

**CORPORATION OF THE CITY OF NEW WESTMINSTER
BYLAW NO. 8276, 2021**

A Bylaw to Amend Council Procedure Bylaw No. 6910, 2004

The Council of The Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

Citation

1. This Bylaw may be cited for all purposes as "Council Procedure Bylaw Amendment Bylaw No. 8276, 2021."

Amendments

2. Council Procedure Bylaw No. 6910, 2004 is amended by:

- a. Amending section 2 by inserting the following definitions into the existing list in alphabetic order:

"Advisory Committee" refers to a body established under section 142 of the Community Charter. [*select committees of council*]

"Commission meeting" refers to a meeting held by a body established under section 143 of the Community Charter [*municipal commissions*]

"Committee meeting" refers to a meeting held by a body established under section 141 or 142 of the Community Charter. [*standing committees of council, select committees of council*]

"Council meeting" refers to a meeting held under Part 5, Division 2, of the Community Charter. [*council proceedings*]

"Electronic Meeting" refers to a Council, Commission or Committee meeting held by electronic or other communication facilities pursuant to Sections 128 to 128.3 of the Community Charter.

"Hybrid meeting" refers to a Council or Committee meeting where some Council members participate by means of electronic or other communication facilities.

"Public Hearing" refers to a meeting held under Part 14, Division 3, of the Local Government Act [*public hearings on planning and land use bylaws*]

- b. Reorder definitions so that all of them are in alphabetical order.

- c. Correct the numbering in the subsections of section 4 to make it consistent with the rest of the bylaw.

Section 7A

- d. Deleting the current sections 7A(1) and (2) and replacing them with the following:

Electronic and Hybrid Meetings and Voting

- (1) Provided the conditions set out in sections 128 to 128.3 of the Community Charter are met, Council meetings and Public Hearings may be held, electronically, or in a hybrid manner, and members may participate in the meeting by means of electronic or other communication facilities.
 - (2) Notice of an electronic or hybrid Council must be given in the same manner as an in person meeting, and also include notice of:
 - (a) The way the meeting is to be conducted; and
 - (b) The place the public may attend to hear, or watch and hear the proceedings.
- e. Deleting subsections 7A(5) and (6) and inserting a new subsection (5) as follows:

Despite Subsection (1), a minimum of six evening Council meetings each year will be scheduled where all members of Council will be physically present, including

 - i. The first Council meeting at the beginning of the Council term, as described in Section 4(1); and
 - ii. The Meeting including a Parcel Tax Roll Review Panel.
 - f. Renumbering the remaining items in section 7A as appropriate.
 - g. Adding the following as a new subsection (8):
 - (8) Members of Council who are participating in a meeting by electronic means are deemed to be present at the meeting for the purposes of attendance and quorum.

Section 13

- h. Deleting the list of items in section 13(1), and inserting the following in its place:
 - (a) Call to Order
 - (b) Changes to the Agenda

- (c) Unfinished Business from Previous Council Meetings
- (d) Bylaws Considered at the Public Hearing
- (e) Reports and Presentations for Council Discussion and Action
- (f) Consent Agenda
- (g) Presentations and Opportunity for the Public to Speak to Council
- (h) Bylaws
- (i) Motions from Members of Council
- (j) New Business
- (k) Announcements from members of Council
- (l) End of Meeting

- i. Adding the following as subsection (3): If there are no items for agenda headings (c) to (i)., they will not be included on the agenda for that meeting.

Section 14:

- j. In subsection (e), add the following after the word hand: "...if they are able to do so, and if they are not able to do so, to verbally indicate their vote in support or against the motion; and".

Section 15:

- k. Following section 14, delete the word "Delegations" from "Delegations and Presentations" and insert "Speakers".
- l. Delete all instances of "delegations" and "public delegations" and replace with the word "speaker" or "speakers".
- m. Delete subsections 1(d) and 1(e) and insert the following in their place:
 - (d) Speakers are required to follow the procedures and protocols set out in Schedule A.
 - (e) Despite subsection (a), the Presiding Member may decide to start hearing speakers before 7 pm if all registered speakers are present, either in person or electronically.
- n. Attach Schedule A to the bylaw
- o. Delete the words "City Administrator" in 15.2(b) and insert "Chief Administrative Officer".

Section 17:

- p. In subsection 2 delete the words "your Worship, Mr. Mayor or Madam Mayor or" and insert " ", Chair or Councillor" following the word "Mayor"

- q. In section 7(e) insert the words, "the Council Code of Conduct, the Respectful Workplace and Human Rights Policy," following the words "this Bylaw"

Section 26

- r. Delete the current subsection 3, and replace it with the following:

(3) A proposed bylaw may be debated and changed at any point during first, second, or third reading, unless prohibited by the Charter; if the bylaw is changed during third reading, third reading must be repealed and the changed bylaw must be read a third time.
- s. Delete the existing subsection (4) and replace with the following:

(4) Each reading of a proposed bylaw must receive the affirmative vote of a majority of the members present, unless there is another requirement under the Community Charter, the Local Government Act, or any other legislation.

Part 8 – Committees

- t. Add a section header "Committees, generally" at to the beginning of Part 8 and insert the following as Section 35

35. Notwithstanding rules set out in bylaws for standing and select committees, the rules set out for Council in the bylaw, including the rules for electronic and hybrid meetings, also apply to standing and select committees of council, and to commissions.
- t. renumbering existing sections 35 to 45 as needed.

GIVEN FIRST READING THIS 4th day of October 2021.

GIVEN SECOND READING THIS 4th day of October 2021.

GIVEN THIRD READING THIS 4th day of October 2021.

ADOPTED THIS _____ day of _____ 2021.

Mayor Jonathan X. Cote

Jacque Killawee, City Clerk

Procedure Bylaw Schedule A

1. Purpose and Principles

New Westminster City Council has a history of allowing people to speak at Council meetings directly to members while they are sitting in a decision-making capacity. This policy provides a process for people wishing to speak to sign up as a speaker during the opportunity for the public to speak to Council at public evening council meetings.

This policy applies to meetings held under [Part 5, Division 2](#) of the Community Charter.

This policy does not apply to any statutory right the public has to address Council including Public Hearings.

2. Definitions

In this Policy:

"Council meeting" refers to a meeting held under [Part 5, Division 2](#) of the Community Charter.

"Applicant" means someone who has requested to address Council as speaker but has not yet been approved or refused.

"Speaker" means someone who has signed up to speak to Council during a Council meeting, in either an in-person or virtual capacity.

"In-person Speaker" means someone who has signed up to speak at a Council meeting, and physically attends the Council meeting in the Council Chamber.

"Virtual Speaker" means someone who has signed up to speak at a Council meeting, and uses video conferencing or telephone to speak.

3. Speaker Sign Up

Numbers, Participation Method and Registration

- i. Speakers will be heard at any Council meeting except those following a Public Hearing.
- ii. A maximum of 10 speakers will be heard at each Council meeting where speakers are scheduled.
- iii. Speakers must register and may participate in person, by video conference or telephone (Zoom).

- iv. Speakers may sign up starting six days before the meeting until noon the day of the meeting in one of the following ways:
 - a. Filling out the form on the City's website; or
 - b. Emailing to clerks@newwestcity.ca; or
 - c. Calling 604-527-4523; or
 - d. Submitting the required information in the mailbox on the north side of City Hall; or
 - e. Mailing: Legislative Services
City of New Westminster
511 Royal Avenue
New Westminster, BC V3L 1H9
- v. Applicants must provide the following information to sign up to speak:
 - a. First and Last name
 - b. Phone number
 - c. Email address
 - d. The organization they are representing (if any)
 - e. The topic they wish to address
- vi. Contact information will be kept until the minutes of the meeting are adopted.
- vii. If registering on behalf of an organization, only one speaker's slot per organization will be permitted, in order to allow the greatest number of people possible to speak. Multiple speakers may speak in the slot but can take no more than five minutes to address Council.
- viii. If a speaker wants to show a presentation, it must be submitted to the Legislative Services by 12:00 p.m. (noon) on the Friday before the Council meeting. The presentation will be displayed and controlled by City staff and streamed on the City's website.

Determination of Speakers:

- i. Applicants will be declined if the topic relates to one under discussion at an upcoming public hearing as per the City's normal procedures.
- ii. The Mayor or City Clerk will determine the order of speakers.
- iii. If 10 or fewer delegations are received, all delegations will be placed on the agenda.
- iv. If more than 10 applications for delegation are received:

- a. Speakers wishing to speak to items on the agenda will be prioritized;
 - b. Speakers addressing matters under the City's jurisdiction or concurrent jurisdiction with the Province will be prioritized;
 - c. Council will be informed of the number of delegation requests on a topic if not all are able to speak.
- v. If there are multiple delegation requests on the same topic, and others on different topics:
- a. The delegations will be prioritized to allow the greatest number of topics to be heard by Council.
 - b. The individual on a topic with more than one applicant who will address the issue is the one whose request was received first.
 - c. Multiple speakers will be allowed on a topic if there are fewer than 10 topics.

Speaker Confirmation

- i. Legislative Services staff will contact applicants within two business days of the submission of a request to speak.
- ii. Legislative Services staff will confirm that an applicant is approved as a speaker for the Council meeting as soon as possible, and by approximately 1:00 p.m. on the day of the Council meeting, at the latest.

5. Meeting Protocols for Speakers

- i. A speaker requiring assistance from another person to enter and exit City Hall or the Council Chamber or for interpretation purposes, must bring that person with them.
- ii. Registered In-person Speakers must check in with the staff member at the door to Council Chamber.
- iii. Registered Virtual Speakers should join the Zoom meeting by computer, smart device, or phone, following directions provided by City Staff.
- iv. In communication with people attending the Council meeting in person, it will be made clear that they should not attend if they have symptoms of illness.
- v. Speakers will have five minutes to speak. Council may ask questions following the speaker, however the speaker is not obliged to answer them. Council may also direct questions to staff.

- vi. In signing up to be a speaker at a Council meeting, a speaker agrees that comments delivered:

Should...	Should not...
...explain support or opposition for an issue or project and how it will affect the speaker	...be about people or groups of people
...use respectful, inclusive language	...use abusive, offensive, vulgar, or discriminatory language
... use language that is honest, accurate and direct	...use terms that disguise or underplay the true intent of comments
...focus on facts	...speculate or make assumptions