

**BYLAW 739-GE-03-18
TOWN OF COALDALE
PROVINCE OF ALBERTA**

BEING A BYLAW OF THE TOWN OF COALDALE IN THE PROVINCE OF ALBERTA, TO DEAL WITH PROCEDURE AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF THE TOWN OF COALDALE.

WHEREAS, the Municipal Government Act, being Chapter M-26 (2000), RSA and subsequent amendments thereto, provides for the regulations of the proceedings of Council and Committees thereof, to provide for dealing with petitions, remonstrance's and submissions of Council.

NOW THEREFORE, the Council of the Town of Coaldale duly assembled, enacts as follows:

1.0 TITLE:

1.1 This Bylaw may be cited as the Council Procedural Bylaw.

2.0 DEFINITION & INTERPRETATION

2.1 In this Bylaw:

- (a) **ACT** means the Municipal Government Act, R.S.A., as amended.
- (b) **ACTING MAYOR** means the member selected by Council to preside at a regular meeting thereof in the absence or incapacity of both the Mayor and Deputy Mayor
- (c) **AGENDA** means the list and order of business items for any meeting of Council or Committees.
- (d) **BYLAW** means a bylaw of the Town
- (e) **C.A.O.** means the Chief Administrative Officer.
- (f) **CHAIRPERSON** means the member elected from among the members of a committee to preside at all meetings of the committee.
- (g) **COMMITTEE** means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this bylaw.
- (h) **COUNCIL** means the Mayor and Councillors of the Town of Coaldale being elected pursuant to the provisions of the Local Authorities Election Act of Alberta whose term is unexpired, who have not resigned and who continue to

be eligible to hold office as such under the terms of the Municipal Government Act and the Local Authorities Election Act.

- (i) **DEPUTY MAYOR** means the member appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.
- (j) **IN-CAMERA** means apart of the meeting that is closed to the public, , which may include the presence of certain members of staff, or the public, where matters and all discussions are held in confidence by all in attendance. During in-camera sessions, there can be no resolution or bylaw passed, except a resolution to revert to a meeting held in public.
- (k) **MAYOR** means the member of Council duly elected as Mayor and continuing to hold office.
- (l) **MEMBER** means a member of Council, duly elected and continuing to hold office or a Member of Committee duly appointed by Council.
- (m) **MGA** means the Municipal Government Act, Chapter M-26, 2000, Revised Statutes of Alberta, with amendments in force.
- (n) **NEW BUSINESS** means business dealing with a matter which has not been introduced at the same or previous meeting and of which no notice has been given of the intention to present it.
- (o) **PRESIDING OFFICER** means the Mayor, Deputy Mayor, Acting Mayor or other such person selected by Council to chair the meeting as constituted by this Bylaw.
- (p) **PRIVILEGES** mean the right and immunities of Council, collectively or the position and conduct of members of Council in their official character as elected representatives and a "Matter of Privilege" means any matter affecting privilege.
- (q) **PUBLIC HEARING** means a meeting of Council convened to hear matters pursuant to the Act.
- (r) **QUORUM** means the majority:
 - 1. Of the valid, subsisting members of Council, or;
 - 2. In the case of the Committee, Board or other organized and recognized group, unless the bylaw or resolution establishing such a body specifies a different quorum, of majority of all members, unless Council provides otherwise in this Bylaw.
- (s) **SPECIAL MEETINGS** mean a meeting called by the Mayor pursuant to the Act.

(t) **TOWN** means the corporation of the Town of Coaldale and where the context so requires, means the area included within the boundaries of the Town.

2.2 Wherever this bylaw requires that a motion be made, a bylaw be passed or any other action be taken by a vote of:

- (a) A simple majority of Council, or;
- (b) All members of Council; the requirements shall be interpreted as meaning such majority, fraction or total of the members of Council who are present and voting on the matter.

3.0 **APPLICATION OF BYLAW**

3.1 This bylaw applies to:

- (a) All regular and special meetings of Council, and;
- (b) Subject to the provisions of Section 3.2 conduct of the meetings of all committees of Council.

3.2 Notwithstanding Section 3.1:

- (a) No motion need be seconded, and;
- (b) Members may speak more than once to any motion or question.

4.0 **ORGANIZATION MEETING OF COUNCIL**

4.1 The C.A.O. shall set the time and place for the first organizational meeting of council following the general election, scheduled in accordance with the MGA.

4.2 At the commencement of the annual organizational meeting following an election, the C.A.O. shall call the meeting to order and shall preside over the meeting until the Oath of Office has been administered to the Mayor.

4.3 After the Mayor has taken the oath, he/ she shall preside over the meeting and the Councillors shall take the Official Oath of Office.

4.4 The Council shall elect members of Council to the standing committees.

4.5 The Mayor shall be an ex-officio member of all standing committees without so being named, but without voting privileges.

4.6 All Committees and other bodies that Council is entitled to appoint shall be reviewed annually in the manner provided in this section at the time of the organizational meeting as set by the Statutes then in effect.

- 4.7 The business of Council at the organization meeting following the elections shall be limited to the calling of the meeting, administration of the Oath, introduction of new members, development of a Deputy mayor's schedule, and the election of members to act on committees, commissions, boards and other bodies on which Council is entitled to representation, and such other business as is required by the MGA.
- 4.8 Unless Council shall:
- (a) By a majority vote taken at a previous regular meeting or;
 - (b) By a unanimous vote taken at a previous special meeting to determine that a subsequent meeting of Council shall be held at a different place, all meetings of Council subsequent to the annual Organizational Meeting of Council shall be held in the Council Chambers of the Town of Coaldale Administration Building.
 - (c) If it is decided to hold any meeting of Council at any place other than the Council Chambers of the Town of Coaldale Administration Building, the C.A.O. shall post a notice of such a change of location to the Town website and Town Office Memo Board for the meeting to be held elsewhere than the Council Chambers when the same is delivered to the members of Council pursuant to Section 16.0.

5.0 **PLACES, DATES & TIMES OF MEETINGS**

- 5.1 Subject to Sections 4.1, 4.8 and 5.2, Regular Council Meetings shall be held in the Council Chambers on the second and fourth Monday of every month for all business of Council in accordance with the schedule of the meetings approved at the organizational meeting annually.
- (a) The following exceptions shall apply, unless Council approves otherwise:
 - i. Council shall meet on the second Monday of July only;
 - ii. Council shall not meet during the month of August.
 - iii. Council shall meet on the second Monday of December only.
 - iv. If a Regular Council Meeting falls on a statutory holiday, the meeting will take place on the next business day.
 - v. Special Council Meetings may be called and notice of such Special Meetings shall be given in accordance with the provisions of the Act and this Bylaw.
 - vi. A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of a pecuniary interest and abstain from discussing the matter or voting on the matter and leave the room until

discussion and voting on the matter are concluded, as prescribed by the Act.

- 5.2 Notwithstanding anything contained in Section 5.1, Council may by majority vote of the members present at any regular meeting of Council direct that:
- (a) The next Council meeting will be held on a day other than the date on which it would fall due;
 - (b) Any meeting of Council may commence at any other time than that set for such meeting in this Section.
- 5.3 Unless otherwise determined Council meetings shall commence at 2:00 pm and shall continue not later than 6:00 pm of the same day.
- 5.4 Notwithstanding the provisions of Section 5.3, Council may upon an affirmation vote of a majority of the members present and voting which vote subject to the provisions of Subsection 4 must be taken not later than 5:30 pm extending the meeting beyond 6:00 pm in the case of Section 5. 1 and 5.3.
- 5.5 Unless there has been a motion passed by the required majority within the prescribed time extending the Council meeting beyond 6:00 pm, all matters of business which appear on the Council agenda for a meeting and which have not been dealt with by that time shall be deemed to be tabled until the next regular meeting of Council.
- 5.6 Notwithstanding the other provisions of this Section, if no motion is passed before 5:30 pm by the required majority for extension of the meeting and if a member has risen and is addressing Council at 6:00 pm, the Mayor or other Chairperson shall, as soon as the member resumes his/ her seat, call the attention of the Council to the time and if Council thereupon considers and votes on a motion to extend the meeting, such motion shall be deemed validly put and passed or defeated, as the case may be, notwithstanding that it is later than 6:00 pm.
- 5.7 If it appears to the Mayor that any matters included in the agenda for a Council meeting which were not disposed of by the meeting prior to the adjournment thereof are of an urgent nature which requires action before the next regular meeting, he/ she shall call pursuant to the provisions of the MGA as a special meeting of Council to deal with such matters.
- 5.8 When a regular or special meeting of Council is adjourned:
- (a) In order to terminate the debate on a certain subject, or;
 - (b) The business on the agenda has been completed; it shall be deemed to be the end of that meeting and a subsequent meeting shall be considered to be a new meeting.

- 5.9 Council may by majority vote of the members present at any regular or special meeting decided to hold a special meeting at any time and place as it deems fit.
- 5.10 The Mayor may on his/her own initiative and shall, when requested by a majority of Council in writing, summon a special meeting at such time as the request of Council shall indicate.
- 5.11 The Mayor may on his/her own initiative may summon a special meeting at such time as he/ she deems fit by a notice in writing given at least 24 hours prior to the meeting and indicating in general terms the business to be transacted thereat.
- 5.12 When requested by a majority of Council in writing, the Mayor shall summon a special meeting at such time as the request of Council shall indicate, and shall notify all members of Council at least 24 hours prior to the meeting, by a notice which shall indicate:
- (a) That the meeting has been called at the request of members, and;
 - (b) The business to be transacted thereat.
- 5.13 Notwithstanding the provisions of Sections 5.1 and 5.2 the Mayor may call a special meeting of the Council upon such shorter notice, either verbal or written, as he/she deems sufficient if at least majority of the members present of Council give their consent in writing to such notice before the commencement of the meeting.
- 5.14 Except in the case of a special meeting determined at another special meeting or at a regular meeting of Council, the C.A.O. shall mail, or electronically mail, or deliver to each member, a notice of the special meeting indicating the time at which such meeting will be held and indicating the business or matter which shall be discussed thereat, so that he/she receives it at least 24 hours before the time of the special meeting.

6.0 **REMOTE ATTENDANCE AT COUNCIL MEETINGS**

- 6.1 Council members are permitted to participate in a Council Meeting by means of remote communication in instances when a Council member is unable to attend in person;
- (a) including electronic means of two-way communication methods such as speakerphone, Skype, or other media that provide full audio or audio and visual capability.
 - (b) for purposes of voting by a member(s) of Council, such attendance from remote location(s) shall be considered the equal of being physically present in Council Chambers, (with the exception of in-camera session). When a vote is called on a motion, the member of Council who is participating by means of remote communication, shall vote verbally only after all other Councillors present have voted by a show of hands.

- (c) if the Mayor attends by remote means, he/she may participate in discussion, but the Deputy Mayor or alternate if physically present in Council Chambers shall be the presiding officer to best facilitate an orderly and efficient meeting process.
- (d) in all meetings involving remote attendance, the Mayor or presiding officer shall inform all present of the intent to initiate a remote communication.
- (e) the Mayor or presiding officer shall confirm and announce to all present that they can clearly hear and as appropriately, clearly see visual contact with the Council member. The CAO shall record such confirmation in the minutes.
- (f) Council may approve the use of remote communication for the entirety of the meeting or for a specified portion thereof.
- (g) no portion of an “in-camera” session may be conducted through the use of remote communication.
- (h) if the Council, by a majority, approves use of remote communication for only a specified portion of any meeting, the Mayor or presiding officer shall announce same and, at the end of the specified section, shall clearly announce to all the close of the remote communication and shall order that the communication be stopped. The CAO shall record the beginning and ending times of such remote communication in the minutes.
- (i) in the event the remote communication link is broken or significantly degraded such that it does not meet the requirements, the Mayor or presiding officer shall confirm the loss of service and announce the close of the remote attendance. The CAO shall record such time of closure in the minutes.
- (j) any member who wishes to utilize remote communication to attend a portion or all of a Council meeting, must notify in writing or email the CAO that he or she intends to participate by means of a remote communication; and the Council member must give two (2) business days notice in order to allow necessary arrangements can be made to facilitate the remote attendance.
- (k) any Council member participating in a Council meeting by means of a remote communication facility, must ensure that they post a written notice in a prominent location near to their position, advising any members of the public present in that area that a public meeting is in progress.

7.0 CANCELLATION OF MEETINGS:

7.1 A Regular Council Meeting may be cancelled:

- (a) by a majority of Members at a previously held meeting; or

- (b) with the written consent of a majority, providing twenty-four (24) hours' notice is provided to Members and the public; or
- (c) with the written consent of majority of the whole Council if twenty-four (24) hours' notice is not provided to the public.

7.2 A Special Meeting, called under the initiative of the Mayor, may be cancelled:

- (a) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
- (b) if less than twenty-four (24) hours' notice is provided, the Mayor may cancel with the written consent of majority of the whole Council.

7.3 A Special Meeting, requested in writing by the majority of the Members, may be cancelled:

- (a) with the written consent of the requesting Members, if twenty-four (24) hours' notice is provided to the Members and the public; or
- (b) if less than twenty-four (24) hours' notice is provided, with the written consent of majority of the whole Council.

8.0 DEPUTY MAYOR & ACTING MAYOR

8.1 The Council, at its organizational meeting, after election, shall determine a yearly schedule for Deputy Mayor, whereby each Councillor will cast a vote by secret ballot to determine the Deputy Mayor until the next Organizational meeting.

8.2 Council may at any time appoint one of its members to be an Acting Mayor in the absence of, or inability of, the Mayor and the Deputy Mayor to act.

9.0 AGENDA FOR COUNCIL MEETINGS

9.1 The C.A.O., after consulting with the Mayor, shall prepare an agenda which may include, but not be limited to the following categories in an order approved by the Mayor and C.A.O.:

- (a) Public Hearing
- Call to Order
- Additions to/Adoption of the Agenda
- Adoption of the Minutes
- Business Arising from the Minutes

Delegation
Bylaws
New Business
Departmental Reports
Council Reports
Correspondence
Information Items
In Camera
Adjournment

- (b) Refer to the minutes of any previous meeting or meetings which have not already been delivered to the members of Council.
- (c) List or contain any other matter which Council may from time to time direct.

9.2 The C.A.O. shall cause the agenda to be copied and be made available to each member of Council and to the office of the C.A.O. so that it will be available not less than three full days before the time for commencement of the meeting for which it is prepared and;

- (a) To all Town personnel who are entitled to receive copies thereof.

9.3 Unless Council directs otherwise, no material will be accepted which has not been included in the Agenda provided.

10.0 **COMMENCEMENT OF COUNCIL MEETINGS**

10.1 If there are not sufficient members assembled at the meeting to constitute a quorum within half of an hour from the time of commencement of the meeting, the C.A.O. shall cause the record to include the names of all the members present at that time and unless a special meeting be duly called in the meantime, Council shall be deemed to be adjourned until the next regular meeting.

10.2 When Council is unable to meet for want of a quorum, the agenda delivered for the proposed meeting shall be considered at the next regular meeting prior to the consideration of the agenda for the subsequent meeting or at a special meeting called for that purpose.

10.3 If there is a quorum present at the time the meeting should be called to order and the Mayor and Deputy Mayor are absent, the C.A.O. shall call the meeting to order and shall call for an Acting Mayor to be chosen by a resolution.

11.0 PRIVILEGE

- 11.1 When a member desires to address the Council on a matter of privilege he/ she shall be permitted to raise such question of privilege and when he/she does so, shall explain succinctly in what way the personal privilege of the member or the privilege of Council are affected.
- 11.2 After the member has stated the point of privilege, the Mayor or the member presiding at the meeting shall rule whether or not the matter raised is deemed to be a point of privilege.
- 11.3 A matter which is ruled to be a matter of privilege shall take precedence over all other matters before Council.
- 11.4 Where the Mayor or other presiding member has ruled that a matter raised is a matter of privilege, the member raising the same may speak on it but there shall be no debate on the matter unless a motion thereon is put to Council.
- 11.5 If the question of privilege concerns a situation, circumstance or event which arose between meetings of Council, the member(s) bringing the matter before Council shall do so immediately after the adoption of the minutes of the previous meeting.

12.0 CONTROL & CONDUCT OF COUNCIL MEETINGS

- 12.1 Subject to being overruled by a majority vote of members of Council which vote shall be taken without debate, the Mayor or other presiding officer shall:
 - (a) Maintain order and preserve decorum of the meeting;
 - (b) Decide points of order without debate or comment other than to state the rule governing;
 - (c) Determine which member has a right to speak;
 - (d) Ensure that all Members who wish to speak on a motion have spoken and that the Members are ready to vote and shall call the vote;
 - (e) Rule when a motion is out of order, and;
 - (f) May call a member to order.
- 12.2 In the event that a member refuses to come to order as required by Section 12.1 when called to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, a member of Council, to move a resolution to remove the unruly member either for:
 - (a) The balance of the meeting or until:

- i. A time which shall be stated in the motion, or;
 - ii. The member makes an apology acceptable to Council for his/her unruly behaviour; whichever shall be the shortest time.
- 12.3 If a majority of Council votes in favour of the resolution, the Mayor shall direct the unruly member to leave the Council Chambers and if the member refuses to leave, direct that he/ she be removed by any police constable present in the Council Chambers.
- 12.4 If after Council has directed an unruly member to leave the Council Chambers, the member so directed make an explanation and apology adequate and satisfactory to the Council, it may by majority vote of the remaining members present allow the offending member to remain in his/ her place if he/ she has not left or been removed, or to retake it if he/she has.
- 12.5 When a member wishes to speak at a Council meeting he/she shall address the Chair.
- 12.6 When a member is addressing the Chair, every other member shall:
 - (a) Remain quiet, and;
 - (b) Not interrupt the speaker except on a point of order, and;
 - (c) Not carry on a private conversation, and;
 - (d) Not cross between the speaker and the chair.
- 12.7 When a member is addressing the Council he/ she shall:
 - (a) Not speak disrespectfully of Her Majesty the Queen or her official representatives of government;
 - (b) Not use offensive words in referring to any member of the Council, any official or any employee of the Town;
 - (c) Not reflect on any vote of council except when moving to rescind it and when so doing shall not reflect on the motives for the members who voted for the motion.
 - (e) Not shout or immoderately raise his/ her voice or use profane, vulgar or offensive language, and;
 - (f) Assume personal responsibility for any statement he/ she quoted to Council or upon request of Council, shall give the source of the information.
- 12.8 When the Mayor calls a member to order the member shall resume his/ her seat but may afterwards explain his/ her position in making the remark for which he/ she was called to order.

- 12.9 Where a member wishes to leave the Council Chambers while a meeting is in progress, he/ she shall address the Chair, excuse him/ herself and await acknowledgment before leaving his/ her place.
- 12.10 No member shall leave the Council Chambers after a question is put to vote until the vote is taken.
- 12.11 Members of the public who constitute the audience in the Council Chambers during a Council meeting:
- (a) May not address Council without permission of the Council, and;
 - (b) Shall maintain order and quiet, and;
 - (c) Shall not applaud or otherwise interrupt any speech or action of the member, or any other person addressing Council.
- 12.12 The Mayor may direct that a constable removes any person in the audience who creates a disturbance during a meeting.

13.0 PROCEEDINGS AT MEETINGS

- 13.1 Subject to the other provisions of this section, the order of business for a meeting shall be contained in the agenda for the meeting.
- 13.2 The order of business for a regular meeting of Council shall be determined with the adoption of the agenda.
- 13.3 If an alteration of the order of business is desired for the convenience of the meeting, Council may by a majority vote, may make any such alteration of the order of the business.
- 13.4 Notwithstanding the order of business set out in Section 13.2 hereof, where the same subject matter appears in more than one place in the same agenda unless Council by resolution otherwise determines, Council shall deal with all items on the agenda related to said subject matter at the time of the first appearance of the subject matter on the agenda.
- 13.5 The C.A.O. is causing the production of the agenda, may insert immediately following the first appearance of an item, a copy of any document dealing with the same subject matter although the said item may appear in any subsequent portion of the agenda.
- 13.6 When the C.A.O. is causing the preparation of the minutes of the Council meeting, shall note in the proper place as provided in Section 13.2 hereof, that the item listed as having been dealt with under a previous order of business was dealt with in accordance with Section 13.4.

13.7 A member wishing to make an inquiry for answer at a subsequent meeting shall put the inquiry in writing and shall, prior to or during the meeting, hand it to the C.A.O. who shall cause it to be read aloud to the Council.

13.8 The Mayor and Council by majority vote may cause the meeting of Council to be recessed for an appropriate amount of time as required.

14.0 **RECESS**

14.1 Any member may move that Council recess for a specific period. After the recess, business will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker.

14.2 A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.

15.0 **PREVIOUS MINUTES**

15.1 Unless requested by a majority of the members, the minutes of the previous meeting shall not be read aloud.

15.2 The Mayor shall present the minutes to the Council with a request for a motion adopting them.

15.3 If there are any corrections or if a majority of the members of Council deem any correction(s) be necessary for the accuracy of the minutes, it or they shall be incorporated therein.

15.4 In the event a member of Council is absent from the meeting in which minutes are passed which he/ she considers require corrections, he/ she may address the correction.

15.5 The C.A.O. shall cause the minutes of each Council meeting to be prepared, copied and distributed to the members of Council for the next regular meeting.

16.0 **COMMUNICATIONS & PETITIONS**

16.1 Where a person wishes to bring any matter to the attention of Council or to have any matter considered by Council, he/ she shall address a letter or other communication to the Council which shall:

(a) Be printed, typewritten or fairly written;

(b) Clearly set out the matter at issue and the request made of Council respect thereof;

- (c) In the case of a petition, indicate in the petition if a representative wish to address Council on the subject matter of the petition;
 - (d) Be signed by the proper authorities as required by the MGA;
 - (e) In the case of a petition, set out the municipal address and legal description of property owned by each petitioner in accordance with the MGA.
- 16.2 Where a matter has been presented to Council by a person or group pursuant to Section 16.1 and/ or Section 16.1 has been dealt with by Council in any final manner and a person or group directs a letter or communication to Council on the same or substantially the same matter again within six months after the time Council so dealt with the matter, Council subject to Section 16.4 shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 16.3 Notwithstanding Section 16.2, Council by a majority vote of Council may again consider the matter at an earlier time than the time set by Section 16.2.
- 16.4 Where pursuant to the provisions of Section 16.1, a communication intended for Council is received, the C.A.O. shall then:
- (a) Include it as an item on the agenda for the next regular meeting, or;
 - (b) Refer it to the appropriate standing Committee of Council together with any necessary reports from the applicable departments.
- 17.0 **PERSONS WISHING TO ADDRESS COUNCIL**
- 17.1 If a representative of any group of persons wishes to address Council on a matter which is not on the agenda, Council may on a majority affirmative vote allow the representative or any other person to address it. The Mayor shall determine the amount of time required by a person/ delegation when addressing Council unless:
- (a) An applicable statute or other overriding law in force in the Province of Alberta requires a time longer than allowed, or;
 - (b) The time is extended by a majority vote of Council.
- 17.2 Subject to the provisions of the MGA, a person who wishes to make representations concerning the manner in which any matter is brought before a public hearing which may affect him/ her or any owner of land whom he/ she represents or the public at large of any local group of residents or property owner, may address Council subject to any limitations as to time and any requirements as to notice in writing which may be required by the Council pursuant to the provisions of the MGA.

18.0 COUNCILLOR REPORTS

- 18.1 Each Councillor will be provided a maximum of five (5) minutes for the purpose of providing a verbal update on Committees or community events in which municipal participation has been approved by Council.
- 18.2 Any action required as a result of a Councillor Report shall be brought forward as a separate business item or Notice of Motion.

19.0 NOTICE OF MOTION

- 19.1 A notice of motion and the substance thereof may be in writing and shall be presented at a regular meeting of Council.
- 19.2 Notwithstanding the provisions of Section 20, a member wishing to make a notice of motion instead of introducing it as provided in Section 20, may produce the motion in writing and forward it to the C.A.O. with the request it be discussed with the Mayor.
- 19.3 Upon receipt of such a notice of motion and request, the C.A.O. shall discuss the notice of motion with the Mayor who shall refer the notice of motion directly to the next regular meeting of Council.

20.0 MOTIONS

- 20.1 A Member who wishes to submit a motion in excess of 25 words shall do so in writing.
- 20.2 After a motion has been put forward and voted on, Council may give permission to withdraw the motion.
- 20.3 After a motion has been moved, it is the property of Council and may not be withdrawn without the consent of the majority of Council.
- 20.4 Except as elsewhere specifically provided in this bylaw, the following motions are debatable by Council:
 - (a) A motion arising out of any matter of discussion item included in the agenda for the Council meeting at which it is debated;
 - (b) A motion concerning any question, matter, subject or discussion item tabled from a previous meeting of Council or tabled for a meeting at which it is discussed;
 - (c) A motion for concurrence in, rejection of, or further consideration of a report to Council or a motion arising out of any matter dealing within a report to Council;
 - (d) A motion for the second reading of a bylaw;

- (e) A motion for the third reading of a bylaw;
- (f) A motion for appointment of a committee, dismissal of a committee;
- (g) A motion for the Council to go into an In-Camera session;
- (h) A motion for amendment to any bylaw properly before Council or any matter arising directly out of any bylaw properly before Council;
- (i) Such other motion made upon routine proceedings as may be required for the observance of the:
 - i. Properties of the Council;
 - ii. Maintenance of its authority;
 - iii. Appointment or conduct of its officers;
 - iv. Management of its business;
 - v. Arrangements of its proceedings;
 - vi. Correctness of its records;
 - vii. Fixing of its sitting;
 - viii. Days and times of its sittings;
 - ix. Time of the meeting;
 - x. Adjournment.

20.5 When a motion has been made and is being considered by Council, no member may make another motion except a motion to:

- (a) Refer the main question to some other person or group for consideration;
- (b) Amend the main question or an amendment to it;
- (c) Table the main question;
- (d) Postpone the main question until some future time;
- (e) Adjourn the meeting.

21.0 **TABLING MOTIONS**

21.1 A member moving a motion to table any matter, whether the matter is contained in a petition, enquiry, motion or other matter before the Council, shall include in the tabling motion:

- (a) The time at the present meeting or the date of a future regular or special meeting to which the motion is to be tabled or;
 - (b) A provision that the matter is to be tabled.
- 21.2 A motion to table a matter shall not be debated except as to the time when Council will again consider the motion.
- 21.3 A matter which has been tabled to a particular date shall not be again considered by Council before the date set except on a vote of majority of the members of Council present and voting on it.

- 22.0 **REFERRAL MOTIONS**
- 22.1 A motion to refer a matter shall be put forthwith without amendment or debate.
- 22.2 A member of Council who is moving a reference motion shall be required to include the motion:
 - (a) The terms of which the motion is being referred;
 - (b) The time when the reference is returnable, and;
 - (c) Whatever explanation is necessary as to the purpose of the motion.
- 22.3 Notwithstanding Section 19.2 when pursuant to the provisions of Section 19.1, when a motion to refer a matter is made, a member may ask the Mayor or other presiding officer at the Council meeting, a question relative to any of those matters which as provided in Section 19.3 may be included in a reference motion.
- 22.4 After a motion has been made notwithstanding Section 18.0 or anything elsewhere contained in this bylaw a member may with the consent of Council:
 - (a) On his/ her own initiative while he/ she is speaking on the same or;
 - (b) When requested by another member speaking on the motion; change the wording on the motion or agree to change proposed by another member if the alteration does not change the intention of the motion.
- 22.5 When there is a committee appointed for a purpose, a Town department normally dealing with the subject matter of the motion, or a C.A.O. who would normally deal with such matters, Council may refer the question before it to the C.A.O. who shall have the appropriate committee, department or Manager deal with the matter.

23.0 MOTION CONTAINING DISTINCT PROPOSITIONS

23.1 A motion containing several distinct propositions is not out of order for that reason alone.

23.2 Where a motion contains two or more propositions:

- (a) If a majority of Council so requires, or;
- (b) If the Mayor or other officer presiding so order; Council shall vote on each proposition separately.

24.0 AMENDMENTS

24.1 Notwithstanding anything elsewhere herein contained, no amendment to a motion to:

- (a) Refer a question to some other person or body for consideration;
- (b) Table a question;
- (c) Postpone discussion on a matter to a stated time;
- (d) Adjourn a meeting, or;
- (e) For the first reading of a bylaw; shall be made.

24.2 While a motion is under discussion by Council, a member may not move an amendment:

- (a) Which does not relate to the subject matter of the principal motion, or;
- (b) Is directly contrary to the principal motion.

24.3 Where an amendment has been moved to a motion which is under discussion, an amendment to the amendment may be moved but no further amendment may be moved to the amendment or to the principal question until after the amendment to the amendment is voted upon.

24.4 A member who moved a motion may not move an amendment to it.

24.5 The Mayor or other presiding officer shall not put the principal motion under debate until all amendments to it have been put and voted upon.

24.6 When all amendments are voted upon the Mayor or other presiding officer shall put the principal motion incorporating therein any amendments already adopted.

25.0 **MOTION OUT OF ORDER**

25.1 When a motion is out of order the Mayor or other presiding officer shall so advise the Council and shall cite the rule or authority applicable thereto.

25.2 Any member of Council may raise the question of whether or not a motion is in order.

26.0 **DEBATE ON MOTION**

26.1 Except as otherwise provided in this Section, no member may speak more than twice on any motion.

26.2 Notwithstanding Section 24.1 a member after receiving permission from the Mayor or other person presiding at the meeting, may speak in explanation of a material part of his/her speech which has been misquoted or misunderstood but he/ she may not introduce any new matter and there shall be no debate on the explanation.

26.3 Notwithstanding Section 24.1, a member who has moved a substantive motion, other than a motion:

- (a) To approve or accept a recommendation in another report made to Council, or;
- (b) To appoint or instruct a committee, or;
- (c) That the main question before the Council be immediately put to a vote; may speak in reply to close the debate after all other members of Council have been given an opportunity to speak.

26.4 Notwithstanding Section 24.1, before the debate has been closed and the question called on a motion and when another member does not have the floor, a member may during the debate:

- (a) Ask a question which relates directly to the debate, contains no argument and introduces no new material on the motion, or;
- (b) Request that the motion or a part thereof be read aloud.

26.5 Unless Council by a majority vote shall extend the time, no member thereof shall speak longer than:

- (a) Five minutes on any original motion before Council, or;
- (b) Three minutes on any amendment to an original motion before Council.

26.6 If the Mayor wishes to join in the debate on a question or motion properly before Council, he/she shall vacate the Chair and request the Deputy Mayor or some other member of Council take the Chair.

27.0 **VOTING ON MOTIONS**

27.1 When a member who has moved a motion closed the debate, the Mayor shall put the motion to a vote.

27.2 Votes on all motions must be taken as follows:

- (a) The Presiding Officer must declare the motion and call for the vote;
- (b) Members must:
 - i. vote by a show of hands, or
 - ii. vote verbally if unable to show hands.
- (c) The Presiding Officer must state the names of those voting against the motion and declare the result of the vote.
- (d) The names of those Members who voted against the motion shall be recorded as opposed within the minutes.

27.3 When a motion has been declared put to a vote, no member shall debate further on the question or speak any words except to request that the motion be read aloud.

27.4 When the Mayor or presiding officer is of the opinion that a motion is unacceptable or contrary to the rules of procedure and privilege, he/she shall appraise the members present immediately.

27.5 Should a member(s) present disagree with the Chairperson's ruling on a prepared motion, the Chairperson will immediately call for a show of hands of the member(s) who support the opinion of the Chair and who are opposed and the majority result will determine if the proposed motion is put to a vote.

27.6 Unless excused from voting by resolution of a majority of Council, or unless he/ she is disqualified from voting by reason of a direct or indirect pecuniary interest, the Mayor when present, and each Councillor present, shall vote on every division on every motion before Council.

27.7 No member who is absent from the Council Chambers when the vote is put and either:

- (a) The C.A.O. has begun to poll the members if a voice vote is being taken, or;
- (b) The decision is made to take a recorded vote;

shall enter the Council Chambers or attempt to vote and therefore he/ she cannot vote on the matter.

27.8 Whenever a statute of the Province of Alberta, regulation made thereunder, or this or another bylaw of the Town requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation or bylaw.

27.9 If any member of the Council should call for a poll of the members for a recorded vote prior to the vote being taken on a motion, the names of those who voted for and those who voted against the motion shall be entered in the minutes.

28.0 **RECONSIDERING & RESCINDING A MOTION**

28.1 When a Councillor wishes to reconsider, alter or rescind any motion already passed or action taken at a previous meeting and when such matter does not appear on the agenda, he/ she shall bring the matter before Council.

28.2 Where a matter on which Council has made a previous motion or taken a previous action is properly before Council as provided in this Section, Council may by a simple majority pass a motion which alters, rescinds or conflicts with any previous action taken or motion made without specifying that the previous motion or action is being altered or rescinded and the provisions of such motion shall override the provisions of any previous motion with which they conflict.

28.3 Notwithstanding anything provided in this Section where pursuant to any motion duly passed by Council, the Town has a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the liability or obligation.

29.0 **MOTION TO ADJOURN**

29.1 A member may move a motion to adjourn the meeting at any time except when:

- (a) Another member is in possession of the floor;
- (b) The members are voting;
- (c) Council is in an In-Camera session, or;
- (d) A previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.

29.2 A motion to adjourn shall be put without comment or debate.

30.0 **IN-CAMERA**

30.1 Subject to the provision of Section 20.4 and unless otherwise determined by Council, upon the passing of a motion that the Council enter into an In-Camera session, the Mayor shall be the Chairperson thereof and shall maintain order in the In-Camera session.

- 30.2 Subject to the provisions of Section 11.0, the rules of order for the conduct of a meeting of Council shall apply to the proceedings held In-Camera.
- 30.3 Council has no power in an In-Camera session to pass any bylaw or resolution apart from the resolution necessary to revert back to an open meeting.
- 30.4 Should a member of Council wish to raise a discussion item that falls within sections 16 – 29 of the Freedom of Information and Protection of Privacy Act, RSA 2000 and relates to a matter that is being discussed in public session, a member shall call for a motion to go in-camera to discuss the element related to sections 16 – 29 of FOIPP. Members of the public will be asked to exit Council Chambers.

31.0 **COMMITTEES**

- 31.1 Council may appoint such standing and special committees as are necessary and expedient for the orderly and efficient handling of the affairs of the Town and shall establish the Terms of Reference for said Committees:
- 31.2 The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 31.3 When establishing a Committee, Council must adopt a Terms of Reference for the Committee that:
 - (a) Names it;
 - (b) Establishes membership, purpose and authority;
 - (c) Sets the term or directs that the committee exists on an on-going basis at the pleasure of Council; and
 - (d) Allocates any necessary budget or other resources.
- 31.4 The size of a quorum required for a meeting of a special or standing committee shall be determined on the number of members specifically named to the committee only.
- 31.5 Unless Council designated the Chairperson of a committee, designates who shall select the Chairperson or the manner in which he/ she shall be selected, each standing or special committee shall select its own Chairperson.
- 31.6 The Legislative Coordinator will facilitate an annual review by Council of all Committees' Terms of Reference prior to the annual Organizational Meeting and committee appointments.
- 31.7 Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the approved Terms of Reference.

- 31.8 The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 31.9 At its first meeting each year, a Committee shall elect a Chairperson and Vice-Chairperson for a one (1) year term from among the Members unless Council designates:
- (a) the Chairperson of a Committee; or
 - (b) the manner in which the Chairperson shall be selected.
- 31.10 A Member of a Committee can remain in the position of Chairperson for a maximum of three terms of office.
- 31.11 A Chairperson of a Committee may be removed from office by a vote of a majority of the members of the Committee. No motion to remove the Chairperson shall be in order unless Notice of Motion has been given in writing at a regular meeting of the Committee held at least seven days prior to the meeting at which the motion is considered.
- 31.12 The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.
- 31.13 In the absence or inability of the Chairperson to preside over a meeting, the Vice-Chairperson shall preside and shall exercise the same powers, duties and responsibilities that the Chairperson would be entitled to exercise if present.
- 31.14 In the absence or inability of both the Chairperson and Vice-Chairperson to preside over a meeting, the members present, if they constitute a quorum, shall elect one of the members present to preside for that meeting.
- 31.15 A Committee shall conduct its meetings in public in accordance with the provisions of the Act.
- 31.16 Committees shall adhere to the following minimum meeting requirements:
- (a) Committees shall establish, on an annual basis, a schedule of regular meetings;
 - (b) a regular meeting schedule established under this section must be filed with the Legislative Coordinator for a minimum of three (3) clear days prior to the first meeting in the schedule;
 - (c) the Chairperson may call a meeting of the Committee at any time and must do so if a majority of Committee members so request in writing, including a

statement of purpose of the meeting. A Special Meeting requested by Committee members must be held within 14 days after the request is received; and

- (d) notice of Committee meetings not approved in the established annual schedule, or cancellation of a previously called meeting, must comply with requirements for Public Notice as set out in this bylaw and be filed with the Legislative Coordinator, a minimum of 48 hours prior to the meeting.

31.17 Minutes must be prepared for all Committee meetings and must:

- (a) include all decisions and other proceedings;
- (b) include the names of Committee members present at and absent from the meeting;
- (c) include any abstentions made under the Municipal Government Act by any member and the reason for abstention;
- (d) include the signatures of the Chair and the Recording Secretary; and
- (e) be retained in a safe manner and be available upon request. A final copy of minutes must be filed with the Legislative Coordinator within a minimum of three working days after being confirmed by the Committee.

31.18 When a Committee is of the opinion that a meeting should be held In-Camera, the motion passed to authorize the In-Camera meeting shall include the reason for holding the meeting In-Camera, and the meeting shall be conducted in accordance with the Act.

31.19 Committee meetings shall be open to all Members of Council, but only those Members specifically appointed to that Committee, or appointed ex-officio are entitled to take part in discussion and debate and vote on any matter before the Committee.

31.20 A Member of a Committee who has a pecuniary interest in a matter before the Committee shall disclose the general nature of the interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.

31.21 Any member absent from three (3) consecutive regular meetings of a Committee, unless such absence is authorized by resolution of the Committee, will automatically forfeit his/her membership as of the date of the third consecutive meeting absent from. Any member forfeiting his/her membership may be eligible for re-appointment in the future but not for the unexpired portion of the term forfeited.

31.22 No Committee or any member of a Committee has:

- (a) power to pledge the credit or course of action of the Town or enter into any agreement on behalf of the Committee or Town;
- (b) power to authorize any expenditure to be charged against the Town without prior approval by Council; or
- (c) authority to act except as established in the Terms of Reference for the Committee.

31.23 Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.

31.24 A Committee shall report to Council, as required.

31.25 The C.A.O. shall appoint an Administrative Representative to each Committee who shall:

- (a) ensure required notice is given, and accurate minutes are kept, for all Regular and Special Meetings of the Committee;
- (b) provide advice, research, information and additional support staff as required by the Committee; and
- (c) not be a member of the Committee and may not vote on any matter.

32.0 **BYLAWS**

32.1 Where a committee of Council approves the principles of the subject matter of a proposed bylaw, it shall refer the matter to the C.A.O. with instructions for the preparation of the bylaw.

32.2 Unless and until the bylaw is approved by the C.A.O. as to form, phraseology and legal validity, a committee to which a bylaw is referred to for preparation shall not submit the bylaw to Council in final form for enactment.

32.3 Where a bylaw is presented to Council for enactment, the C.A.O. shall cause the number and the short title of the bylaw to appear in the agenda in the appropriate place.

32.4 Every bylaw shall have three readings.

32.5 A bylaw shall be introduced for its first reading by the motion that the bylaw, specifying its number and short title be read a first time.

32.6 Council shall vote on the motion for the first reading of the bylaw without amendment or debate.

- 32.7 If a member does not elaborate on the subject matter of the bylaw or phrase his/ her question so as to set out his/ her opinion for or against the bylaw, notwithstanding the provisions of Section 30.2, he/ she may ask a question(s) concerning the bylaw.
- 32.8 A bylaw shall be introduced for its second reading by the motion that it be read a second time, specifying the number of the bylaw.
- 32.9 After a member has made the motion for the second reading of the bylaw Council may:
- (a) Debate the substance of the bylaw, and;
 - (b) Propose and consider amendments to the bylaw.
- 32.10 A proposed amendment shall be put to a vote and if carried, shall be considered as having been read a first time and incorporated in the bylaw.
- 32.11 Where a bylaw deals in whole or in part on a matter of confidentiality, Council may, after the first reading thereof, go into an In-Camera session to debate the confidential matters of the bylaw.
- 32.12 After a motion has been made for the second reading of a bylaw or after the Council has gone into an In-Camera session to debate the second or third reading of the bylaw, a member may require all or any portion of the bylaw to be read at length.
- 32.13 The C.A.O. shall be responsible for and cause a keeping of a record of any amendments to the bylaw passed by Council.
- 32.14 When all amendments have been accepted or rejected, the motion for the second reading of the bylaw as amended shall be put.
- 32.15 A motion for the third reading of a bylaw shall give the number and the short title of the bylaw.
- 32.16 It shall not be necessary to read the bylaw aloud for the third reading.
- 32.17 Unless the members present at the meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.
- 32.18 If Council unanimously agrees that a bylaw may be presented for a third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the bylaw than if it has received a third reading at a subsequent meeting.
- 32.19 After council votes affirmatively for a third reading of a bylaw it:
- (a) Becomes a municipal enactment of the Town, and;
 - (b) Is effective immediately unless the bylaw provides otherwise.

32.20 After passage, a bylaw shall be signed by the Mayor or by a member presiding at the meeting at which it was passed and by the C.A.O. and shall be impressed with the corporate seal of the Town.

32.21 Where prescribed by provincial statute requiring a bylaw to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes.

32.22 After a bylaw requiring a vote of the electorate has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.

32.23 Where a member inquiry involves a written answer to be given at a future meeting and it appears to the C.A.O. that the cost to the Town which will be incurred by reason of:

- (a) Time of Town employees which must be taken from performance of their regular duties or overtime which must be worked, or;
- (b) The need to hire additional employees, or;
- (c) The necessity of obtaining and paying for the information from other than Town employees;

and it is likely to be more than five hundred dollars and no appropriation has been made for such expenditure in the budget of any department, then the C.A.O. shall report the anticipated cost to Council and shall not proceed with the investigation necessary to answer the inquiry, unless and until Council directs that the inquiry shall be made and provides in a supplementary budget or otherwise for the payment of the cost.

32.24 Notwithstanding anything else contained in this Section or elsewhere in this bylaw, the subject matter of an inquiry is not debatable until the reply thereto has been made or presented to Council.

32.25 Notwithstanding the other provisions of this Section, a member of Council wishing to obtain information or to make an inquiry may instead of following the procedure set out in Section 19.2, produce the inquiry in writing and forward the same to the C.A.O. with the request that it be discussed with the Mayor.

32.26 Upon receipt of the inquiry and the request, the C.A.O. shall discuss the inquiry with the Mayor who may refer the inquiry;

- (a) To the next meeting of Council, or;
- (b) Directly to the Councillor who made the inquiry.

33.0 STANDING POLICY COMMITTEES & SUB-COMMITTEES THEREOF

33.1 In accordance with the MGA, the Mayor is an ex-officio member of each of the committees of Council.

- 33.2 The C.A.O. is a non-voting ex-officio member of all committees.
- 33.3 If directed by Council, any member attending a meeting on behalf of Council must vote in accordance with Councils direction.
- 33.4 When any matter relating to proceedings in Council or in the committees thereof arises which is not covered by a provision of this bylaw, the matter shall be decided by a reference to the rules of the House of Commons of Canada as set out in the current edition of Beauchesne's Parliamentary Rules and Forms.

34.0 **RESCIND**

34.1 This bylaw rescinds Bylaw 648-GE-02-11 and any amendments thereto and shall come into force when it receives THIRD and FINAL reading and is duly signed.

READ a FIRST time this 9th day of April, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 109.18

READ a SECOND time this 9th day of April, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 110.18

UNANIMOUS CONSENT to hold THIRD and FINAL reading this 9th day of April, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 111.18

READ a THIRD and FINAL time this 9th day of April, 2018.

Mayor – Kim Craig

CAO – Kalen Hastings

Motion # 112.18