months of July, August and December, with those meetings taking place on the second Monday of July, August and December.
- 2.5 When a regularly scheduled meeting falls on a statutory holiday, a meeting shall be held on the next regular business day or otherwise scheduled by resolution of Council.
- 2.6 Regular Council meetings may:
- a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
  - b) be postponed to a different day, time and place by the Mayor, provided the Corporate Officer is given two days' written notice.

### **Notice of Council meetings**

- 2.7 In accordance with section 127 of the *Community Charter* [notice of council meetings], Council must prepare annually, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting notice at the Public Notice Posting Place.
- 2.8 In accordance with Section 127 of the *Community Charter*, Council must give notice annually of the time and duration that the schedule of regular Council meetings will be available according to Section 94 of the *Community Charter* [requirements for public notice].
- 2.9 Where revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting

Place which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

### **Notice of Special Meetings**

- 2.10 The Mayor may call a special council meeting in the Mayor's discretion.
- 2.11 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 at least 24 hours prior to the meeting by:
- a) posting the notice at the Public Notice Posting Place; and
  - b) providing a copy of the notice to each Council member via email or leaving one copy of the notice for the Council member at the Village Office.
- 2.12 The notice under subsection 2.11 must describe in general terms the purpose of the meeting and be signed by the Mayor or Corporate Officer.

### **Electronic Meetings**

- 2.13 Council is hereby authorized to conduct its regular council meetings by means of electronic or other communication facilities.
- 2.14 Where Council has directed that a regular council meeting be conducted by means of electronic or other communication facilities, the regular council meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the regular council meeting is to be held by means of electronic or other communication facilities by posting the notice on the Public Notice Posting Place at least 48 hours in advance of the meeting.
- 2.15 For the purposes of subsection 2.14, the notice must satisfy the requirements of section 128 of the *Community Charter* [electronic regular council meetings].
- 2.16 Council is hereby authorized to conduct its special council meetings by means of electronic or other communication facilities.
- 2.17 A special council meeting may only be conducted by means of electronic or other communication facilities where either the Mayor has directed that the special council meeting be conducted by means of electronic or other communication facilities or Council has directed that the special council meeting be conducted by means of electronic or other communication facilities.
- 2.18 Where the Mayor has directed that a special council meeting be conducted by means of electronic or other communication facilities, or Council has directed that the special council meeting be conducted by means of electronic or other communication

facilities, the special council meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the special council meeting is to be held by means of electronic or other communication facilities by posting the notice on the Public Notice Posting Place at least 24 hours in advance of the meeting.

- 2.19 For the purposes of subsection 2.18, the notice must satisfy the requirements of section 128.1 of the *Community Charter* [electronic special council meetings].
- 2.20 A Committee is hereby authorized to conduct its meetings by means of electronic or other communication facilities.
- 2.21 Where the Council or a Committee has directed that a Committee meeting be conducted by means of electronic or other communication facilities, the Committee meeting must be conducted by means of electronic or other communication facilities, and notice must be given to the public that the Committee meeting is to be held by means of electronic or other communication facilities by posting the notice on the Public Notice Posting Place at least 48 hours in advance of the meeting.
- 2.22 For the purposes of subsection 2.21, the notice must satisfy the requirements of section 128.2 of the *Community Charter* [electronic council committee meetings].
- 2.23 If the visual and audio or audio electronic or other communication equipment loses the connection or the connection is disrupted during the course of the meeting, the Corporate Officer will note this in the minutes. If, after 15 minutes, this disruption results in the loss of a quorum, the meeting shall dissolve and the issue under discussion at the time of the loss of communication shall be raised at the next meeting.
- 2.24 Provided that conditions set out in subsection 128 of the *Community Charter* [electronic meetings and participation by members] are met, a member of Council or a Council Committee who is unable to attend at any Council meeting or a Council Committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.

### **Live Streaming of Council Meetings**

- 2.25 Public meetings of Council held in Council Chambers may be live streamed via Zoom or other electronic platforms. Any meeting or portions of meetings that are closed to the public in accordance with sections 90 and 92 of the *Community Charter* will not be broadcast. Meetings will not be recorded and saved.
- 2.26 It is intended that the standard camera position will only provide vision of the members of Council and staff who are present at the meeting and those members of the public who are addressing Council at the meeting.
- 2.27 There may be situations where due to technical difficulties the live streaming will not be available. If such circumstances occur, the Mayor or Chairperson will advise those

present that live streaming is not available. In the event the technical difficulties are not identified during the meeting, this information will be displayed on the Village Website.

- 2.28 The official record of the Meetings shall be the written minutes.

### **SECTION 3. DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

- 3.0 Annually, Council must designate a member to act as Deputy Mayor when the Mayor is absent or otherwise unable to act, or when the office of the Mayor is vacant.
- 3.1 If both the Mayor and the member designated under section 3.0 are absent from a Council meeting, the members present must choose a Councillor to preside at the meeting.
- 3.2 The member designated under section 3.0 or chosen under section 3.1 has the same powers and duties as the Mayor in relation to the applicable matter.

### **SECTION 4. COUNCIL PROCEEDINGS**

#### **Community Charter Provisions**

- 4.0 Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 [Open Meetings] and Division 2 of Part 5 [Council Proceedings].

#### **Attendance of public at meetings**

- 4.1 Except where the provisions of section 90 of the *Community Charter* [meetings that may or must be closed to the public] apply, all Council meetings must be open to the public.
- 4.2 Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in accordance with section 92 of the *Community Charter* [requirements before meeting is closed].
- 4.3 This section applies to all meetings of the bodies referred to in Section 93 of the *Community Charter* [Application of rules to other bodies], including without limitation:
- a) Committee of the Whole;
  - b) Standing and select Committees;
  - c) Parcel tax roll review panel; and
  - d) Board of Variance.
- 4.4 Members of the public and Delegations who attend a meeting of Council, Committee of the Whole, Committee, Parcel Tax Roll Review, and Board of Variance must not act improperly and must:

- a) not use rude, offensive, aggressive, discriminatory, bullying, intimidating, harassing or defamatory communication;
  - b) not disrupt, interrupt or delay the proceedings; and
  - c) not use any signs, posters, or form of recording or photography device during the meeting unless permitted by unanimous consent of all members present.
- 4.5 Despite Section 4.1, the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor, or the person presiding at the meeting, may, pursuant to section 133 of the *Community Charter* [Expulsion from meetings], order the person or Delegation to leave a meeting of Council, Committee of the Whole, or Committee if the person or Delegation contravenes this bylaw or the standards of conduct.

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

- 4.6 Minutes of the proceedings of Council must be:
- a) legibly recorded in a minute book;
  - b) include the place, date and time of the meeting;
  - c) include the names of the Council member or members in attendance;
  - d) certified as correct by the Corporate Officer; and
  - e) signed by the Corporate Officer and the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- 4.7 Subject to subsection 4.8, and in accordance with section 97(1)(b) of the *Community Charter* [other records to which public access must be provided], minutes of the proceedings of Council must be open for public inspection at the Village Office during its regular office hours.
- 4.8 Subsection 4.7 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* [meetings that may or must be closed to the public].

**Calling meeting to order**

- 4.9 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 subsection 3 must take the Chair and call such meeting to order.

4.10 If a quorum of Council is present but the Mayor or the Councilor designated as the member responsible for acting in the place of the Mayor under subsection 3 do not attend within 15 minutes of the scheduled time for a Council meeting:

- a) the Corporate Officer must call to order the members present; and
- b) the members present must choose a member to preside at the meeting.

**Adjourning meeting where no quorum**

4.11 If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must:

- a) record the names of the members present, and those absent; and
- b) adjourn the meeting until the next scheduled meeting.

**Conduct of proceedings at a meeting of council**

4.12 It shall be the duty of the Mayor:

- a) to open the meeting of Council by taking the chair and calling the members order;
- b) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings and to announce the result;
- c) to decline to put to vote motions which infringe the rules of procedure;
- d) to restrain the members, within the rules of order, when engaged in debate;
- e) to enforce on all occasions the observance of order and decorum among the members;
- f) to call by name any member persisting in breach of the rules of order of the Council, thereby ordering him/her to vacate the Council Chamber;
- g) to authenticate, by his/her signature when necessary, all bylaws, resolutions and minutes of the Council;
- h) to inform the Council, when necessary or when referred to for that purpose, on a point of order or usage;
- i) to represent and support the Council, declaring its will and implicitly obeying its decisions in all things;

j) to ensure that the decisions of Council are in conformity with the laws and bylaws governing the activities of the Council;

k) to terminate the meeting when the business is concluded; and

l) to adjourn the meeting without question in the case of grave disorder arising in the Council Chamber.

4.13 Members speaking at a Council meeting must not engage in rude, offensive, aggressive, defamatory, intimidating, harassing behavior in respect of a Council member, Village employee, Committee member, or member of the public.

#### **Agendas**

4.14 Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting.

4.15 The deadline for submissions to the Corporate Officer of items for inclusion on the Council meeting Agenda shall be 10:00 a.m. on the Thursday prior to the meeting.

4.16 The Corporate Officer must make the Agenda available to the members of Council and the public no later than 4:00 p.m. on the Thursday prior to the meeting.

4.17 Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to subsection 4.19.

4.18 The Agenda may be delivered in paper or electronic format.

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

4.19 The Agenda for all regular Council meetings shall contain the following matters in the order listed:

- a) Call to Order
- b) Land Acknowledgment
- c) Adoption of Agenda
- d) Adoption of Minutes
- e) Delegations
- f) Reports to Council
- g) Correspondence to Council
- h) New Business
- i) Bylaws
- j) Question Period: On Agenda Items
- k) Mayor and Councillor Reports
- l) Special and Closed Meetings (In Camera)
- m) Adjournment

- 4.20 For the purpose of Agenda Item (j) - Question Period: On Agenda Items – the question period is limited to 2 minutes per person, and a total of 10 minutes unless extended by resolution.
- 4.21 For the purpose of Agenda Item (k) – Mayor and Councillor Reports – unless the report is oral, written reports must be received by the Corporate Officer before 10:00 a.m. on the Thursday prior to the meeting for inclusion in the Agenda. If the report is oral, the subject being spoken to will be provided to the Corporate Officer before 10:00 a.m. on the Thursday prior to the Meeting for inclusion in the Agenda.

### **Late Items**

- 4.22 An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- 4.23 If the Council adopts a motion under section 4.22 to add a late item to the Agenda, any information pertaining to the late item will be distributed to the Council members.

### **Delegations**

- 4.24 In order to address Council, Delegations must provide written application on a prescribed form before 10:00 a.m. on the Thursday prior to the meeting. Approved Delegations must limit their address to Council to 10 minutes unless a longer period is agreed to by unanimous vote of those members present. No more than six Delegations will be scheduled per council meeting.
- 4.25 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.
- 4.26 The Corporate Officer may refuse to place a Delegation on the Agenda if the issue is not considered to fall within the jurisdiction of Council. If the Delegation wishes to appeal the Corporate Officer’s decision, the information must be distributed under separate cover to Council for their consideration.
- 4.27 If a Delegation wishes to make a visual presentation, they must submit the presentation to the Corporate Officer for approval no later than 10:00am on the Thursday prior to the meeting. The Corporate Officer must review a Delegation’s presentation and ensure that it does not contain defamatory or discriminatory content. If a presentation is not approved, a copy of it shall be provided to members for their review and consideration.

## **SECTION 5. BYLAWS**

- 5.0 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

- 5.1 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.
- 5.2 Despite the general requirement that third reading and adoption not occur during the same meeting, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.
- 5.3 After a bylaw is adopted and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the Village records for safekeeping.

## **SECTION 6 – COMMITTEE OF THE WHOLE**

### **Going into Committee of the Whole**

- 6.0 At any time during a council meeting, Council may, by resolution, go into Committee of the Whole. Otherwise, Committee of the Whole meetings will take place as scheduled by Council.
- 6.1 In addition to subsection 6.0, a meeting, other than a standing or select Committee meeting, to which all members of Council are invited to consider but not to decide on matters of the Village's business, is a meeting of Committee of the Whole.

### **Notice for Committee of the Whole meetings**

- 6.2 Subject to subsection 6.0, a notice of the date, hour and place of a Committee of the Whole meeting, along with information about the topics to be discussed, must be given at least 24 hours prior to the meeting by:
  - a) posting the notice at the Public Notice Posting Place; and
  - b) providing a copy of the notice to each Council member via email or leaving one copy of the notice for the Council member at the Village Office.
- 6.3 Subsection 6.2 does not apply to a Committee of the Whole meeting that is called, in accordance with section 6.0, during a Council meeting for which public notice has been given under subsection 2 of the bylaw.

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

- 6.4 Minutes of the proceedings of the Committee of the Whole meeting must be:
  - a) legibly recorded;
  - b) certified as correct by the Corporate Officer;

c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted; and

d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

### **Presiding members at Committee of the Whole meetings and Quorum**

6.5 Any Council member may preside in Committee of the Whole.

6.6 The members of Council attending a meeting of Committee of the Whole must appoint a presiding member for the meeting.

6.7 The quorum of Committee of the Whole meeting is the majority of Council members.

### **Points of order at meetings**

6.8 The presiding member must preserve order at Committee of the Whole meetings and, subject to an appeal to other members present, decide points of order that may arise.

### **Conduct and debate**

6.9 The following rules apply to Committee of the Whole meetings:

a) motion is not required to be seconded;

b) a member may speak any number of times on the same question; and

c) a member must not speak longer than a total of 10 minutes on any one question.

### **Voting at meetings**

6.10 Votes at a Committee of the Whole meetings must be taken by a show of hands if requested by a member.

6.11 The presiding member must declare the results of voting.

### **Reports**

6.12 Committee of the Whole meetings may consider reports and bylaws only if:

a) they are printed and the members each have a copy; or

b) a majority of the Council members present decide without debate that the requirements of paragraph (a) do not apply.

- 6.13 The Committee of the Whole meeting's reports to Council must be presented by the Corporate Officer or designate.

## **SECTION 7. STANDING AND SELECT COMMITTEES**

### **Duties of standing and select Committees**

- 7.0 Standing Committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- a) matters that are related to the general subject indicated by the name of the Committee;
  - b) matters that are assigned by Council; and
  - c) matters that are assigned by the Mayor.
- 7.1 Select Committees must consider, inquire into, report and make recommendations to Council about the matters referred to the Committee by the Council. Select Committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different time and date.

### **Schedule of Committee meetings**

- 7.2 At its first meeting after its establishment, a Standing or Select Committee must establish a regular schedule of meetings.
- 7.3 The chair of the Standing or Select Committee may call a meeting of the Committee in addition to the scheduled meetings or may cancel a meeting.

### **Notice of Committee meetings**

- 7.4 Subject to subsection 7.5, after the Standing or Select Committee has established the regular schedule of meetings, a notice of the date, hour and place of the Committee meetings must be given by:
- a) posting the notice at the Public Notice Posting Place and Village Website; and
  - b) providing a copy of the notice to each member of the Committee by email.
- 7.5 Where revisions are necessary to the annual schedule of Committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place and Village Website which indicates any revisions to the date, time and place or cancellation of a Committee meeting.

7.6 The chair of a Committee must cause a notice of the day, time and place of a meeting called under section 7.1 to be given to all members of the Committee at least 24 hours before the time of the meeting.

#### **Attendance at Committee meetings**

7.7 Council members who are not members of a Committee may attend the meetings of the Committee.

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

7.8 Minutes of Committee meetings must be:

- a) legibly recorded;
- b) certified as correct by the Corporate Officer;
- c) signed by the chair or other member presiding at the meeting; and
- d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter* [other records to which public access must be provided].

#### **Quorum**

7.9 The quorum for a Committee is a majority of all of its members.

#### **Conduct and debate**

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

7.11 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.

7.12 A motion made at a meeting of a Committee is not required to be seconded.

#### **Voting at meetings**

7.13 Council members attending a meeting of a Committee of which they are not a member must not vote on a question.

### **SECTION 8. GENERAL**

8.0 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.

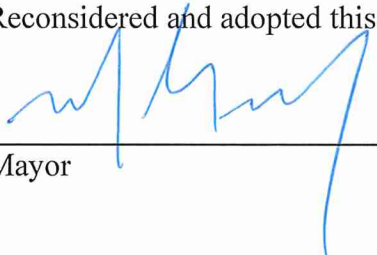
- 8.1 This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter* [public notice].
- 8.2 The *Village of Radium Hot Springs Council Procedure Bylaw No. 486, 2022* is hereby repealed.
- 8.3 This bylaw comes into full force and effect upon the date of final passage.

Read a first and second time this 16th day of December, 2024.

Read a third time this 13th day of January, 2025.

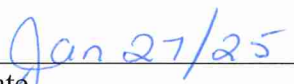
Notice was given in accordance with section 94 of the *Community Charter*. Advertised twice in the Columbia Valley Pioneer on January 16<sup>th</sup> and 23<sup>rd</sup> and posted at the Public Notice Posting Place and Village website on January 14<sup>th</sup>, 2025.

Reconsidered and adopted this 27<sup>th</sup> day of January, 2025.

  
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Mayor

  
\_\_\_\_\_  
Corporate Officer

Hereby certified as a true copy of Bylaw No. 513, 2024.

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jill Logan, Corporate Officer