



T'excelc

Town

Band Meeting Procedures

DECEMBER 12, 2012

TEXELC BAND MEETING PROCEDURE BYLAW

2012

PART 1 INTRODUCTION

1. Title	4
2. Definitions	4
3. Application of Rules of Procedure	5

PART 2 BAND MEETINGS

4. Inaugural Meeting	5
5. Time and Location of Meetings	5
6. Notice of Band Meetings	5
7. Notice of Special Meetings	6

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF CHIEF

8. Acting Chief	6
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PART 4. BAND MEETING PROCEEDINGS

9. Attendance of Band Members at Meetings	7
10. Minutes of Meetings to be Maintained and Available to Band Membership	7
11. Calling Meeting to Order	8
12. Adjourning Meeting Where No Quorum	8
13. Agenda	8
14. Order of Proceedings and Business.....	8
15. Late Items	9
16. Voting at Band Meetings	9
17. Delegations	10
18. Notice of Motion	11
19. Points of Order	11
20. Conduct and Debate	11
21. Motions Generally	13
22. Motion to Committee	13
23. Motion for the Main Question	14
24. Amendments Generally	14
25. Reconsideration by Council Member	14
26. Privilege	15
27. Reports from Committees	15
28. Adjournment	16

PART 5 - PETITIONS AND COMMUNICATION

29. Paper Form 16
30. Referrals 16

PART 6 - BYLAWS

31. Form of Bylaw 16
32. Bylaws to be Considered Separately 17
33. Reading and Adopting Bylaws 17
34. Bylaws Must be Signed 17

PART 7 - RESOLUTIONS

35. Copies of Resolutions to Council Members 18
36. Form of Resolution 18
37. Introducing Resolutions 18

PART 8 - COMMITTEE OF THE WHOLE

38. Going into Committee of Whole 18
39. Notice for COTW 18
40. Minutes of COTW Meetings to be Maintained and Available to the Public 18
41. Chairpersons of COTW Meetings and Quorum 19
42. Points of Order at Meetings 19
43. Conduct and Debate 19
44. Voting at Meetings 19
45. Reports 19
46. Rising Without Reporting 19

PART 9 - COMMITTEES

47. Duties of Standing Committees 20
48. Duties of Select Committees 20
49. Schedule of Committee Meetings 20
50. Notice of Committee Meetings 20
51. Attendance at Committee Meetings 21
52. Min. of Comm. Meet. to be Maint and available to the Band Membership 21
53. Quorum 21
54. Conduct and Debate 21

PART 10 - GENERAL

55. Corporate Seal 21

BEING A BYLAW OF THE WILLIAMS LAKE INDIAN BAND TO REGULATE THE PROCEEDINGS OF BAND PURSUANT TO THE INDIAN ACT

WHEREAS under Section ___ of the Indian Act, Band Membership must establish procedures to be followed for the conduct of its business;

NOW THEREFORE, the Williams Lake Indian Band Membership, in open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION

1. Title

This Bylaw may be cited as the "***Band Meeting Procedure Bylaw No. 1***".

2. Definitions

In this Bylaw:

"***Band***" means Williams Lake Indian Band, 2672 Indian Drive, Williams Lake, BC, Canada V2G 5K9;

"***Band Administrator***" means the officer assigned responsibility of corporate administration and includes his/her "Deputy";

"***Band Office***" means Williams Lake Band Office, 2672 Indian Drive, Williams Lake, BC, Canada V2G 5K9;

"***Band Website***" means the information resource found at an internet address provided by the Band @ www.texelc.com;

"***Committee***" means a standing, select or other band committee, but does not include COTW.

"***COTW***" means the Committee of the Whole Council;

"***Council***" means the Council of the Williams Lake Band;

"***Duly Convened***"

"***Indian Act***"

"***Chief***" means the Chief of the Williams Lake Indian Band;

"***Member***" means a member of the Williams Lake Indian Band;

"***Chairperson***" means the council member who is selected to chair a Band Meeting

"***Public Notice Posting Place***" means the notice board in the foyer of Williams Lake Band Office, 2672 Indian Drive, Williams Lake, BC, Canada V2G 5K9;

"***Majority***" means the majority of Band Membership;

"***Roberts Rules of Order***"

3. Application of Rules of Procedure

- 3.1 The provisions of this Bylaw govern the proceedings of Council, COTW and all standing and select committees of Council, as applicable.
- 3.2 In cases not provided for under this Bylaw, the latest edition of the Official *Roberts Rules of Order* apply to the proceedings of Council and Council committees to the extent those Rules are applicable in the circumstances and not inconsistent with provisions of this Bylaw, the Indian Act or any other applicable Act.

PART 2 – BAND MEETINGS

4. Inaugural Meeting

- 4.1 Following a general local election, the first Band Meeting must be held on the first Thursday in September in the year of the election.
- 4.2 If a quorum of Council Members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Band Meeting must be cancelled by the Band Administrator and held as soon as reasonably possible after a quorum has taken office.

5. Time and Location of Band Meetings

- 5.1 All Band Meetings shall take place within Williams Lake Band Reserve Lands except when Band Membership resolves to hold meetings elsewhere and dictates the Band Administrator to give notice of the different meeting place by posting a notice of the change on the Public Notice Posting Place and the Band Website at least 24 hours prior to the time of the Council meeting.
- 5.2 Band Meetings shall:
 - (a) be held By-Monthly on the days outlined in the annual Band Meeting Schedule adopted by Band Membership at the first meeting in September in each year;
 - (b) begin at 6:00 p.m.
 - (c) be adjourned at 11:00 p.m. on the day scheduled for the meeting, unless Band Membership resolves to proceed beyond that date in accordance with Section 28.
- 5.3 Band Meetings may:
 - (a) be cancelled by Band Council, provided that two consecutive meetings are not cancelled; and
 - (b) be postponed to a different day, time and place by the Chief, provided the Band Administrator is given at least 2 days written notice.

6. Notice of Band Meetings

- 6.1 In accordance with Section ___ of the Indian Act, Council must prepare annually on or before September 20th, a schedule of the dates, times and places of regular Band Meetings and must make the schedule available to the public.

- 6.2 Council must give notice annually, in accordance with Section ___ of the Indian Act, that the schedule of regular Band Membership meetings is available to the public, and where a copy of the schedule can be obtained.
- 6.3 Where revisions are necessary to the annual schedule of Regular Band Membership meetings, the Band Administrator must, as soon as possible, post a notice on the Website which indicates any revisions to the date, time and place or cancellation of a regular Band Membership meeting.

7. Notice of Special Meetings

- 7A.1 Provided the conditions set out in subsection _____ of the Indian Act are met, a member of Council or a Council Committee member who is unable to attend at a Band Membership meeting, as applicable, may participate in the meeting by means of audio electronic or other communication facilities, if the meeting is a regular, special and/or committee meeting;
- 7A.2 The council member presiding at a special or council committee meeting must not participate electronically.
- 7A.3 No more than 2 (two) members of a council or a council committee at one time may participate at a council meeting under section 8(1)(b).
- 7A.4 A member of council or a council committee participating electronically in a council or council committee meeting is deemed to be present at the meeting as though he or she were physically present.
- 7A.5 A member of council or a council committee participating electronically in a council or council committee meeting may do so a maximum of four times per calendar year.

- 7.1 Except where notice of a special meeting is waived by unanimous vote of all Band Members under Section ___ of the Indian Act, a notice of the day, hour and place of a special Band Meeting must be given at least 24 hours before the time of meeting by:
- (a) posting a copy of the notice both at the Public Notice Posting Place, and on the Band's Website
 - (b) leaving one copy of the notice for each Council Member in the Council Member's mailbox at the Band Office.
- 7.2 The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed only by the Chief or Band Administrator.

PART 3 – DESIGNATION OF COUNCIL MEMBER TO ACT IN PLACE OF CHIEF

8. Acting Chief

- 8.1 Annually, Council must from amongst its members designate Council Members to serve on a rotating basis as the member responsible for acting in the place of the Chief when the Chief is absent or otherwise unable to act or when the office of the Chief is vacant.
- 8.2 Each Councillor designated under Section 8.1 must fulfill the duties of the Chief in his or her absence.

- 8.3 If both the Chief and the Councillor designated under Section 8.1 are absent from the Band Meeting, the Band Members present must choose a Councillor to preside at the Band Meeting.
- 8.4 The Council Member designated under Section 8.1 or chosen under Section 8.3 has the same powers and duties as the Chief in relation to the applicable matter.

PART 4 – BAND PROCEEDINGS

9. Attendance of Band Membership at Meetings

- 9.1 All Band Meetings must be open to the Band Membership.
- 9.2 Before closing a Band Meeting or part of a Council meeting to the public, Band Membership must pass a resolution in a public meeting in accordance with Section __ of the *Indian Act*
- 9.3 This section applies to all meetings of the bodies referred to in Section __ of the *Indian Act*, including without limitation:
- a) COTW
 - b) select or standing committees of the Band;
 - c) board of variance;
 - d) parcel tax review panel;
 - e) advisory planning commission;
 - f) repealed
 - g) economic development commission;
 - h) repealed
- 9.4 Despite Section 9.1, the Councillor designated as the member responsible for acting in the place of the Chief under Section 8 may expel or exclude from a Band Meeting a person in accordance with Section 20.11.

10. Minutes of Meetings to be Maintained and Available to Band Membership

- 10.1 Minutes of the proceedings of Council must be:
- a) Recorded Visual
 - b) Recorded Audio
 - b) transcribed and certified as correct by the Band Administrator
 - c) signed by the Chief or other member presiding at the meeting or at the next meeting at which the Minutes are adopted
- 10.2 Whenever possible, Minutes of a given meeting shall be adopted at the next Band Meeting.
- 10.3 Every amendment to the Minutes of a meeting shall be by resolution. Following adoption of the amendment, the “Minutes, as amended” shall be adopted by resolution.

10.4 Subject to subsection 10.3, and in accordance with Section ___ of the *Indian Act*, minutes of the proceedings of the Band Meeting must be open for public inspection at the Band Office during its regular office hours or **web log in**

10.5 Subsection 10.4 does not apply to minutes of a Band Meeting or that part of a Band Meeting from which persons were excluded under Section ___ of the *Indian Act*.

11. Calling Meeting to Order

11.1 As soon after the time specified for a Band Meeting as there is a quorum present, the Chief, if present, must take the Chair and call the Band Meeting to order, however, where the Chief is absent, the Councillor designated as the member responsible for acting in the place of the Chief in accordance with Section 8 must take the Chair and call such meeting to order.

11.2 If a quorum of Council is present but the Chief or the Councillor designated as the member responsible for acting in the place of the Chief under Section 8 do not attend within 15 minutes of the scheduled time for a Council meeting:

(a) the Administrator must call to order the members present, and

(b) the Band Members present must choose a Council member to preside at the meeting.

12. Adjourning Meeting Where No Quorum

12.1 If there is no quorum of Council present within 15 minutes of the scheduled time for a Band Meeting, the Band Administrator must:

(a) record the names of the members present and those absent;

(b) adjourn the meeting until the next scheduled meeting.

12.2 If a Second Meeting with no Quorum occurs, Membership may proceed without a quorum of council members

13. Agenda

13.1 Prior to each regular meeting, the Band Administrator shall prepare an agenda for each Band Member in attendance setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

13.2 The deadline for the Band Membership to submit items to the Band Administrator for inclusion on the Band Meeting agendas shall be 12:00 noon on the Wednesday preceding the meeting.

13.3 Band Meeting agendas shall be available to members of Council and to the Band Membership on the Friday afternoon prior to the meeting.

13.4 Items recorded in the Receptionist's Mail Log after the appropriate deadline in Section 13.2 shall not be placed on the Agenda for the next Band Membership meeting, but shall instead be placed on the Agenda for consideration at the following Band Membership meeting, unless the item is introduced as a late item, pursuant to Section 15.

14. Order of Proceedings and Business

14.1 The Agenda for all regular Band Meetings contains the following matters in the order in which they are listed below:

- (a) Call to Order
- (b) Adoption of Minutes
- (c) Presentations and Delegations
- (d) Written Council/Staff Reports
- (e) Bylaws
- (f) Committee of Whole Council Written Reports
- (g) Correspondence
- (h) Proclamations
- (i) Reports from In Camera for Public Information
- (j) Notice of Motion
- (k) Consideration of Late Items/Other Business
- (l) Information/Announcements/Round Table
- (m) Adjournment

14.2 Particular business at a Band Meeting shall be taken up in the order in which is it listed on the agenda unless otherwise resolved by Band Membership.

15. Late Items

15.1 An item of business not included on the Agenda must not be considered at a Band Membership meeting unless introduction of the late item is approved by Membership at the time allocated on the Agenda for such matters.

16. Voting at Band Meetings

16.1 The following procedures apply to voting at Band Meetings:

- (a) when debate on a matter is closed, the Chairperson must put the matter to a vote of Band Members;
- (b) when the Band Membership is ready to vote, the Chairperson must put the matter to a vote by stating: "Those in favour raise your hands"; and then "Those opposed raise your hands".
- (c) When the Chairperson is putting the matter to a vote under Paragraphs (a) and (b) a member must not:
 - (i) cross or leave the room

- (ii) make a noise or other disturbance, or
- (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order.

(d) after the Chairperson finally puts the question to a vote under subsection (b), a member must not speak to the question or make a motion concerning it;

(e) the Chairperson's decision about whether a question has been finally put is conclusive;

(f) whenever a vote of Band Membership on a matter is taken, each member present shall signify their vote by raising their hand;

(g) if a Band Member does not indicate how he or she votes, the member is deemed to have voted in the affirmative.

(h) the presiding council member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative;

(i) in all cases when the votes of the Band Membership then present, are equal for and against a motion, the motion is defeated and it shall be the duty of the member presiding to so declare. When sitting in COTW, the same procedure shall apply, except that any member of the Council may preside.

16.2 The name of a member who votes in the negative shall, at the request of the member, be recorded in the Minutes.

16.3 When the motion under consideration contains distinct propositions, the vote upon each proposition shall be taken separately, should any member so request.

16.4 No vote shall be taken in a Band Meeting by ballot or any other method of secret voting.

17. Delegations

17.1 All delegations requesting permission to appear before Band Meeting shall submit to the Band Administrator a written request to address the Band Membership, including a written brief outlining their intended presentation.

17.2 In the absence of a written request, the Band Administrator shall not place a delegation on the Agenda.

17.3 Any request to appear before a Band Meeting shall be received prior to the appropriate deadline stated in Section 13.2 in order to be placed on the Band Meeting Agenda.

17.4 The number of delegations at each meeting shall be limited to three (3), without the prior approval of the Membership.

17.5 All delegations shall be afforded ten (10) minutes to make their presentation and shall be restricted to the reading or the summarizing of their brief as included on the Agenda. Additional time may be available, at the discretion of the Chairperson, for answering questions from members.

17.6 In Rare Circumstance where written application has not been received by the Band Administrator as prescribed in section 17.1, an individual or delegation may address the meeting if approved by the unanimous vote of the Band Membership present.

- 17.7 Chairperson must not permit a delegation to address a meeting of the Band Membership regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- 17.8 The Band Administrator shall be granted authority to schedule delegations to another Band Membership meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- 17.9 The Band Administrator shall be granted authority to screen delegation's requests and, if deemed appropriate, refuse to place a delegation on the Agenda if the issue is not considered to fall within the jurisdiction of a Band Membership. If the delegation wishes to appeal the Band Administrator's decision, the information shall be distributed under separate cover to Band Membership for their consideration.
- 17.10 Where a delegation has addressed Band Membership on a particular issue, if a subsequent request is received from the same delegation to address Band Membership on the same issue, and no new significant information is being provided, the Band Administrator shall be granted authority to not place the item on the Agenda, but will circulate the request under separate cover as an item of general information.

18. Notice of Motion

- 18.1 Any Band Member may give "Notice of Motion" respecting an item which he/she intends to present by giving a copy of such motion to the Band Administrator during a Band Meeting and upon the member being acknowledged by the Chairperson and the Notice of Motion being read to the meeting.
- 18.2 A copy of the motion presented under Section 18.1 shall be distributed to each member of the band and shall appear in the Minutes of that meeting as a "Notice of Motion". The Band Administrator shall place the motion on the Agenda of the next Band Meeting, or other future meeting designated by the member bringing forward the Notice of Motion, for consideration.

19. Points of Order

- 19.1 Without limiting the Chairperson's duty under Section ___ of the *Indian Act*, the Chairperson must apply the correct procedure to a motion:
- (a) if the motion is contrary to the rules of procedure in this bylaw; and
 - (b) whether or not another Band Member has raised a point of order in connection with the motion
- 19.2 When the Chairperson is required to decide a point of order
- (a) the Chairperson must cite the applicable rule or authority if requested by another Band Member;
 - (b) another member may question or comment on the rule or authority cited by the Chairperson under subsection 19.2(a); and
 - (c) the Chairperson may reserve the decision until the next Band Meeting.

20. Conduct and Debate

- 20.1 Every Band Member who wishes to speak to any question or motion shall raise their hand, wait to be recognized by the Chairperson and shall address themselves to the Band Membership.
- 20.2 Members shall address the Chairperson as “Chief, “Madam Chief”.
- 20.3 Members shall address other non-Chairpersons by the title Councillor.
- 20.4 Members of Staff shall be addressed as Mr., Mrs. or Ms. or shall be referred to by their official title.
- 20.5 When two or more Council members desire to speak at the same time, the Chairperson shall name the member who shall have the floor.
- 20.6 No member shall interrupt a member who is speaking, except to raise a point of order.
- 20.7 When the Chairperson is of the opinion that there has been sufficient debate, he/she may put the question.
- 20.8 Any question addressed to Staff shall be put through the Chairperson to the Band Administrator who shall refer the matter to the appropriate Staff representative if necessary.
- 20.9 Members who are called to order by the Chairperson:
- (a) shall immediately stop speaking;
 - (b) may explain their position on the point of order; and
 - (c) may appeal to Band Membership for its decision on the point of order in accordance with Section __ of the Indian Act
- 20.10 Members speaking at a Band Meeting
- (a) shall use respectful language
 - (b) shall not use offensive gestures or signs
 - (c) shall speak only in connection with the matter being debated
 - (d) may speak about a vote by Band Membership only for the purpose of making a motion that the vote be rescinded, and
 - (e) shall adhere to the rules of procedure established under this Bylaw and to the decisions of the Chairperson and Council in connection with the rules and points of order.
- 20.11 If a member does not adhere to subsection 20.10, the Chairperson may order the member to leave the member’s seat, and
- (a) if the member refuses to leave, the Chairperson may cause the member to be removed from the member’s seat, and
 - (b) if the member apologizes to the Membership, Council may, by resolution, allow the member to retake the member’s seat.
- 20.12 A member may require the question being debated at a Band Meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- 20.13 The following rules apply to limit speech on matters being considered at a Band Meeting:
- (a) a member may speak more than once in connection with the same question only

- (i) with the permission of the Chairperson, or
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to committee may not reply to the debate;
- (d) No member shall speak to any question or in reply for a longer time than five (5) minutes without leave of the Chairperson.

20.14 The Chairperson shall at all times conduct the manner and order of speaking so that all sides of a question may be as fully presented as the circumstances warrant, and he/she shall ensure that each member is allowed equal opportunity to speak.

21. Motions Generally

- 21.1 Every motion shall be moved and seconded before it is deemed to be in the possession of the Council.
- 21.2 A motion in the possession of the Band Membership may be withdrawn by the mover of the motion at any time before a decision or amendment is made, provided that the mover has the consent of the seconder.
- 21.3 Membership may debate and vote on a motion only if it is first made by one Band Member and then seconded by another.
- 21.4 A motion that deals with a matter that is not on the agenda of the Membership meeting at which the motion is introduced may be introduced with Membership's permission.
- 21.5 A Band Member may make only the following motions, when the Membership is considering a question:
- (a) to refer to committee, other body or staff department;
 - (b) to amend;
 - (c) to lay on the table
 - (d) to postpone indefinitely;
 - (e) to postpone to a certain time;
 - (f) to move the previous question;
 - (g) to adjourn.
- 21.6 A motion made under subsection 21.5 (c) to (g) is not amendable or debatable.
- 21.7 Membership shall vote separately on each distinct part of a question that is under consideration at a Membership meeting, if requested by a Band Member.
- 21.8 Every motion that has been seconded shall be recorded in the Minutes.

21.9 Notwithstanding Section 21.87, motions that have been withdrawn by Members pursuant to Section 21.2, shall not be recorded in the Minutes

22. Motion to Committee

22.1 Until it is decided, a motion made at a Band Meeting to refer to committee precludes amendment of the main question.

23. Motion for the Main Question

23.1 In this section, “main question”, in relation to a matter, means the motion that first brings the matter before the Membership.

23.2 At a Band Meeting, the following rules apply to a motion for the main question, or for the main question as amended:

- (a) if a Band Member moves to put the main question, or the main question is amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
- (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Membership may again debate the question, or proceed to other business.

24. Amendments Generally

24.1 A Band Member may, without notice, move to amend a motion that is being considered at a Band Meeting.

24.2 An amendment may propose removing, substituting for, or adding to the words of an original motion.

24.3 A proposed amendment must be reproduced in writing by the mover if requested by the presiding member

24.4 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.

24.5 An amendment may be amended once only.

24.6 An amendment that has been negated by a vote of Membership cannot be proposed again.

24.7 A Band Member may propose an amendment to an adopted amendment.

24.8 The Chairperson must put the main question and its amendments in the following order for the vote of Membership:

- (a) a motion to amend a motion amending the main question;
- (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive;
- (c) the main question

25. Reconsideration by Band Member

(Chief's right of reconsideration found at s. ___ of the Indian Act)

25.1 Subject to subsection 25.5, a Band Member may, at the next Band Meeting:

- (a) move to reconsider a matter on which a vote has been taken, and
- (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.

25.2 A Band Member who voted affirmatively for a resolution adopted by Membership may at any time move to rescind that resolution.

25.3 Council must not discuss the main matter referred to in subsection 25.1 unless a motion to reconsider that matter is adopted in the affirmative.

25.4 A vote to reconsider must not be reconsidered.

25.5 Council may only reconsider a matter that has not

- (a) had the approval or assent of the electors and been adopted;
- (b) been reconsidered under subsection 25.1 or Section ___ of the *Indian Act*
- (c) been acted on by an officer, employee, or agent of the City.

25.6 The conditions that applied to the adoption of the original bylaw, resolution or proceeding apply to its rejection under this section.

25.7 A bylaw, resolution or proceeding that is reaffirmed under subsection 25.1 or section ___ of the Indian Act is as valid and has the same effect as it had before reconsideration.

26. Privilege

26.1 In this section, a **matter of privilege** refers to any of the following motions:

- (a) fix the time to adjourn;
- (b) adjourn;
- (c) recess;
- (d) raise a question of privilege of the Membership;
- (e) raise a question of privilege of a Band Member.

26.2 A **matter of privilege** must be immediately considered when it arises at a Band Meeting.

26.3 For the purposes of subsection 26.2, a **matter of privilege** listed in subsection 26.1 has precedence over those matters listed after it.

27. Reports from Committees

27.1 Council may take any of the following actions in connection with a resolution it receives from COTW:

- (a) agree or disagree with the resolution;
- (b) amend the resolution;
- (c) refer the resolution back to COTW;
- (d) postpone its consideration of the resolution.

28. Adjournment

- 28.1 A Band Meeting may continue a Band Meeting after 11:00 p.m. only by an affirmative vote of 2/3 of the Band Members present.
- 28.2 A motion to adjourn either a Band Meeting or the debate at a Band Meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- 28.3 Subsection 28.2 does not apply to either of the following motions:
- (a) a motion to adjourn to a specific day;
 - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 – PETITIONS AND COMMUNICATIONS

29. Proper Form

- 29.1 All communications and petitions intended to be presented to a Band Meeting shall be legibly written, typed or printed, signed by at least one person and shall be dated and include a contact phone number and address before being accepted.

30. Referrals

- 30.1 Communications addressed to a Band Meeting Council which relate to matters that fall within the scope of responsibility of a particular department may be referred by the Band Administrator directly to that department.
- 30.2 If a matter is referred under Section 30.1, a copy of the communication shall be filed with each member of the Council and the Band Administrator with a copy forwarded to the appropriate staff member. An acknowledgement shall be mailed to the writer on receipt of the communication, advising where the matter has been referred.
- 30.3 The Band Administrator shall be granted the authority to forward correspondence items to the meeting considered to be most appropriate according to the subject matter of the letter.
- 30.4 A right of appeal from any referral under Sections 30.1 and 30.3 may be may to the Band Administrator who shall determine the final disposition of the matter. As well, Council may refer any item of correspondence as it deems appropriate.
- 30.5 All petitions or other written communications which require a report may be referred to the Band Administrator by means of a formal motion.

PART 6 - BYLAWS

31. Form of Bylaw

31.1 A bylaw introduced at a Band Meeting must:

- (a) be printed;
- (b) have a distinguishing name;
- (c) have a distinguishing number;
- (d) contain an introductory statement of purpose;
- (e) be divided into sections.

32. Bylaws to be Considered Separately or Jointly

32.1 Band Membership shall consider a proposed bylaw at a Band Meeting either:

- (a) separately when directed by the Chairperson or requested by another Band Member; or
- (b) jointly with other proposed bylaws in the sequence determined by the Chairperson.

33. Reading and Adopting Bylaws

33.1 The Chairperson of a Band Meeting may

- (a) have the Band Administrator read a synopsis of each proposed bylaw or group of proposed bylaws; and then
- (b) request a motion that the proposed bylaw or group of bylaws be read;

33.2 The readings of the bylaw may be given by stating its title and object.

33.3 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Indian Act.

33.4 Subject to Section __ of the Indian Act, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Band Membership.

33.5 In accordance with Section __ of the Indian Act, Council may give two or three readings to a proposed bylaw at the same Council meeting.

33.6 Despite Section __ of the Indian Act, Band Membership may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

33.7 Where Council desires to amend a bylaw after third reading with the exception of those specific provisions respecting an Official Community Plan designation bylaw or a Zoning bylaw, it may do so as follows:

- (a) by motion to reconsider third reading and, if carried,
- (b) by motion to amend the bylaw at third reading in accordance with the procedure set down in this bylaw;
- (c) by motion to pass third reading of the bylaw as amended.

34. Bylaws Must be Signed

34.1 After a bylaw is adopted and signed by the Band Administrator and the Chairperson of the Band Meeting at which it was adopted, the Band Administrator shall have it placed in the Band's records for safekeeping with the following affixed to the bylaw:

- (a) the Band's corporate seal;
- (b) the dates of its readings and adoption; and
- (c) the date of Ministerial approval or approval of electorate, if applicable

PART 7 - RESOLUTIONS

35. Copies of Resolutions to Band Members

35.1 A resolution may be introduced and considered at a Band Meeting as long as it has been included as an item on the Band's printed Agenda or placed on the Agenda as a late item pursuant to Section 15 of this bylaw.

36. Form of Resolution

36.1 A resolution introduced at a Band Meeting should be printed.

37. Introducing Resolutions

37.1 The Chairperson of a Band Meeting may:

- (a) have the Band Administrator read the resolution; and
- (b) request a motion that the resolution be introduced

PART 8 – COMMITTEE OF THE WHOLE (COTW)

38. Going into Committee of The Whole

38.1 At any time during a Band Meeting, Council may by resolution go into COTW.

38.2 In addition to subsection 38.1, a meeting, other than a standing or select committee meeting, to which all Band Members invited to consider but not to decide on matters of the Band's business, is a meeting of COTW.

39. Notice for COTW meetings

39.1 Subject to subsection 39.2, a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:

- (a) posting a copy of the notice at the Public Notice Posting Place; and

(b) leaving a copy of the notice for each Council member in the Council member's mail box at City Hall.

39.2 Subsection 39.1 does not apply to a COTW meeting that is called, in accordance with section 38.1, during a Band Meeting for which public notice has been given under section 6 or 7.

40. Minutes of COTW Meetings to be Maintained and Available to the Band Membership

40.1 Minutes of the proceedings of COTW must be:

- (a) legibly recorded;
- (b) certified by the Band Administrator;
- (c) open for public inspection in accordance with section ___ of the *Indian Act*.

41. Chairpersons at COTW Meetings and Quorum

41.1 The Chairperson for the COTW meeting alternate between the Chief and Acting Chief for the respective month.

41.2 The quorum of COTW is the majority of Council members.

42. Points of Order at Meetings

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

43. Conduct and Debate

43.1 The following rules apply to COTW meetings:

- (a) a motion requires a seconder;
- (b) a motion for adjournment is not allowed;
- (c) a member may speak any number of times on the same question;
- (d) a member must not speak longer than a total of ten minutes on any one question.

44. Voting at Meetings

44.1 Votes at a COTW meeting must be taken by a show of hands if requested by a Chairperson.

44.2 The Chairperson must declare the results of voting.

45. Reports

45.1 COTW 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.

45.2 The COTW'S reports to Council shall be presented by the Band Administrator.

46. Rising Without Reporting

46.1 A motion made at a COTW meeting to rise without reporting:

- (a) is always in order and takes precedence over all other motions;
- (b) may be debated, and
- (c) may not be addressed more than once by any one member.

46.2 If a motion to rise without reporting is adopted by COTW at a meeting constituted under Section 35.1, the Council meeting must resume and proceed to the next order of business.

PART 9 – COMMITTEES

47. Duties of Standing Committees

47.1 Standing committees are established by the Band Membership, with not more than one of the members being Council members.

47.2 Standing committees shall 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 Band Membership;
- (c) matters that are assigned by the Chief.

47.3 Standing committees shall report and make recommendations to Council as may be directed by Band Membership.

48. Duties of Select Committees

48.1 Select committees are established by Band Meeting resolution with at least one member being a Council member.

48.2 Select committees shall consider, inquire, report and make recommendations to Band Membership about the matters referred to the committee by the Band Membership.

48.3 Select committees shall report and make recommendations to Band Membership as may be directed by Band Membership.

49. Schedule of Committee Meetings

49.1 At its first meeting after its establishment, a standing or select committee shall establish a regular schedule of meetings, such schedule to be provided to the Band Administrator.

49.2 The chair of the committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

50. Notice of Committee Meetings

50.1 Subject to subsection 50.2, after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule shall be given by:

(a) posting a copy of the schedule at the Public Notice Posting Place

(b) providing a copy of the schedule to each member of the Band

50.2 Where revisions are necessary to the annual schedule of committee meetings, the Band Administrator shall, 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 committee meeting.

50.3 The chair of a committee must cause a notice of the day, time and place of a meeting called under section 49.2 to be given to all members of the committee at least 12 hours before the time of the meeting.

51. Attendance at Committee Meetings

51.1 Band Members may attend the meetings of the committees.

52. Minutes of Committee Meetings to be Maintained and Available to the Band Membership

52.1 Minutes of the proceedings of a committee must be:

(a) Recorded by audio and video

(b) certified by the Band Administrator

(c) open for public inspection in accordance with Section ___ of the *Indian Act*

53. Quorum

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

54. Conduct and Debate

54.1 The rules of Band Procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this bylaw.

54.2 Band Members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with permission of a majority of the committee members present.

PART 10 - GENERAL

55. Corporate Seal

55.1 In addition to the provisions of the Indian Act the Band Administrator may cause the corporate seal to be affixed to any certificate, proclamation or other document that

(a) is issued by or on behalf of the Band, the Chief or Council, and

(b) does not in any way evidence or create a legal relationship or obligation on the Band's part to perform.

56. 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.

57. This bylaw may not be amended or repealed and substituted unless Band Membership first gives notice in accordance with section __ of the Indian Act.

58. Council Procedure Bylaw No. __, and all amendments thereto, is hereby repealed.

59. This Bylaw shall come into force and take effect on the date of adoption by Band Membership.

READ A FIRST TIME THIS 00th DAY OF April , 2013.

READ A SECOND TIME THIS 00th DAY OF May, 2013.

READ A THIRD TIME THIS 00th DAY OF June, 2013.

RECONSIDERED AND ADOPTED THIS 00th DAY OF July, 2013.

"original signed by"

CHIEF

"original signed by"

Band Administrator