

**BYLAW 836-GE-12-21
TOWN OF COALDALE
PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF COALDALE
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, RSA 2000 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. TITLE

1.1. This Bylaw may be cited as the “*Council Procedural Bylaw*”.

2. DEFINITION & INTERPRETATION

2.1. In this Bylaw:

- a. **ACT** means the *Municipal Government Act*, Chapter M-26, RSA 2000, 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. **ADMINISTRATIVE INQUIRY** means an inquiry made in writing to the C.A.O. by a Member of Council concerning the operations or actions of the Town’s administration.
- d. **AGENDA** means the list and order of business items for any meeting of Council or Committees.
- e. **BYLAW** means a bylaw of the Town.
- f. **C.A.O.** means the Chief Administrative Officer.
- g. **CHAIRPERSON** means the member elected from among the members of a Committee to preside at all meetings of the Committee.

- h. **COMMITTEE** means a committee, board, commission, authority, task force or any other public body established by Council.
- i. **COUNCIL** means the Mayor and Councillors of the Town of Coaldale.
- j. **DEPUTY MAYOR** means the Member appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.
- k. **CLOSED MEETING** means a part 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 closed meeting sessions, there can be no resolution or bylaw passed, except a resolution to revert to a meeting held in public.
- l. **COUNCIL CHAMBERS** means the Council Chambers of the Town of Coaldale located in the Administration Building.
- m. **MAYOR** means the Member of Council duly elected as Mayor and continuing to hold office.
- n. **MEMBER** means a Member of Council, duly elected and continuing to hold office or a Member of Committee duly appointed by Council.
- o. **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.
- p. **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.
- q. **POINT OF INFORMATION** means a request or statement directed to the Presiding Officer, or through the Presiding Officer to another Member or to the administration, for or about information relevant to the business at hand, but not related to a Point of Procedure.
- r. **POINT OF ORDER** means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business.
- s. **POINT OF PRIVILEGE** means all matters affecting the rights and exemptions of Council collectively or the propriety of the conduct of individual Members and includes but is not limited to, the

following; i. the organization or existence of Council, ii. the comfort of Members, iii. the conduct of Administration or members of the public in attendance at the meeting, and iv. the reputation of Members or Council as a whole.

- t. **POINT OF PROCEDURE** means a question directed to the Presiding Officer to obtain information on a matter of parliamentary law or the rules of Council to assist a Member to: i. make an appropriate motion, ii. raise a Point of Order, iii. understand the procedure, or iv. understand the effect of a motion.
- u. **PUBLIC HEARING** means a meeting of Council convened to hear matters pursuant to the Act.
- v. **QUORUM** means the majority of all Members, fifty percent plus one, unless Council provides otherwise in this Bylaw.
- w. **SPECIAL MEETINGS** mean a meeting called by the Mayor pursuant to the Act.
- x. **TERMS OF REFERENCE** means a definition of a committee or board supported by Council, that names the committee or board and provides the purpose and authority. May otherwise be known as a bylaw, governance policy, Article of Association, policy and procedure or a regulation.
- y. **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.

3. APPLICATION OF BYLAW

- 3.1. This Bylaw applies to all meetings of Council and Council Committees as identified.
- 3.2. To the extent a matter is not dealt with in the Act, Council shall refer to Robert's Rules of Order Newly Revised.
- 3.3. Words importing the masculine gender only include the feminine gender whenever the context so requires and vice-versa.
- 3.4. The precedence of the rules of governing the procedures of Council and Council Committees is:
 - a. the Act;
 - b. other Provincial Legislation;

- c. this Bylaw.
- 3.5. Subject to the appeal process described in this Bylaw, the Presiding Officer shall interpret procedure.
- 3.6. Council may waive all or part of the provisions of this Bylaw for a meeting, if Council votes unanimously to do so by a motion to suspend the rules. This motion is only in order if it does not conflict with the laws of the Government of Canada and the laws of the Government of Alberta, specifically the Act, and will automatically expire following the adjournment of the meeting in which the motion was made.

4. ORGANIZATIONAL MEETING OF COUNCIL

- 4.1. Council shall hold an Organizational Meeting each year not later than two weeks after the third Monday in October.
- 4.2. The C.A.O. shall set the time and place for the first Organizational Meeting following the general municipal election.
- 4.3. At the first Organizational Meeting following the general municipal election:
 - a. the C.A.O. shall call the meeting to order and preside over the meeting until the Oath of Office has been taken by the Mayor;
 - b. After the Mayor has taken the Oath of Office, he shall preside over the meeting and each Councillors shall take the Oath of Office;
 - c. The Mayor and each Councillor shall acknowledge, sign and date the Council Code of Conduct;
 - d. The business of Council shall be limited to the calling of the meeting, administration of the Oath of Office, introduction of new Members, development of the Deputy Mayor's schedule for the following year, the appointment of Members to Committees and such other business as may be required by the Act.
- 4.4. Council shall, at its Organizational Meeting each year, determine the following:
 - a. The appointment of Members to Committees.
 - b. The Mayor shall be an ex-officio member of all Committees without so being named, but without voting privileges.

- c. The appointment of the Deputy Mayor or the roster of Deputy Mayors for the following year.
- d. Any other business required by the Act or which Council or the C.A.O. may direct.
- e. Appointments of Members to Committees shall be for a term of one year, unless otherwise specified.

4.5. 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 determine that a subsequent meeting of Council shall be held in a different location, all meetings of Council subsequent to the annual Organizational Meeting of Council shall be held in Council Chambers;
- c. If Council decides to hold any meeting of Council at a location other than Council Chambers, the C.A.O. shall post a notice of such a change of location to the Town website and advise Council in writing or by email.

5. COMMITTEE OF THE WHOLE MEETINGS

- 5.1. Council, by resolution, may resolve into a Committee of the Whole to consider any matter, and by resolution may revert back to Regular Council Meeting.
- 5.2. Motions to resolve into a Committee of the Whole meeting and revert back to Regular Council Meetings will be recorded in the Regular Meeting Minutes.
- 5.3. No resolutions on any matter may be made during a Committee of the Whole meeting.
- 5.4. A meeting of Committee of the Whole will be held in public, unless the agenda or specific agenda items being considered may be considered in a Closed Meeting.

6. PLACES, DATES & TIMES OF MEETINGS

- 6.1. Subject to Sections 6.1 and 6.2, regular Meetings of Council shall be held in Council Chambers on the second and fourth Monday of every month for all business of Council.

- 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.

- 6.2. Notwithstanding anything contained in Section 6.1, Council may by majority vote of the Members present at any regular Meeting of Council direct that:
 - a. The next meeting of Council 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.

- 6.3. Unless otherwise decided by Council, meetings of Council shall commence at 5:00 pm.

- 6.4. No item of business may be dealt with at a meeting of Council after 10:00 p.m., unless a motion of Council is passed by a majority of the Council before the 10:00 p.m. adjournment.

- 6.5. All matters of business which appear on the Council agenda for a meeting which have not been dealt with before the adjournment of the meeting shall be deemed to be tabled until the next regular meeting of Council.

- 6.6. If it appears to the Mayor that any matters included in the agenda for a Council meeting which were not disposed of prior to the adjournment of the meeting are of an urgent nature which requires action before the next regular Meeting, he shall call a special meeting of Council to deal with such matters pursuant to the provisions of the Act.

- 6.7. Council may by majority vote of the Members present at any regular or special Meeting decide to hold a special Meeting at any time and place as it deems fit.

- 6.8. The Mayor may on his own initiative and shall, when requested by a majority of Council in writing, hold a special Meeting at such time as the request of Council shall indicate.
- 6.9. For all meetings requiring notice, including special Meetings, the notice must be:
- a. Issued a minimum of 24 hours prior to the meeting date.
 - b. In writing and specify the time, date, locations and purpose of the meeting.
 - c. Emailed to each Council or Committee Member.
 - d. Posted at the Municipal Office and on the Municipal Website.
 - e. Give any other notification as requested by Council or the Committee.
 - f. Despite this section, the Mayor may call a Special meeting of Council, on shorter notice without giving notice to the public, provided two-thirds (2/3) of the whole Council give written consent to holding the meeting before the meeting begins.

7. REMOTE ATTENDANCE AT COUNCIL MEETINGS

- 7.1. Members of Council may attend a Council meeting by means of electronic communication. Acceptable alternatives include through the use of a telephone with conference call capabilities (speaker), ensuring that dialogue is available for both parties; through the use of a personal computer; or other means as technology advances.
- 7.2. A Member of Council may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, unless otherwise approved by the Mayor, or required as a result of an emergency situation.
- 7.3. A Member of Council shall be permitted to attend a meeting using electronic communication if the location is able to support its use, ensuring all Members of Council participating in the meeting are able to communicate effectively.
- 7.4. A Member of Council attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.

- 7.5. The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the meeting of Council that a Member of Council is attending the meeting by means of electronic communications.
- 7.6. When a vote is called, Members of Council attending the meeting by means of electronic communications shall be asked to state their vote only after all other Members of Council present at the meeting have cast their votes by a show of hands. When a Member of Council attends a Closed Meeting, they will be required to confirm their attendance in the Closed Meeting by providing a statutory declaration or affidavit sworn or declared before a Commissioner for Oaths prior to the next regular meeting of Council.
- 7.7. If only the public will be present at the Council Chambers in the Town's Council Chambers and all Members of Council are participating by way of electronic communication, notice shall be posted in the Municipal Office, and on the Municipal Website 24 hours prior to the meeting, indicating the manner in which the meeting will be conducted.

8. DEPUTY MAYOR & ACTING MAYOR

- 8.1. The Mayor shall at Council's Organizational Meeting, assign each Council member an equal 8 month term during the 4-year Council term during which each respective Council member shall hold the office of Deputy Mayor.
- 8.2. The Mayor 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. AGENDA FOR COUNCIL MEETINGS

- 9.1. Unless otherwise specified in this Bylaw, the order of business for a regular meeting of Council shall be contained within the Agenda for the meeting.
- 9.2. The agenda for each regular Council meeting shall be established by the Mayor in consultation with the C.A.O., which may include, but shall not be limited to the following categories:

- Call to Order
- Acceptance of Agenda
- Adoption of Previous Minutes
- Business Arising from the Minutes
- Delegations by Appointment
- Public Hearings
- Bylaws and Policies

New Business
Departmental Reports
Council and Committee Reports
Correspondence
Information Items
Closed Meeting
Adjournment

- 9.3. The C.A.O. shall prepare the agenda, together with copies of all reports and communications to be dealt with at each Council meeting.
- 9.4. All submissions for the Agenda of all Public Hearings and regular Meetings of Council shall be received by the C.A.O. no later than seven (7) complete days prior to the meeting.
- 9.5. The C.A.O. will distribute the agenda with attachments to Council and the department heads at least three (3) full calendar days prior to the meeting of Council. The agenda package and supplemental materials (unless withheld under the Act or FOIPP) will be made available on the Municipal Website prior to the Meeting of Council. The agenda outline will be available at the Municipal Office.
- 9.6. Late submissions to the agenda after the agenda have been established will require the justification for the urgent nature of the late submission and will require the Mayor's approval, in consultation with the C.A.O.
- 9.7. All additions or changes to the agenda by the Mayor will be provided to the C.A.O. prior to the meeting being called to order.
- 9.8. No late submission may be added to an agenda after the adoption of the agenda unless approved unanimously by resolution of Council.

10. COMMENCEMENT OF COUNCIL MEETINGS

- 10.1. If there are insufficient Members of Council 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 of Council present at that time and unless a special Meeting be duly called in the meantime, the Meeting of 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 of Council.

11. POINT OF INFORMATION, ORDER, PROCEDURE AND QUESTION OF PRIVILEGE

11.1. When a Point of Order, Point of Procedure, or Question of Privilege arises, it shall be immediately taken into consideration by the Presiding Officer or Chairperson.

11.2. When a Point of Information is raised, the Presiding Officer or Chairperson shall answer the question or direct the question to the appropriate Member of Council, or the Administration.

11.3. When a Question of Privilege arises, the Presiding Officer or Chairperson shall rule upon the admissibility of the question and if the Presiding Officer or Chairperson rules favourably, the Member who raised the Question of Privilege shall be permitted to pursue the question.

11.4. When the Presiding Officer or Chairperson is called upon to decide a Point of Order or to answer a Point of Procedure, the point shall be stated without unnecessary comment, and the Presiding Officer or Chairperson shall state the rule or authority applicable in the case.

11.5. When the Presiding Officer or Chairperson is of the opinion that any motion is contrary to the rules of Council, he shall advise the Members immediately and quote the rule or authority applicable and no argument or comment shall be permitted.

11.6. The decision of the Presiding Officer or Chairperson shall be final.

12. 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 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. When a Member of Council wishes to speak at a meeting of Council, he shall address the Mayor or Presiding Officer.
- 12.3. When a Member is addressing the Mayor or Presiding Officer, every other Member shall:
- a. Remain quiet;
 - b. Not interrupt the speaker except on a point of order;
 - c. Not carry on a private conversation; and
 - d. Not cross between the speaker and the Mayor or Presiding Officer.
- 12.4. When a Member is addressing the Council, he 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;
 - d. Not shout or immoderately raise his voice or use profane, vulgar or offensive language; and
 - e. Assume personal responsibility for any statement he quoted to Council or upon request of Council, shall give the source of the information.
- 12.5. When the Mayor or Presiding Officer calls a Member to order the Member shall resume his seat but may afterwards explain his position in making the remark for which he was called to order.

- 12.6. Where a Member wishes to leave the Council Chambers while a meeting is in progress, he shall address the Mayor or Presiding Officer, excuse him and await acknowledgment before leaving his place.
- 12.7. No Member shall leave the Council Chambers after a question is put to vote until the vote is taken.
- 12.8. Members of the public who constitute the audience in the Council Chambers during a meeting of Council:
 - a. May not address Council without permission of the Council;
 - 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.
- 12.9. The Mayor or Presiding Officer may direct that a constable removes any person in the audience who creates a disturbance during a meeting.

13. 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, the Mayor may make any such alteration of the order of the business.
- 13.4. Notwithstanding the order of business set out in this Bylaw, 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. Council by majority vote may cause the meeting of Council to be recessed for an appropriate amount of time as required.

14. RECESS

- 14.1. Any Member of Council 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. PREVIOUS MINUTES

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

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

15.3. The Mayor or Presiding Officer shall present the minutes to Council with a request for a motion adopting them.

15.4. If a majority of Council determine any corrections necessary for the accuracy of the minutes, the corrections shall be incorporated therein.

15.5. In the event a Member of Council is absent from the meeting in which minutes are passed which he considers require correction, he may address the correction at the next regular meeting.

16. COMMUNICATIONS & PETITIONS

16.1. If a person wishes to have any matter considered by Council, a letter or other communication shall be addressed to the Mayor and Council or the C.A.O. and the letter or communication shall:

- a. Be printed, typewritten or legibly written;
- b. not be libelous, impertinent or improper;
- c. clearly set out the matter at issues and the request made of Council;
- d. include permission for the contents of the letter to be public if deemed appropriate by Council to do so;
- e. include the printed name and address of the writer; and
- f. be submitted to the Mayor and Council or the C.A.O. no later than noon on the Monday prior to the Monday on which the meeting is to be held. The Mayor and the C.A.O. will have the discretion to bring forward items submitted late that may be of an emergent nature.

- 16.2. The Mayor or C.A.O. or designate shall ensure that all communications received be considered by the Mayor and Council and will be distributed to the Mayor and Council within five (5) business days of receipt of such communication.
- 16.3. Upon receipt of a signed letter that is addressed to Council, the Mayor, in his discretion, provided it meets the criteria set out in Section 16.1, can:
- a. Include it as an item on the agenda for the next regular Meeting of Council, in full or in summary form, as deemed appropriate; or
 - b. Depending on the nature of the communication, the content of the communication and whether Council has discussed the matter previously, refer the matter to a staff member for response.
- 16.4 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 16.5 shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 16.5 Notwithstanding Section 16.4, Council by a majority vote of Council may again consider the matter at an earlier time than the time set by Section 16.4.
- 16.6 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. DELEGATIONS

- 17.1. A member of the public may request in writing to be included on an agenda as a delegation. The request must be in writing and shall:
- a. Include a summary of the information that will be presented to Council;
 - b. Be submitted to the C.A.O. no later than noon the Monday prior to the scheduled regular Council meeting, with the C.A.O. having

discretion to bring forward items submitted late that may be of an emergent nature.

- c. Delegations to Council shall be limited to a maximum number of three (3) per scheduled meeting.
- d. Presentation time will be no longer than fifteen (15) minutes, exclusive of the time required to answer the questions put forward by Council, unless extended by a two-thirds (2/3) vote of Council.
- e. Delegations speaking to a subject will be restricted to the subject matter only.
- f. In questioning delegations, whether statutory or otherwise, Members of Council will ask only questions of clarification which are relevant to the subject of the presentation and will avoid repetition.
- g. Council shall, at its next regular meeting following the delegation presentation, make any decisions, if required, regarding the issue raised by the delegation; unless there is unanimous support for Council decision at the regular meeting at which the delegation presentation was made, and the issue is discussed under New Business.

18. COUNCILLOR REPORTS

- 18.1. At the first regular Meeting of Council, each month, one Member of Council 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. NOTICE OF MOTION

- 19.1. A Member of Council may make a motion introducing any new matter only if notice is given at a previous regular Council meeting and a legible copy of the content of the notice is made available to the C.A.O.
- 19.2. Council may on a two-thirds (2/3) vote waive the requirement for Notice contained in Section 19.1.
- 19.3. A Notice of Motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made. A notice must be

given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.

- 19.4. A Notice of Motion and any supporting documents may be submitted in the form of a Request for Decision.
- 19.5. A Notice of Motion must be submitted to the C.A.O. no later than noon on the Monday prior to the Monday on which the Meeting is to be held.
- 19.6. If a motion is not made at the Meeting indicated in the notice, it will appear on the agenda for, and may be made at any of, the next two regular Meetings of Council. After the third regular Meeting, it will be removed from the agenda and may only be made by a new Notice of Motion.

20. MOTIONS

- 20.1. A Member who wishes to submit a motion in excess of twenty-five (25) words shall do so in writing.
- 20.2. 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.
- 20.3. 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 meeting of Council 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 or dismissal of a Committee;
 - g. A motion for the Council to go into a Closed Meeting 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:
 - i. the observance of the Properties of the Council;
 - ii. the Maintenance of the authority of Council;
 - iii. the Appointment or conduct of its officers;
 - iv. the Management of its business;
 - v. the Arrangements of its proceedings;
 - vi. the Correctness of its records;
 - vii. the Fixing of its sitting;
 - viii. the Days and times of its sittings;
 - ix. the Time of the meeting;
 - x. the Adjournment of the Meeting.

20.4. 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. Recess the meeting.

21. TABLING MOTIONS

21.1. A Member of Council moving a motion to table any matter, whether the matter is contained in a petition, enquiry, motion or other matter before 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. POSTPONING AND REFERING MOTIONS

- 22.1. A motion to postpone any matter shall include in the motion:
- a. A specific time to which the matter is postponed; or
 - b. Provision that the matter is to be postponed indefinitely.
- 22.2. A motion to postpone a matter is amendable and debatable.
- 22.3. Any matter that has been postponed to a particular date, or indefinitely, shall not be considered by Council before the date set, except on a majority vote of the Members present.
- 22.4. When dealing with subject matters where a Committee has been appointed for that purpose, or an Officer would normally deal with such matter, Council may, without amendment or debate, refer the question to the appropriate body.
- 22.5. A motion to refer any matter, until it is decided, shall preclude all amendments to the main question; further, said motion to refer is open to debate, but only as to whether or not to refer.
- 22.6. A Member of Council making a Motion to refer shall be required to include in the motion:
- a. Terms on which the matter is being referred;
 - b. the time when the matter is to be returned; and
 - c. whatever explanation is necessary as to the purpose of the motion.

23. 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 Presiding Officer so orders, Council shall vote on each proposition separately.

24. AMENDMENTS

- 24.1. No amendment shall be made 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. The first reading of a bylaw.
- 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 main motion, or;
 - b. Is directly contrary to the main 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 main motion 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 Presiding Officer shall ask for a vote on the main motion until all amendments to it have been put and voted upon.
- 24.6. When all amendments are voted upon the Mayor or Presiding Officer shall ask for a vote on the main motion, incorporating therein any amendments already adopted.

25. MOTION OUT OF ORDER

- 25.1. It is the duty of the Mayor or Presiding Officer to determine if a motion or amendment is in order and the Mayor or Presiding Officer may decline to put a motion before Council if it is out of order or contrary to law.
- 25.2. The Mayor or Presiding Officer shall advise Council and shall cite the applicable rule or authority when determining that a motion is out of order.
- 25.3. Any Member of Council may raise the question of whether or not a motion is in order.

26. DEBATE ON MOTION

- 26.1. No Member of Council shall speak without first being recognized by the Mayor or Presiding Officer and being granted the floor.
- 26.2. Except as otherwise provided in this Section, no Member of Council may speak more than twice on any motion.
- 26.3. Notwithstanding Section 26.2 a Member of Council after receiving permission from the Mayor or Presiding Officer, may speak in explanation of a material part of his speech which has been misquoted or misunderstood but he may not introduce any new matter and there shall be no debate on the explanation.
- 26.4. Notwithstanding Section 26.2, a Member of Council 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 votemay speak in reply to close the debate after all other members of Council have been given an opportunity to speak.
- 26.5. Notwithstanding Section 26.2, 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.
- 26.6. Unless Council by a majority vote shall extend the time, no Member of Council shall speak longer than:
 - a. Five (5) minutes on any original motion before Council, or;
 - b. Three (3) minutes on any amendment to an original motion before Council.
- 26.7. If the Mayor or Presiding Officer wishes to join in the debate on a question or motion properly before Council, he shall vacate the Chair and

request the Deputy Mayor or some other member of Council take the Chair.

- 26.8. The Presiding Officer may rule any Member of Council out-of-order for failing to observe any of the above noted restrictions and any Member of Council so ruled out-of-order shall immediately cease to speak.
- 26.9. When a Member who has moved a motion has closed the debate, the Mayor or Presiding Officer shall declare the motion and put the motion to a vote.
- 26.10. Recommendations are not motions; a motion must be made on any Agenda item before it is discussed. A recommendation within an agenda or report does not constitute a motion until a Member of Council has expressly moved it.
- 26.11. No motion shall be offered on items that are not on the agenda as adopted. Members of Council wishing to introduce motions at a meeting shall do so by Notice of Motion for a future regular meeting.
- 26.12. No motion shall be offered that is subsequently the same as one on which the judgment of the meeting has already been expressed during the same meeting.

27. VOTING ON MOTIONS

- 27.1. When this Bylaw requires that a motion be made, a Bylaw be passed, or any other action be taken by a vote of a simple majority of Council the requirements shall be interpreted as meaning such a majority, fraction or total of the Members of Council who are present, provided the Act, or some other relevant statute does not specify differently.
- 27.2. A question or motion shall be declared lost when it:
 - a. Does not receive the required number of votes; or
 - b. Receives an equal division of votes.
- 27.3. Each Member present shall vote on every motion as prescribed by the Act, unless the Act or other provincial or federal enactment requires or permits the Member to abstain, in which case the Member shall cite the legislative authority for abstaining, and the recording secretary shall record the abstention and reason in the minutes.
- 27.4. A Member shall not vote on a matter if they are absent from the Council Chambers when the vote is called.

- 27.5. Before a vote is taken by council, a councillor may request that the vote be recorded. When a vote is recorded, the minutes must show the names of the councillors present and whether each councillor voted for or against the proposal or abstained.
- 27.6. No Member shall change his vote on a motion without the unanimous consent of the other Members present.
- 27.7. When this Bylaw or any other Bylaws, regulations or other enactments require a 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.
- 27.8. Resolutions of Council may be expressed by a voice vote or show of hands, but whichever the case, should be consistently employed by Council throughout a meeting.

28. RECONSIDERING & RESCINDING A MOTION

- 28.1. A motion to reconsider, alter or rescind any motion already passed or action taken at a meeting, shall bring the matter before Council by Notice of Motion which shall:
 - a. Specify the Meeting at which the matter will be brought to Council; and
 - b. indicate in the substantive portion of the motion what action is being requested.
- 28.2. If Notice of Motion was not given Council may, on a two-thirds vote waive the requirement for notice contained in this section.
- 28.3. Notwithstanding the other provisions of this Bylaw, no motion made or action taken by Council shall be reconsidered unless:
 - a. It is a motion made or an action taken at the same meeting;
 - b. it is a motion made or action taken at a meeting held six (6) months or more before its reconsideration; or
 - c. Council by not less than a vote of two-thirds (2/3) approves reconsideration of a motion made or an action taken less than six months before its reconsideration.
- 28.4. A Member of the prevailing side may move to reconsider a matter considered at the same meeting and if a majority of the Members vote for reconsideration, the matter may again be dealt with at the same meeting.

- 28.5. Where Council has passed a motion which creates 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 original liability or obligation.
- 28.6. An amendment proposing a direct negative to the original motion is out of order.
- 28.7. All votes on motions to reconsider or rescind shall be recorded.

29. 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 a Closed Meeting 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 to vote without comment or debate.

30. CLOSED MEETING

- 30.1. Council has the authority to move into a Closed Meeting session pursuant to Section 197 (2) of the Act if a matter to be discussed is within one the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.

31. COMMITTEES

- 31.1. All Council Committees and their Chairs shall be appointed at the annual Organizational meeting, or at such other time as Council may deem necessary and expedient for the orderly and efficient handling of affairs of the Town.
- 31.2. All Council Committees shall be established by bylaw.
- 31.3. The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 31.4. When establishing a Committee, Council must adopt Terms of Reference for the Committee that:

- a. Name the Committee;
 - b. Establish 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.
- 31.5. The quorum required for a meeting of a special or standing committee shall be determined based on the number of members specifically named to the Committee only.
- 31.6. Unless Council designates the Chairperson of a committee, designates who shall select the Chairperson or the manner in which he shall be selected, each standing or special committee shall select its own Chairperson.
- 31.7. 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.
- 31.8. Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the approved Terms of Reference.
- 31.9. 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.
- 31.10. 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.
- 31.11. A Member of a Committee can remain in the position of Chairperson for a maximum of three terms of office.
- 31.12. 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.

31.13. The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.

31.14. 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.

31.15. 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.

31.16. A Committee shall conduct its meetings in public in accordance with the provisions of the Act.

31.17. 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.

31.18. 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;
 - 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.
- 31.19. When a Committee is of the opinion that a meeting should be held in Closed Meeting, the motion passed to authorize the Closed Meeting shall include the reason for holding the meeting during Closed Meeting, and the meeting shall be conducted in accordance with the Act.
- 31.20. 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.
- 31.21. 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.
- 31.22. 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.
- 31.23. 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.
- 31.24. Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.

31.25. A Committee shall report to Council, as required.

31.26. 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. BYLAWS

32.1. Where Council or 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. 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.

32.8. 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.

- 32.9. 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.
- 32.10. Where a bylaw deals in whole or in part on a matter of confidentiality, Council may, after the first reading thereof, go into a Closed Meeting session to debate the confidential matters of the bylaw.
- 32.11. After a motion has been made for the second reading of a bylaw or after the Council has gone into a Closed Meeting 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.
- 32.12. The C.A.O. shall be responsible for and cause a keeping of a record of any amendments to the bylaw passed by Council.
- 32.13. When all amendments have been accepted or rejected, the motion for the second reading of the bylaw as amended shall be put.
- 32.14. A motion for the third reading of a bylaw shall give the number and the short title of the bylaw.
- 32.15. It shall not be necessary to read the bylaw aloud for the third reading.
- 32.16. 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.
- 32.17. 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.
- 32.18. 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.
- 32.19. 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.
- 32.20. 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.

- 32.21. 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.
- 32.22. Clerical, typographical and grammatical errors in bylaws may be corrected by the C.A.O. or his designate.
- 32.23. The C.A.O. or his designate may consolidate a bylaw by incorporating all amendments to it into one bylaw.

33. ADMINISTRATIVE INQUIRIES

- 33.1. A Member wishing to make an “Administrative Inquiry” at a Regular Meeting shall put the Administrative Inquiry in writing and, prior to the Regular Meeting, submit it to the C.A.O.
- 33.2. Unless an inquiry specifies that the Member wishes the answer to appear on a subsequent Council Agenda, the C.A.O. may give the answer directly to the Members.
- 33.3. 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 (\$500) 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.

- 33.4. 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.
- 33.5. 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.

34. URGENT BUSINESS

34.1. Notwithstanding Section 19, Notice of Motion, a Member may move to discuss a matter of urgent public importance without prior Notice of Motion.

34.2. A motion to bring a matter before Council as an emergent matter is subject to the following conditions:

- a. The matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;
- b. the matter shall not involve discussion on an item that has been discussed previously in the same meeting;
- c. the matter shall not be one which should be dealt with by giving written Notice of Motion; and
- d. the matter shall not raise a Question of Privilege.

35. RESCIND

35.1. This bylaw rescinds Bylaw 802-GE-02-21 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 13th day of December, 2021 for Council Procedural Bylaw 836-GE-12-21.

Mayor – Jack Van Rijn
Motion #: 458-2021

CAO – Kalen Hastings

READ a SECOND time this 10th day of January, 2022 for Council Procedural Bylaw 836-GE-12-21.

Mayor – Jack Van Rijn
Motion #: 7-2022

CAO – Kalen Hastings

READ a THIRD and FINAL time this 10th day of January, 2022 for Council Procedural Bylaw 836-GE-12-21.

Mayor – Jack Van Rijn
Motion #: 8-2022

CAO – Kalen Hastings