

# CITY OF CHARLOTTETOWN

## PROCEDURAL BYLAW

### BYLAW #2018 – 19

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

#### **PART I – INTERPRETATION AND APPLICATION**

##### **1. Title**

1.1. This Bylaw shall be known as, and may be cited as, the “Procedural Bylaw”.

##### **2. Authority**

2.1. Subsection 86(2)(e) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must establish a procedural bylaw to regulate its proceedings in accordance with the *Municipal Government Act*.

##### **3. Purposes**

3.1. The Purposes of this Bylaw are to:

- (a) recognize the functions of the City, including providing good government;
- (b) complement and supplement, and not to replace, the requirements contained in applicable municipal legislation;
- (c) provide notice to the Members and the citizens respecting matters that will be considered by the Council; and
- (d) provide an open, respectful and orderly forum for public input, debate and decisions.

3.2. In accordance with the purposes of section 3.1, the Council hereby adopts the rules of procedure hereinafter set forth to govern meetings of the Council and Committees of Council.

##### **4. Application**

4.1. This Bylaw applies to all Members of Council, the CAO, Members of Committees of Council, City of Charlottetown employees, those who appear before Council and members of the public.

4.2. When any matter(s) relating to proceedings arise which are not covered by a provision of this Bylaw or the Act, the matter shall be decided by reference to *Robert’s Rules of Order, 11<sup>th</sup> Edition*, unless Council determines that another edition of the *Robert’s Rules of Order* shall be used.

4.3. In the event of any conflict between the provisions of the Act and this Bylaw, the Act will prevail.

## **5. Definitions**

- 5.1. “Act” means the *Municipal Government Act*, RSPEI 1988, M-12.1.
- 5.2. “Chief Administrative Officer” or “CAO” means the administrative head of the City as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- 5.3. “City” means the City of Charlottetown;
- 5.4. “Committee of Council” means any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters to Council.
- 5.5. “Council” means the Mayor and other members of the Council of the City.
- 5.6. “Councillor” means a member of Council other than the Mayor.
- 5.7. “DCAO” means the Deputy Chief Administrative Officer of the City of Charlottetown;
- 5.8. “Employee” means, a person who performs work for the City for pay, and includes:
  - (i) a person on leave from employment with the City,
  - (ii) a person being trained by the municipality to perform work for the City,
  - (iii) a person retained under an employment contract to perform work for the City, and
  - (iv) any other person or class of person designated as an employee by the City.
- 5.9. “Member” means a Member of the Council and includes the Mayor;
- 5.10. “Petition” includes a written or an electronic petition;
- 5.11. “Presiding Officer” means:
  - (i) the Mayor when present at a meeting of the Council;
  - (ii) the Deputy Mayor when presiding at a meeting of the Council in the absence of the Mayor;
  - (iii) the Chair of a Committee of Council; or
  - (iv) such other Member as may be presiding at a meeting of the Council in the absence of the Mayor and Deputy Mayor.

## **6. Rules Adopted and Suspended**

- 6.1. The proceedings of the Council and Committees of Council shall be governed by this Procedural Bylaw unless a provincial enactment provides otherwise.

## **7. Amendment to Rules**

- 7.1. This Procedural Bylaw shall not be amended or repealed except under notice given in writing to the members of Council and openly announced at a regular meeting of Council preceding the meeting at which the first reading of the amendment takes place.

## **8. Interference with the Work of the City**

- 8.1. No Member shall have power to direct or interfere with the performance of any work of the City and no Member shall instruct or give direction to an employee of the City.

## **PART II – TYPES OF MEETINGS OF THE COUNCIL**

### **9. First Meeting of the Council after Election**

- 9.1. A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office.
- 9.2. The first meeting of the newly elected Council shall be held on the second Monday of December following the City's municipal election.

### **10. Regular Meeting of Council**

- 10.1. Unless otherwise determined by the Mayor and published in accordance with this section, the Council shall hold a meeting on the second Monday of the month at the Council Chambers at City Hall and if the second Monday is a public Holiday, the Council shall meet on the day following which is not a public holiday, which meetings shall be known as the regular meeting(s) of Council. The regular meetings of Council shall be held at such an hour as determined by the Mayor, and the time and place of each such regular meeting of Council shall be published by electronic means and one other means of public notification.

### **11. Special Meeting of the Council**

- 11.1. The Mayor may cause the CAO to call a special meeting of Council, in writing, when and as often as the Mayor may deem it proper with at least twenty-four (24) hours' notice before the time of the meeting being provided to the public and Members.
- 11.2. Upon receipt of a written petition of the majority of the Members, the CAO shall call a special meeting of the Council for the purpose and at the time mentioned in the petition, on at least twenty-four (24) hours of notice.
- 11.3. Once such a petition is received by the CAO, no Member may remove his or her name from the petition.
- 11.4. Written notice of any special meeting of the Council setting forth the matters to be considered shall be given to all Members by delivery to the address or official email address of each Member recorded with the CAO, not less than twenty-four (24) hours prior to the time fixed for the meeting and the CAO shall make every reasonable effort to contact the Members to advise of the meeting. The CAO shall also cause notice of the meeting to be published on the City's web site or other social media avenue, at least twenty-four (24) hours in advance of the time of the special meeting of the Council.
- 11.5. Subject to section 30 of this Bylaw regarding quorum, at a special meeting of the Council, the Council shall only consider or decide upon the matter(s) set forth in the notice calling

the special meeting, unless all the Members present at the meeting unanimously consent to deal with other matters.

- 11.6. If other matters are dealt with at the special meeting of council, such other matters shall be recorded in the minutes of the special meeting.

## **12. Closed Meetings**

- 12.1. Council or a Committee of Council may, by resolution passed at or before a regular or special meeting of the Council or Committee of Council, hold all or part of a regular or special meeting that is closed to the public, when the matter to be discussed at the meeting is in relation to any of the confidential matters contained in section 119(1) of the *Municipal Government Act*.
- 12.2. No resolution or bylaw can be passed during a closed meeting other than by resolution as set out in section 119(2) of the *Municipal Government Act*.
- 12.3. A resolution to a close all or a part of a regular or special meeting of Council must state the reason(s) for closing the meeting, in accordance with section 119(3) of the *Municipal Government Act*.
- 12.4. The Council or Committee of Council shall make any matter considered at a closed meeting public when the confidentiality is no longer required, in accordance with subsection 119(4) of the *Municipal Government Act*.
- 12.5. No Council Member, Committee of Council Member or employee of the City shall, subject to subsection 119(5) of the *Municipal Government Act*, disclose or act on any information acquired at a closed meeting of Council or a Committee of Council respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or a Committee of Council.

## **13 Electronic Meetings**

- 13.1. Pursuant to section 122 of the *Municipal Government Act*, Council may authorise meetings to be conducted by electronic means, in accordance with the provisions of this Bylaw.
- 13.2. Subject to section 13.3 of this Bylaw, a Committee of Council may hold a meeting by electronic means upon passage of a resolution by the Committee to that effect.
- 13.3. A meeting shall only be conducted by electronic means if the electronic means by which the meeting is conducted enables, at a minimum:
- a) the Council or the Members of a Committee of Council participating in the meeting to hear and speak to each other; and
  - b) where the meeting is open to the public, the public is able to see and hear the meeting's participants at a place specified in the notice of the meeting.
- 13.4. The CAO shall ensure that at least twenty-four (24) hours' notice of an electronic meeting is given to all Council Members or Committee of Council Members and to the public of a meeting, advising:

- a) that the meeting will be conducted by electronic means; and
- b) where the meeting is open to the public; the location of the facilities where the public can see and hear the meeting.

13.5 The CAO shall ensure that a City employee is present at the location specified in the notice of the electronic meeting to facilitate the viewing of the meeting and to ensure that the public can see and hear the participants in the meeting.

#### **14 Electronic Participation in Meetings**

- 14.1 Pursuant to subsection 122(4) of the *Municipal Government Act*, a Council Member or Committee of Council Member who is unable to attend a meeting of Council or Committee of Council in person may participate in the meeting by electronic means.
- 14.2 A Member may only participate by electronic means if the Council or Committee of Council Members are able to hear and speak to each other.
- 14.3 Where a Council Member or Committee of Council Member is participating in a meeting conducted by electronic means or is participating by electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Committee of Council, the Member shall take part in the debate and vote on that matter only if the Member has before them a copy of the report or recommendation to be considered, in accordance with subsection 122(6) of the *Municipal Government Act*.
- 14.4 Pursuant to subsection 122(4) of the *Municipal Government Act*, Council Members participating by electronic means are considered to be present at the meeting.

#### **15 Electronic Participation in Closed Meetings**

- 15.1 The chair of a Council or a Committee of Council meeting shall require every Member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

### **PART III – AGENDA FOR MEETINGS OF THE COUNCIL**

#### **16 Agenda**

- 16.1 The agenda for each regular and special meeting of Council shall be prepared by the CAO and/or the CAO's designate, together with copies of all reports or communications to be dealt with at such meeting of the Council.
- 16.2 The headings of the Agenda for a regular or special meeting of Council shall be the same as the order of business set forth in s. 36 of this Bylaw.

#### **17 Agenda Item Respecting Employee of the City**

- 17.1 If a Member has an issue concerning a human resource matter, including an issue with an employee(s), either individually or collectively, the issue shall not be added to the agenda of a regular or special meeting of the Council but shall be forwarded to a closed meeting of

Council as permitted under section 119(1) of the Act and this Bylaw; but not until the Member has first discussed the issue with the CAO.

### **18 Added Item to Agenda**

18.1 If a Member wishes to have an item placed on the agenda for a regular Council meeting, the Member shall submit the request in writing to the CAO no later than 12:00 noon on the Wednesday prior to the regular meeting of Council at which the item is to be considered.

### **19 Late Additions to Agenda**

19.1 If a Member wishes to have an item placed on the agenda for a regular meeting of Council subsequent to the deadline prescribed by section 18.1 of this Bylaw, the Member must submit the request in writing to CAO not later than by noon on the day of the regular meeting of Council.

19.2 The request shall include an explanation as to why the item should/or needs to be added to the agenda for the regular meeting of Council.

19.3 The Mayor and the CAO shall review all requests received that comply with this section and shall decide whether or not to place the item on the agenda. The CAO shall notify the Member of the decision to place or not place the item on the agenda in advance of the regular meeting of Council.

### **20 Items Added by Council**

20.1 Notwithstanding section 19 of this Bylaw, the Council shall not vote on a motion arising out of an item added to the agenda by a Member until a staff report and recommendation is received from the appropriate standing committee.

### **21 Agenda Review**

21.1 The agenda for a regular meeting of Council shall be reviewed by the Mayor and CAO prior to the meeting; or by the Chair of a standing Committee of Council and CAO prior to the meeting of a standing Committee of Council.

21.2 On receipt of a request for a presentation to be made at a meeting of Council, the CAO or the CAO's designate, shall review the request and determine in consultation with the Mayor or Chair of the meeting, as appropriate, the appropriate disposition of the request.

### **22 Cancellation of any Meeting of the Council**

22.1 A meeting of the Council or a Committee of Council may be cancelled if in the opinion of the Mayor or designated chair of the Council meeting, or the Chair of a Committee of Council, that there are insufficient agenda items for which to meet.

## **PART IV – INFORMATION PRIOR TO MEETING OF THE COUNCIL**

### **23 Agenda Package**

23.1 On the Friday preceding each regular meeting of the Council, each Member shall be delivered electronically or provided with a copy of the following:

- a) the agenda;
- b) a copy of each report which is to be considered;
- c) a copy of each motion to be considered if the motion or the purpose thereof is not indicated on the agenda.

## **24 Information to be provided to the Public**

24.1 The CAO shall ensure that the agenda and the other information referred to in section 23 of this Bylaw are made available to the general public, subject to section 25 of this Bylaw, no later than 9:00 am on the day of the regular meeting of Council.

## **25 Circulation of late Reports**

25.1 If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package, the report shall be delivered electronically or circulated to all Members as soon as is reasonably possible, and in no case shall the report be made available to the public prior to the report having been provided to all Members.

## **PART V – REQUIREMENT FOR A MEETING OF THE COUNCIL**

### **26 Duties of Presiding Officer**

26.1 The Presiding Officer of a meeting of Council shall be the Mayor or such other Member who is acting in the stead of the Mayor at a regular or special meeting of Council or the chair or Member acting in the stead of the chair of a Committee of Council and the Presiding Officer shall have the following duties:

- a) open the meeting of the Council or the Committee of Council by taking the chair and calling the Members to order;
- b) receive and submit, in the proper manner, motions properly presented by a Member;
- c) put to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and announce the result of the vote;
- d) decline to put to a vote a motion which infringes upon the rules of procedure as set forth in the Act or this Bylaw;
- e) restrain a Member(s), when engaged in debate, within the rules of order as set forth in the Act or this Bylaw;
- f) enforce, on all occasions, the observance of order and decorum;
- g) call by name any Member persisting in a breach of the rules of order of the Council thereby as set forth in the Act or this Bylaw, ordering him or her to vacate the Council Chamber or meeting room for Committee meetings; if warranted;
- h) permit questions to be asked through the Presiding Officer of any official of the City to provide information to assist any debate when he or she deems it proper to do so;

- i) provide information to Members on any matter touching on the business of the City;
- j) inform the Council when necessary, or when referred to, on a point of order;
- k) adjourn the meeting when the business is concluded;
- l) at the time of calling the meeting to order, the Presiding Officer may call for a moment of reflection.

## **27 Call to Order the Meeting of Council**

- 27.1 As soon after the hour of a meeting as there is a quorum present at a regular or special meeting of Council, the Presiding Officer, shall take the chair and the Members shall be called to order.
- 27.2 If the Mayor is not present within fifteen (15) minutes of the hour of a meeting, the Deputy Mayor shall take the chair and the Members shall be called to order.
- 27.3 If neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour appointed for a meeting, the Council may appoint a person to preside from among the Members present.
- 27.4 The CAO shall cause the minutes of a meeting of Council to record the names of the Members present, the names of Members who arrive after the meeting has been called to order and the time of their arrival and the names of the Members who depart prior to or during the meeting and the time of their departure or absence from the meeting.
- 27.5 If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the CAO shall call the roll and ensure that the names of Members present are recorded and the meeting shall then stand adjourned.

## **28 Presiding Officer has Power of the Mayor**

- 28.1 For greater certainty, while presiding, the Presiding Officer shall have all the powers of the Mayor under this Procedural Bylaw.

## **29 Seating of Members**

- 29.1 Seating of Members in the Council chamber shall be in numerical order of their wards, unless otherwise determined by the Mayor.

## **30 Quorum for Meeting**

- 30.1 Subject to section 113 of the Act, a quorum is a majority of all the Members of Council or a Committee of Council.
- 30.2 Where there is a vacancy in the Council's numbers, a quorum is determined in accordance with section 113 of the Act.

### **31 Person within Bar of the Council**

31.1 No person, except a Member or an approved employee of the City, shall be allowed to come beyond the bar of the Council during a regular or special meeting of Council without the express permission of the Presiding Officer.

### **32 Placing items on Desks**

32.1 No person, other than a Member, the CAO, or other person as directed by the CAO shall, before or during a meeting of the Council, place on the desks of Members or otherwise distribute to Members any material whatsoever unless such person is so acting with the permission of the Presiding Officer or the CAO.

### **33 End of Meeting**

33.1 A meeting of the Council shall stand adjourned at three hours after its commencement unless otherwise determined by a vote of two-thirds (2/3) of the Members present at the meeting.

## **PART VI – PROCEDURES DURING A MEETING OF THE COUNCIL**

### **34 Order of Business**

34.1 The order of business of a regular Meeting of Council shall be:

- a) Call to order;
- b) Declarations of conflict of interest;
- c) Approval of agenda;
- d) Adoption of minutes;
- e) Business arising from the minutes;
- f) Reports from standing and ad hoc Committees of Council;
- g) Introduction of new business;
- h) Adjournment

### **35 Order of Business at Special Meeting of Council shall be:**

35.1 The order of business of a special Meeting of Council shall be:

- a) Call to order;
- b) Declarations of conflict of interest;
- c) Approval of the agenda;
- d) Consideration of the particular business for which the special meeting of Council was called;
- e) Adjournment.

35.2 If there are a number of items for consideration at a special meeting, the order of business for a regular meeting of Council shall be followed so far as is possible.

### **36 Voting**

36.1 Voting at meetings of Council shall be undertaken in accordance with section 115 of the Act, as follows:

- a) each Member present, except the Mayor, will vote on every matter unless a Member is excused specifically from voting, by resolution, or the Member is prohibited from voting because the Member has a conflict of interest;
- b) no vote of Council will be taken by ballot or any other method of secret voting and any vote taken by any form of secret voting is of no force or effect.
- c) all votes of Council, both for and against, will be recorded.
- d) the failure or refusal of a Member to vote on a matter that is properly before the Council will be considered a vote in favour except when the Member is excused or prohibited from voting in accordance the Act and this Bylaw.
- e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or Presiding Officer will vote for the purposes of breaking the tie.

### **37 Conduct during Public Council Meetings**

37.1 All persons in the public galley at a Council meeting will:

- a) refrain from addressing Council or a member of Council unless permitted to do so by the Presiding Officer;
- b) maintain quiet and order;
- c) refrain from disturbing the proceedings by words, gestures or actions, including applauding, displaying flags, placards or similar material;
- d) refrain from talking on electronic mobile devices; and,
- e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

37.2 Speaking to Question

- a) No Member shall speak more than twice to the question without a majority vote of those Council Members present, except in explanation of a material part of his or her speech which may have been misconceived and in doing so, the Member is not to introduce a new matter.
- b) A Member shall not speak the first time for more than five (5) minutes.
- c) No Member shall, without a majority vote of those Council Members present, speak a second time to the same question or in reply for longer than three (3) minutes.

### 37.3 Conduct during Public Council Meetings

- a) Each Applicant shall be allotted a maximum of ten (10) minutes;
- b) Participants shall speak only once and for no more than five (5) minutes on each agenda item.

## 38 Points of Order, Procedure or Privilege

- 38.1 A Member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease and the "point" shall be clearly stated by the Member and, if applicable, ruled upon by the Presiding Officer.
- 38.2 A Member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.
- 38.3 Where the Presiding Officer is called upon to decide a point of order or practice in accordance with section 111 of the Act, the Presiding Officer shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

## 39 Appeal of Decision of the Mayor

- 39.1 Whenever a Member wishes to appeal any ruling of the Presiding Officer or a point of order or point of privilege to the whole of Council pursuant to section 112 of the Act:
  - a) the motion of appeal shall be made immediately after the ruling is made by the Presiding Officer or otherwise the ruling will be final;
  - b) the Member may offer a brief reason for the challenge; and
  - c) the Presiding Officer may state the reason for the decision made.
- 39.2 Following the motion of appeal and the response, if any, from the Presiding Officer, the question shall be put to a vote immediately without debate.
- 39.3 The Presiding Officer will be governed by the vote of the majority of the Members of Council present, and eligible to vote.
- 39.4 Neither the Presiding Officer nor the appellant will participate in the vote on an appeal.

## 40 Motions and Debate

- 40.1 A motion will express fully and clearly the intent of the mover.
- 40.2 A motion will not be considered unless it has been seconded.
- 40.3 Any Member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- 40.4 When a motion is under debate no other motion may be made, except a motion to:
  - a) amend a motion;

- b) refer a motion to a Committee of Council or administration for a report back to Council;
- c) postpone a motion to a fixed date;
- d) request that a motion be put to a vote;
- e) extend the time for a Council meeting; or
- f) adjourn the meeting.

40.5 Notwithstanding any other provisions of this Bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.

40.6 All motions will be considered in the order in which they were moved.

#### **41 Minutes**

41.1 The CAO shall ensure that the minutes of meetings record all resolutions, decisions, and proceedings of the Council and shall at a minimum include:

- a) The place, date and time of meeting;
- b) The name of the Presiding Officer and the record of attendance of the Members, and employees present;
- c) The subject matter of the issued discussed; and
- d) All motions moved, or moved and seconded, by a Member or Members.

41.2 If there are any objections to such minutes of the Council presented at any regular meeting of the Council, the Member making the objection shall state the grounds of the objection, without comment, and if the Council agrees, the minutes shall be altered accordingly.

41.3 If all the Members present at such a meeting do not agree to the proposed alteration, a motion must then be duly made and seconded, to amend the minutes, to meet such objection, which shall then be debatable.

41.4 Where the Minutes have been previously circulated to the Members, reading of such minutes is not required unless a motion requiring such is adopted.

41.5 After the Minutes have been adopted, the Minutes shall be signed by the Mayor or Chair (as appropriate), and the CAO and posted to the City's website.

41.6 Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to:

- a) The place and date of the meeting;
- b) The names of the Council or Committee Members and employees present; and
- c) The type of matter under section 119(1) of the Act that was discussed at the meeting.

41.7 Copies of the minutes will be open to inspection by any person during regular office hours and copies of the minutes will be provided to any person, in accordance with subsection 116(3) of the Act, on the payment of a reasonable fee established by Council under a fees bylaw and attached as a schedule to that bylaw.

## **42 Committees of Council**

42.1 Council shall, by resolution, establish a Council Advisory Committee which will recommend the terms of reference and Council appointments to any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters of Council.

42.2 (a) The Council Advisory Committee shall consist of the Mayor, four (4) members of Council (nominated and appointed by motion of Council) and the CAO in an advisory (non-voting) capacity.

(b) Should Council receive from its members more than four (4) nominees to serve on the Council Advisory Committee, then the Council shall vote to determine the four (4) members from all of those Members nominated. The four (4) nominees with the highest vote count shall serve as Council's four (4) representatives on the Council Advisory Committee.

(c) The Council Advisory Committee shall each establish all committee mandates, terms, objectives, tasks, duties and responsibilities on any matter of which Council has requested.

42.3 The Council Advisory Committee shall establish the eligibility criteria for membership and determine the events or circumstances that would result in a termination of a committee Member.

42.4 A Council ad hoc committee shall dissolve upon completion of their specific mandate.

42.5 The CAO shall designate certain employees of the City as may be required to be non-voting advisors to one or more committees, with the right to attend their designated committee.

42.6 Where a special meeting of a Standing Committee is called, the designated Administrative support will follow the procedures for the calling of a special meeting and ensure that notice of the special meeting is given.

42.7 Notice to the public of a regularly scheduled meeting or a special meeting of a standing committee must be published by electronic means and posted in the form of a sign or poster in a place that is accessible to the general public.

## **PART VII – BYLAWS**

### **43. Bylaw Procedures**

43.1 Council may make, amend or repeal a bylaw in accordance with the procedures established in the Act and, as applicable, this Bylaw.

- 43.2 A bylaw is only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 43.3 A bylaw may be approved and adopted by Council by resolution after being read a second time.
- 43.4 Pursuant to section 125 of the Act, if copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.
- 43.5 A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the City of Charlottetown.
- 43.6 Council may, in accordance with subsection 125(3) of the Act, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the meeting even if copies of the bylaw with the proposed amendment are made available to the public.
- 43.7 Where Council proposes to amend a bylaw, the same procedure shall be followed as found in sections 43.2 to 43.5.
- 43.8 Pursuant to section 127 of the Act, the first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 43.9 A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 43.10 A regulation to a bylaw is made if:
- 43.10.1 It is formally adopted by resolution of the Council; and
  - 43.10.2 It is signed by the Mayor and CAO, and formally declared to be passed, and sealed with the corporate seal of the City.
- 43.11 The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being "a true copy of the original seen by me" on the document, and shall be signed, dated, and printed with the CAO's name under their signature, as well as their occupation, address and telephone number.
- 43.12 Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person with a copy of any bylaw for the fee set out and attached as a schedule to the Fees Bylaw.

43.13 Planning bylaws undertaken under the authority of the Planning Act shall be made in accordance with section 19 of that Act.

## **PART VIII - REPEAL OF BYLAW**

### **44. Repeal of Existing Bylaw**

44.1 On adoption, this Bylaw replaces the "City Council Procedures and Rules of Order Bylaw" which was adopted the 17th day of October, 1995.

*"This document is an office consolidation of this Bylaw (amending bylaw adopted 18-Nov-2019). It is intended for information and reference purposes only. This document is not the official version of the Bylaw. Where accuracy is critical, please consult official sources. If you find any errors or omissions in this consolidation, please contact the Records Management Clerk"*