



BYLAW NO. 447-23
A BYLAW OF THE TOWN OF COALHURST IN THE PROVINCE OF ALBERTA
"PROCEDURE BYLAW"

WHEREAS it is necessary to establish rules and provisions to regulate the conduct of business in Council and Committee Meetings;

AND WHEREAS in accordance with Section 145 of the *Municipal Government Act*, Council may pass bylaws in relation to the procedure and conduct of Council, Committees, and other bodies established by Council;

NOW, THEREFORE, the Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, enacts as follows:

1.0 TITLE

- 1.1 This Bylaw may be cited as the "Procedure Bylaw".

2.0 DEFINITIONS

In this Bylaw:

- 2.1.1 **Act** or **MGA** means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;
- 2.1.2 **Administration** means the administrative and operational arm of the Municipality, comprised of the various departments and includes all employees who operate under the leadership and supervision of the CAO;
- 2.1.3 **Administrative Inquiry** means a member of Council has raised a question or requested information from Administration;
- 2.1.4 **Agenda** means the list and order of business for any Meeting of Council or Committee;
- 2.1.5 **Annual Organizational Meeting of Council** means the Meeting held annually no later than two weeks after the third Monday in October where Council, amongst other activities, appoints members to various Committees;
- 2.1.6 **Business Day** means a day other than Saturday, Sunday, or holiday;
- 2.1.7 **Chair** means the person elected to preside over Meetings of Council or a Council



Committee and includes the Mayor or Deputy Mayor when presiding over a Council Meeting;

- 2.1.8 **Chief Administrative Officer (CAO)** means the person appointed to the position in accordance with the MGA.
- 2.1.9 **Closed Meeting** means a Meeting or a portion of a Meeting held in the absence of the public;
- 2.1.10 **Committee** means a committee, board or other body established by Council; but does not include an assessment review board, a development appeal board, or a joint jurisdiction committee where Council has appointed Members; and in a section of this bylaw relating to a specific Committee means that specific Committee;
- 2.1.11 **Corporate Record** means the record of Agendas, minutes and other related Meeting material which is dealt with by Council or a Committee;
- 2.1.12 **Council** means the Council of the Town of Coalhurst;
- 2.1.13 **Councillor** means a Member duly elected as a Councillor under the MGA and who continues to hold office;
- 2.1.14 **Delegations** means that portion of the Regular Council Meeting at which members of the public, by prior appointment, may address Council on matters that are of concern.
- 2.1.15 **Deputy Mayor** means the Councillor appointed by Council pursuant to the *Municipal Government Act* to act as the Mayor in the absence or incapacity of the Mayor or in the case where the Mayor chooses to step down;
- 2.1.16 **FOIP or FOIP Act** means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, as amended, or any statute enacted in its place;
- 2.1.17 **General Municipal Election** means an election held for all the Members of Council to fill vacancies caused by the passage of time, in accordance with the *Local Authorities Election Act*;
- 2.1.18 **Majority Vote** means the vote of more than half of the Members present and voting at a properly called Meeting at which a quorum is present;
- 2.1.19 **Mayor** means the Member duly elected as the Chief Elected Official under the MGA who continues to hold office;
- 2.1.20 **Meeting** means a Meeting as outlined in Sections 192, 193, 194, or 195 of the Act. These are an Annual Organizational Meeting, a Regular Meeting, a Special Meeting, or a Committee Meeting;
- 2.1.21 **Member** means an elected Member of Council or a voting Member of a



Committee;

- 2.1.22 **Minutes** means the record of all decisions of any meeting of Council; such Minutes are to be recorded in English and without any additional note or comment.
- 2.1.23 **Motion Arising** means a motion moved by a Member of Council and is directly related to or “arises” from an item or motion which has just been considered.
- 2.1.24 **Point of Order** means a statement by a Member raising a departure from this Bylaw or other parliamentary procedure;
- 2.1.25 **Presiding Officer** means:
- a) At a Council Meeting, the Mayor; or, in the absence of the Mayor, the Deputy Mayor; or in the absence of both the Mayor and the Deputy Mayor, the Acting Mayor;
 - b) At a Committee Meeting, the Chair, or, in the absence of the Chair, the Vice-Chair. If both the appointed Chair and Vice-Chair are absent, the Voting Body shall appoint another Member to chair the Meeting.
- 2.1.26 **Public Hearing** means a Meeting:
- a) to hear planning matters;
 - b) to hear any matters that the MGA or other enactment requires a public hearing to be held for; or
 - c) to hear other matters which Council directs be considered through a public hearing process;
- 2.1.27 **Question of Privilege** refers to matters affecting the rights and immunities of Council collectively or the propriety of the conduct of individual Members and includes, but is not limited to, the following:
- a) The comfort of Members;
 - b) The conduct of Members; and
 - c) The conduct of Administration or members of the public in attendance at the Meeting.
- 2.1.28 **Quorum** means the majority of Council, Committee or Board, unless the Bylaw, Terms of Reference or resolution establishing such a body specifies otherwise.
- 2.1.29 **Regular Meeting** means a Meeting other than a Special Meeting to deal with the standard business of Council or a Committee, such as items from Administration or other Committees, Bylaws and other business as listed in Section 8.24 and 8.25. A Regular Meeting may also include Public Hearing items;
- 2.1.30 **Social Media** means websites and applications that enable users to create and share content or to participate in social networking;



- 2.1.31 **Unanimous Consent** means an informal way of taking a vote, used only for routine and non-controversial decisions, usually of procedural nature.
- 2.1.32 **Urgent Business** is business, which is of an urgent nature, which requires action prior to the next regular Council Meeting.
- 2.1.33 **Vice-Chair** means the person elected to preside over a Committee meeting in the absence of the Chair.
- 2.1.34 **Voting Body** means the Council or Committee of the Town of Coalhurst.

3.0 APPLICABILITY

- 3.1 This Bylaw applies to all Meetings of Council, Committees, and other Town Boards, Committees, Commissions, and Corporations.
- 3.2 Notwithstanding Section 3.1, Boards, Committees, Commissions, and Corporations created by Council are subject to the provisions of this Bylaw unless Council has authorized that Committee to establish its own procedures.
- 3.3 This Bylaw shall regulate the conduct of Council, Councillors, Members of Voting Bodies, and other persons attending Council and Committee Meetings.

4.0 AUTHORITY

- 4.1 The precedence of rules governing the procedure and of Council and Committees is:
- a) The MGA and any other federal or provincial legislation;
 - b) This bylaw; and
 - c) The current edition of Robert's Rules of Order Newly Revised (RONR), but only to the extent that RONR is applicable to the situation.
- 4.2 Where the relevance or applicability of RONR is in dispute, the Presiding Officer shall determine the issue, subject to an appeal by a Member, in which case the Voting Body may uphold or override the Presiding Officer's ruling by majority vote.
- 4.3 The Rules contained in this Bylaw shall be used to facilitate progress and shall be applied in the spirit of fairness, equality, and common sense.

5.0 SUSPENSION OF RULES

- 5.1 In the absence of statutory obligations, any provisions of this bylaw may be temporarily altered or suspended on a case-by-case basis, by a Majority Vote or by Unanimous Consent.
- 5.2 In a case where a specific procedural provision that does not originate in the Act is inadvertently not adhered to, and no one's rights are being infringed upon nor is any harm done to the proper transaction of business, the procedural provision shall be deemed to have been suspended in that specific case.



6.0 ENFORCEMENT OF RULES AND POINT OF ORDER

- 6.1 All Members have the responsibility for ensuring that the rules of this Bylaw are adhered to. A Member may raise a Point of Order upon noticing a breach of Council's rules, but this must not be done frivolously or when the breach of rules is minor and causes no discernable harm to the proper transaction of business.
- 6.2 When a Presiding Officer interrupts a Member in order to enforce the rules, the Member must stop speaking and wait for the Presiding Officer to explain the reason for the interruption, and to cite the rule which has been breached. After being called to order, a Member may appeal the ruling of the Presiding Officer in accordance as follows:
 - a) The Member explains the basis for their appeal;
 - b) The Presiding Officer puts the appeal to a vote immediately and without debate: "Shall the ruling of the Chair be upheld?";
 - c) The decision of the Presiding Officer is final unless reversed by a vote of the majority Members present without debate.

7.0 MEETINGS

Organizational Meetings

- 7.1 An annual Organizational Meeting of Council shall be held annually pursuant to the Act.
- 7.2 The annual Organizational Meeting of Council immediately following a General Municipal Election shall be called the inaugural Meeting and the CAO shall chair the meeting until the Mayor has taken the oath of office.
- 7.3 Members of Council hold office from the beginning of the Organizational meeting following the General Election until immediately before the beginning of the Organizational meeting following the next General Election.
- 7.4 The business of the annual Organizational Meeting of Council shall be limited to:
 - a) The schedule of regular Council Meetings and regular Committee Meetings;
 - b) The deputy mayor appointment;
 - c) The appointment of Members to Committees and external agencies;
 - d) Signing authorities for the Town;
 - e) Any other business as is required by the Act or determined by Council.
- 7.5 If not all Members of Council are present at the annual Organizational Meeting, the dates of regularly scheduled Meetings will be established by resolution at the next regular Meeting of Council with all Members present.



Regular Council Meetings

- 7.6 Notice for Meetings scheduled under 7.4 a) which have been adopted by Council need not be given.
- 7.7 Changes to the Meeting schedule established under section 7.4 a) may be made in accordance with the provisions of *the Act* and this Bylaw.
- 7.8 Notice of any change of day, time or place of a regular Meeting must meet the provisions of the Act regarding providing notice to the public.
- 7.9 Meetings of Council shall be held in the council chamber at the Town Office unless notice is given in accordance with the Act that they will be held elsewhere.
- 7.10 A Regular Meeting of Council will commence at 6:00 p.m. and adjourn no later than 9:00 p.m. unless, while in session, a motion is passed by the majority of Council to extend the time to 9:30 p.m. If an extension is not approved, any remaining Agenda items will be considered at the next Regular Meeting or at a Special Meeting called to complete the business.

Special Council Meetings

- 7.11 Special Meetings of Council shall be established as required in accordance with the provisions of the Act.
- 7.12 When a Special Meeting is to be held, the Mayor shall provide written notice of the time, date and place of the Meeting to each Councillor pursuant to Section 8.2 of this bylaw and to the public at least twenty-four (24) hours prior to the Meeting and, in general terms, of the business to be transacted at the Meeting.
- 7.13 Notwithstanding Section 7.12, a Special Meeting of Council may be held with less than twenty-four (24) hours' notice to Members, and without notice to the public, if at least two-thirds (2/3) of the whole Council agrees to this in writing, in a form acceptable to the Mayor, before the beginning of the Meeting.
- 7.14 No business, other than that stated in the notice, shall be transacted at a Special Meeting, unless the whole of Council is present at the Meeting and the Council agrees to deal with the matter in question.

Committee Meetings

- 7.15 The Meeting schedule of Committees shall be considered as part of an Annual Organizational Meeting of Council, shall be established by each Committee and the public must be given notice of the Meeting advertised as required by the provisions of the Act.
- 7.16 Other Town Committees shall meet as soon as possible after the Annual Organizational Meeting of Council to set their annual Meeting schedule, with input from their respective Administrative Resource, to minimize conflict between Meetings and to ensure proper and timely notification to the public.



Closed Meetings

- 7.17 All Meetings of Council and Committees must be held in public, though a portion of a Meeting may be closed to the public.
- 7.18 The only matters to be considered in Closed Meetings are matters pertaining to one of the exceptions to disclosure in Part 1, Division 2 of the *FOIP Act*.
- 7.19 Before holding a Closed Meeting, Council or a Committee must adopt a motion in a public Meeting, and the motion must include:
- a) The title or general description of the item(s) to be discussed; and
 - b) A listing of the specific sections under Division 2 of Part 1 of the *FOIP Act*, which provides the legislative authority to discuss the matter in a closed Meeting.
- 7.20 Members of Administration, as deemed necessary by Council or the Committee, may attend a Closed Meeting of Council or a Committee.
- 7.21 When a Meeting is closed to the public, Council or Committee may authorize persons, other than members of Administration, to attend specific items that will be discussed at the Closed Meeting.
- 7.22 Council or a Committee may at any time direct that a person, other than a Member, leave the Closed Meeting.
- 7.23 Where Council or a Committee resolves to close a portion of a Meeting to the public, in the addition to the resolution to do so, the CAO or designate shall record in the minutes:
- a) The time that the Closed Meeting portion of the Meeting commenced and concluded;
 - b) The names of the additional people attending; and
 - c) The legislative authority including the specific sections under Division 2 of Part 1 of the *FOIP Act*, relied upon for authority to close the Meeting to the public.
- 7.24 The rules of this bylaw apply to Closed Meetings:
- 7.25 Despite Section 7.24, Council or a Committee must not vote in a Closed Meeting except on a resolution to recess or to revert to a Meeting held in public.
- 7.26 No business other than that described within the resolution pursuant to section 7.19 may be discussed.
- 7.27 Matters discussed or to be discussed in a closed Meeting are to be kept in confidence until discussed at a public Meeting of Council or a Committee.

Meeting Through Electronic Means and Remote Attendance at Meetings

- 7.28 A Council or Committee Meeting may be conducted remotely by means of electronic or other communications facilities according to the provisions of the Act and any policies



and procedures adopted by Council:

- a) Members will attend meetings in person, however, a Member may attend a Meeting remotely through electronic means when the circumstances dictate and when the Member is unable to attend in person. A Member attending a Meeting remotely must endeavor to inform the CAO or Administrative Resource at least two business days prior to the Meeting of their intention to attend the Meeting remotely;
- 7.29 Members who are participating in Council or Committee proceedings remotely must have the audio and video functions enabled at all times. While a Member's face must be clearly visible at all times, microphones may be turned off when appropriate.
- 7.30 A Member who is participating remotely is deemed to be present at the Meeting and will count towards quorum.
- 7.31 A Member who is participating remotely retains all rights and privileges as stated in the Procedures Bylaw.
- 7.32 Remote participation is permitted in Closed Meetings.
- 7.33 Persons who are participating in Closed Meetings of Council or Committee proceedings remotely must prevent any person not authorized to be at the Closed Meetings from hearing the proceedings. A member participating remotely must declare no other persons are present in the room or able to hear and see the Closed Meeting.
- 7.34 Persons other than Members are eligible to participate in Council or Committee proceedings remotely only upon compliance with relevant sections of Procedural Bylaw and acceptance of their registration by the CAO or Legislative Services. Requests to participate remotely from members of the public:
 - a) Subject to the provisions of Section 12.1;
 - b) Must be received prior to 12:00 p.m. noon four (4) business days prior to a Meeting. Names of those participating who have pre-registered will be included in the Agenda.

Additions or Changes to Scheduled Meetings

- 7.35 Council and Committee Meeting dates and changes thereto must be determined with input from Legislative Services and/or the CAO for the Committee, to minimize conflict between Meetings and to ensure proper notification of the public.
- 7.36 Council and Committees may cancel or revise their respective Meetings, or schedule additional Meeting dates or times as required, by a vote of the body, in consultation with the CAO. The CAO or designate must provide notice of the changes or additions as noted in Section 8.2.
- 7.37 A scheduled Meeting may be cancelled by the Chair, in consultation with the CAO, if the deadline for agenda submissions has passed, and there is no time-sensitive business to bring to that Meeting.



8.0 MEETING PROCEDURES

Methods of Giving Notice

- 8.1 Notice for Meetings in a schedule established under Section 7.4 a) which has been adopted by Council need not be given.
- 8.2 Notice of a Council or Committee Meeting is deemed to have been given to a Member if the notice is delivered to the Member email or Outlook calendar notification.
- 8.3 Notice of Council or Committee Meeting to the public is to be given by posting notice of the Meeting as on the Town's website/Meeting Management website.

Agendas

- 8.4 The CAO or designate, in consultation with the Agenda Setting Committee, shall prepare the Agenda for all Meetings of Council.
- 8.5 The Agenda shall include the order of business and all items of business and associated reports, bylaws or documents, and shall be set out in accordance with the order of business as set out in Section 8.20.
- 8.6 Submissions from Members of Council, Administration, and Committees for inclusion in a Council or Committee Agenda must be submitted to Legislative Services:
 - a) No later than 12:00 p.m., at least four (4) Business Days prior to the Meeting;
 - b) Submissions received after the deadline must be placed on the next Agenda of the respective body for which the submission deadline has not passed; and
 - c) When the date for receipt of submissions falls on a statutory holiday, the date for receipt shall be the next business day.
- 8.7 The CAO or Administrative designate shall ensure the Agenda and all supporting materials are made available to Members, Administration, and the general public at least two (2) Business Days before the Meeting. When the date for publication falls on a statutory holiday, the date for publication shall be the next business day.
- 8.8 If, for any reason, the CAO is unable to meet the deadline mentioned in Section 8.7, the CAO shall prepare and distribute the Agenda as soon as reasonably possible to allow Members and the public an opportunity to review the Agenda prior to the Meeting.
- 8.9 Public Submissions of any written documentation for consideration at a Council or Committee Meeting shall be received by Legislative Services no later than 12:00 p.m. noon four (4) business days to the Meeting.
- 8.10 Once a Council or Committee Agenda is set or otherwise published, it is the property of the voting body. Changes or deletions from the published Agenda may only be considered at the Meeting.
- 8.11 An item may be added or removed from the Agenda by unanimous consent of the Members present.



Urgent Business

- 8.12 Subject to Section 8.14 herein, a Member may make a motion to add Urgent Business to a Meeting of Council or Committee Meeting. Items may be added as Urgent Business by a majority vote.
- 8.13 Adding a matter as Urgent Business to a published Agenda, without notice to the public, must be kept to a minimum, noting Council's preference to be as transparent and as accountable as possible.
- 8.14 If the proposed Urgent Business is in written form, the CAO will make all reasonable effort to distribute it in advance of the Meeting.

Quorum

- 8.15 A quorum for Meetings shall be a majority (more than half) of all the Members of the body who are entitled to vote unless Council provides otherwise in a governance document.

Commencement of Meeting

- 8.16 At the time set for the start of the Meeting, if a quorum is present, the Presiding Officer must call the Meeting to order. If quorum is not met, the meeting cannot be called to order and no business can be transacted.
- 8.17 If quorum is not present within thirty minutes after the time fixed for a Meeting, the CAO, or designate, shall record the names of the Members present and the Meeting shall stand adjourned until the next Meeting.
- 8.18 If a Meeting is adjourned for failure to constitute a quorum or for loss of quorum during a Meeting, the Agenda for that Meeting will be considered at the next Regular Meeting or at a Special Meeting called to complete the business.
- 8.19 If quorum is present within thirty minutes after the time fixed for a Meeting, but the Mayor and Deputy Mayor are absent (or, in the case of a Committee, the Chair and Vice-Chair are absent or have not yet been appointed), the CAO, or designate, shall call the meeting to order and shall call for a Presiding Officer to be chosen by resolution.



Order of Business at Meetings

- 8.20 The Agenda for Regular Council Meetings shall ordinarily be as follows, and this order may be modified by consensus:

- | | |
|---|--|
| 1. Call to Order | 10. Bylaws and Policies |
| 2. Land Acknowledgement Statement | 11. Committee Reports |
| 3. Adoption of Agenda | 12. Council Reports |
| 4. Public Hearings | 13. Correspondence |
| 5. Adoption of Previous Minutes | 14. Other Business |
| 6. Delegations | 15. Closed Session |
| 7. Staff Reports | 16. Business Arising from Closed Session |
| 8. Administrative Inquiries and Responses | 17. Adjournment |
| 9. Requests for Decision | |

- 8.21 The Agenda format for other Meetings of Council and for Meetings of Committees shall follow such order as may be deemed necessary by the CAO.

- 8.22 The following Agenda items are considered meeting procedure and/or for Council's information-only and do not require a motion of Council to receive for information as the items do not allow for a Member to vote in opposition.

- a) The Chair will proceed through the following agenda items without requesting a motion of Council for:

- i. Call to Order (*Procedural*)
- ii. Land Acknowledgement Statement (*Procedural*)
- iii. Delegations (*Information-only*)
- iv. Staff Reports (*Information-only*)
- v. Administrative Inquiries and Responses (*Information-only*)
- vi. Council Reports (*Information-only*)
- vii. The meeting minutes of committees of Council (*Information-only*)
- viii. Correspondence (*Information-only*)
- ix. Adjournment (*Procedural*)

- b) A Member may make a Motion Arising as per section 9.18 and 9.19 should they deem that the information received warrants new, alternate, or clarifying direction to Administration regarding information that is provided during an information-only or procedural agenda item.

- 8.23 The following Agenda items will be processed by Unanimous Consent. The Chair will ask Members of Council if "there is any objection to approving":

- a) The Adoption of the Agenda
- b) The Previous Minutes
 - i. If a Member objects, the Chair will state the item as a Motion and proceed as per Sections 8.24 and 9.0 of this Bylaw.



Flow of Agenda Items:

- 8.24 The flow of each Council and Committee Agenda item that requires a vote is ordinarily:
- a) Introduction/presentation of the item by Administration or the Member, if no written report was provided or as invited by the Chair;
 - b) Questions of clarification on the report or matter at hand;
 - c) A Member makes a Motion;
 - d) Questions of clarification on the Motion;
 - e) An opportunity for the Mover to make minor amendments to the motion or to rescind the motion.
 - f) The Chair states the Motion and invites Members to speak for or against the Motion;
 - i. Each member will be provided with an opportunity to speak however, each member is not required to speak. If the opportunity to speak is not taken, then the opportunity is then past.
 - ii. If a Member requires clarification regarding the intent of the speaker's remarks, that Member may request clarification through the Chair.
 - g) Mover is offered an opportunity by the Chair to provide closing remarks;
 - h) The Chair restates the Motion and calls the Motion to a vote;
 - i) Vote;
 - j) The Chair announces the result of the vote.

9.0 MOTIONS

Main Motions

- 9.1 A motion must be clear, concise, and stand on its own if it was read without the context of the Official Minutes, and generally must include:
- a) Clear direction as to what to do with the specific topic;
 - b) A statement that links the original source or intent of the topic;
 - c) A date for when the item shall be completed or presented back to Council (if applicable);
 - d) The total dollar amount required to achieve the direction (if applicable); and,
 - e) The funding sources for items that require budgetary allocation (if applicable).
- 9.2 Council or Committee may discuss an item on the Agenda, including asking questions of Administration, before a motion is made, for the purposes of determining what, if any, motion should be made in relation to the item.
- 9.3 A motion does not require a seconder.
- 9.4 A recommendation in a report:
- a) Is not a motion unless a Member moves it; and
 - b) May be moved as the main motion with or without an amendment included.
- 9.5 All efforts must be made to ensure that recommendations and proposed resolutions which come before Council or Committees are concise, unambiguous and do not compete with previously adopted direction.

- 9.6 Motions, including motions to amend:
- a) May take into consideration the input of Administration so as to ensure that any legal, financial, and operational impacts are professionally addressed;
 - b) May be provided to Legislative Services and/or CAO in writing prior to a Meeting to facilitate this process.
- 9.7 Upon consultation with the CAO, the Presiding Officer may rule that a motion is out of order if it violates the MGA, this bylaw, or any other applicable legislation, rules, or policies. When ruling that the motion is out of order, the Presiding Officer must cite the provision that would be violated by the motion.
- 9.8 "Friendly amendments" are not permitted during Council or Committee meetings. Opportunities to amend a motion are presenting during Sections 8.24 a, b and c; or by an Amending Motion pursuant to sections 9.14 to 9.18.
- 9.9 After a motion has been made and is being considered, no other motion may be made except for:
- a) A motion to amend the main motion;
 - b) A motion to refer the main motion to some other group for consideration (may include a definite time that the motion will be returned to Council);
 - c) A motion to postpone the main motion to a definite time or event.
- 9.10 A motion may be withdrawn by the Mover at any time before the Chair states the motion, Motions withdrawn in this manner shall not be recorded in the minutes.
- 9.11 When a motion contains more than one distinct proposition or requested amendment, Council shall vote on each amendment separately if a Member so requests or the Presiding Officer so directs.
- 9.12 When a motion has been made, all discussion shall be restricted to the subject of the motion except when:
- a) A Member believes that a rule or procedure pertaining to the conduct of the Meeting has been violated; or
 - b) A Member requires more information about a rule or procedure before proceeding with making a motion; or
 - c) A Member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake, or that confidential information is about to be revealed.
- 9.13 Any matters brought forward under Section 9.9 shall be considered immediately and ruled upon by the Presiding Officer.



Amending Motions

- 9.14 Amending motions must relate to the subject matter of the motion under discussion. At any given time, only one amendment to the main motion and only one amendment to that amendment will be allowed. (One amending motion shall be voted on at a time)
- 9.15 A member who moved a motion may not move an amendment to that motion.
- 9.16 A member may not move an amendment which:
 - a) Does not relate to the subject matter of the main motion, or
 - b) Is contrary to the main motion.
- 9.17 When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.

Motions Arising

- 9.18 A Motion Arising is in order at Council and Committee Meetings, provided that the Presiding Officer, in consultation with Administration, determines that the required administrative effort to respond to the Motion Arising is inconsequential.
- 9.19 A Motion Arising which requires significant Administration resources (including any resources that would cost the municipality a sum of over \$500), requires reconsideration of a motion adopted at an earlier Meeting, or requires professional, legal, or financial input should first be submitted as an Council Inquiry or a Council RFD Report so Administration may compile all relevant information, including potential cost, for Council prior to a Council decision on the motion.

When A Member is Speaking to a Motion

- 9.20 A Member:
 - a) Will be given no more than two (2) opportunities to speak on a motion unless it is to introduce new information, with an allocation of no more than two (2) minutes, subject to the discretion of the Chair.
 - i. Each Member will be given an opportunity to speak once before the chair invites the second-round opportunity to speak.
 - b) The Member who moved the main motion will be given the opportunity to close speaking to a motion and may speak for two (2) minutes prior to the vote.
- 9.21 A motion to postpone is debatable only with respect to the date of which the matter will be postponed to.

Adopted and Defeated Motions

- 9.22 An adopted motion may be revisited at a subsequent Meeting to rescind or amend something previously adopted provided it has not been acted upon. The motion:
 - a) May be made by a Member who voted in-favour, a Member who was not present



when the vote was taken on the motion in question, or any Member after six months have passed.

- 9.23 A defeated motion may be revisited after six months have passed by being reintroduced as new business, following the normal processes that apply to the introduction of new business or sooner if agreed to via motion by a majority of members.
- 9.24 Speaking on a motion to reconsider, rescind something previously adopted or to amend something previously adopted must be confined to reasons for or against reconsideration, or whether the original motion will be rescinded or amended.

Bylaw Readings

- 9.25 A bylaw is passed after it receives three readings and is signed by the Mayor (or Deputy in the Mayor's absence) and the CAO. (or acting CAO. in the CAO's absence).
- 9.26 After a motion for first reading of a bylaw, Council shall vote on first reading without amendment or debate on the substance of the bylaw. A Member may ask questions concerning the bylaw provided that such questions are simply to clarify the intent, purpose or objective of the bylaw, and do not indicate the Member's opinion for or against the bylaw. Debate on a motion for first reading must be confined to the appropriateness of continuing with further consideration of the bylaw.
- 9.27 A proposed bylaw must not have more than 2 readings at a council meeting unless the councillors present unanimously agree to consider third reading.
- 9.28 After a motion for second or third reading of a bylaw, Members may:
 - a) Ask questions about the substance of the bylaw;
 - b) Propose and vote on amendments to the bylaw,
 - c) Refer by motion the bylaw to Administration for further information or a Committee for further review, and/ or
 - d) Make a motion to postpone the vote on a motion for a reading.

Pecuniary Interest

- 9.29 A Member who has a pecuniary interest in a matter before Council or a Committee must:
 - a) Disclose the general nature of the pecuniary interest; and
 - b) Leave the Meeting before discussion and voting and return after the Chair announces the result of the vote.

10.0 VOTING

- 10.2 Unless otherwise stipulated in this or another Town bylaw or by statute, all votes shall be decided by a majority vote of Members present.
- 10.3 Any question receiving a tie vote is defeated.



- 10.4 If a vote is not unanimous, those voted in opposition to the motion will be recorded in the Official Meeting Minutes.
- 10.5 A Member may vote against his or her own motion.
- 10.6 Every Member present at a Meeting of Council or a Committee must vote on every matter put to a vote, unless the Member declares a Pecuniary Interest, or has abstained from voting on a matter due to absence from the Public Hearing.
- 10.7 Where the Mayor is authorized by the Act to be a Member of a Committee, the Mayor shall be entitled to vote on all questions considered by the Committee.

11.0 PUBLIC HEARING PROCEDURES

- 11.1 Public Hearings may occur as their own Meeting or part of a Regular Meeting of Council.
- 11.2 When Council is required to hold a Public Hearing on a proposed bylaw or resolution, Council must hear from members of the public prior to second reading of the bylaw or prior to voting on the resolution, unless another enactment specifies otherwise.
- 11.3 A Public Hearing shall include:
- a) A presentation from Administration and questions of clarification from Council;
 - b) A compliance report on advertising requirements from the CAO with the appropriate act or procedure of Council;
 - c) An acknowledgment of public written submissions received by the CAO;
 - d) Public verbal submissions and questions of clarification from Council to the speakers, in the following sequence:
 - i. The applicant (if applicable)
 - ii. Those in favour; and
 - iii. Those against.
 - iv. The applicant's closing statement or rebuttal (if applicable)
 - e) Questioning by Council members will be allowed after each presentation.
 - f) Closing comments from Administration and questions of clarification from Council; and
 - g) Closing of Public Hearing (if appropriate).
- 11.4 Members of the public addressing Council at a Public Hearing will limit their presentations to five (5) minutes, exclusive of questions, unless Council, by motion, approves an extension of that time.
- 11.5 Individuals addressing Council shall:
- a) Provide the correct spelling of their name for inclusion in the minutes;
 - b) Indicate who they represent, if applicable; and
 - c) Provide a copy of any presentation material to be included in the Corporate Record for the Meeting.



- 11.6 Written submissions that have been included in the published Agenda will not be read aloud.
- 11.7 In a Public Hearing, Council:
- a) Must hear from a person, group of persons, or person representing them, who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by Council; and
 - b) May hear from another person(s) who wishes to make representations and whom Council wishes to hear; and
 - c) May ask questions of public presenters, and the intent of such questions must be for clarification of the presentation.
- 11.8 In the case of a Public Hearing:
- a) Members of the public who are providing verbal submissions may participate through remote electronic means but must register with the CAO and/or Legislative Services at least 24 hours prior to the Public Hearing;
 - b) Anonymous written submissions shall not be accepted, and an individual's name and method of contact must be attached to every submission;
 - c) Written submissions and notices of verbal submissions received prior to 12:00 p.m. noon four (4) Business Days before the public hearing will be included in the Agenda pursuant to Section 8.6 c.
 - d) Written submissions received after the deadline established in Section 11.8 c) but prior to 12 noon the day before the hearing will be distributed to Council. Written submissions received after 12 noon the day prior to the hearing will be distributed to Council at the Public Hearing, and included in the Corporate Record of the Meeting, however, seven (7) copies are required to be provided for distribution to Council and administration;
 - e) Once any verbal submissions included in the Agenda have been heard, the Presiding Officer will allow any other person present who wishes to speak an opportunity.
- 11.9 After hearing from members of the public, Council may close a Public Hearing and entertain motions, or the Public Hearing may be adjourned to a certain date.

12.0 PUBLIC INPUT ON APPROVED AGENDA ITEMS

- 12.1 A Member of the public may provide a verbal presentation to Council or a Committee during a Meeting in the time reserved for Delegations or at another time with the permission of the Presiding Officer and shall be restricted to discussion of the items on the Agenda, and not items included as unfinished business or a confidential item.
- 12.2 Where an individual, group, agency or organization wishes to appear before Council, the request should be directed to the CAO who will arrange for an appointment during the Delegation section of the agenda.
- a) The request, either verbal or in writing, should be made no later than 12:00 PM Noon, four (4) business days prior to the requested appearance and should contain a brief written explanation of what will be presented.



- b) No more than two (2) individuals may speak on behalf of a group, agency or organization.
 - c) No more than three (3) delegations will be allowed at one (1) meeting.
- 12.3 Unless granted a time extension by a Unanimous Consent of Members present, public presentations shall not exceed five (5) minutes, exclusive of the time required to answer questions from Council.
- 12.4 A Member of the public may provide a written submission or correspondence to Council or a Committee on an item for the Agenda subject to the following:
 - a) The item is not included on the Agenda as unfinished business, or a confidential item;
 - b) Written submissions received prior to 12:00 p.m. noon on the Business Day prior to a Meeting will be copied and distributed to Members; and
 - c) Written submissions received after 12:00 p.m. noon on the Business Day prior to the Meeting will not be accepted.
- 12.5 Written submissions, whether correspondence, in relation to publicly approved Agenda items, or for Public Hearing matters, received from members of the public must:
 - a) Be addressed to Council or the appropriate Committee;
 - b) Be legibly written, typed, or printed;
 - c) Clearly set out the matter/issue and/or any request made of Council or Committee;
 - d) Use respectful language;
 - e) Be signed by at least one person who provides a printed name and contact information;
 - f) Not be libelous or improper;
 - g) Not be intended to act as a question period of Council or Committee; and
 - h) Not pertain to a matter which is held confidential pursuant to FOIP.
- 12.6 Written submissions, whether correspondence, in relation to publicly approved Agenda items, or for Public Hearing matters, which do not meet the conditions in Section 12.5 may be withheld and the requestor notified, if notification is possible.
- 12.7 Verbal or written submissions regarding any unresolved matter that has been the subject of a Public Hearing shall not be included on the Agenda or otherwise considered.

13.0 CORRESPONDENCE

- 13.1 When correspondence not relating to matters currently before Council or a Committee, is received, and if the requirements of Section 12.5 are met, the CAO shall:
 - a) Forward a copy of the correspondence to Council or Committee for information; and
 - b) If it relates to matters that fall within the scope of responsibility for a particular department, refer the correspondence to the Administration of that department for a report or a direct response, and inform Council of the referral; or
 - c) If it relates to an item already on the Agenda, deliver a copy of the correspondence as a written submission:
 - i. To Council or Committee with the Agenda; or



- ii. At the Meeting if the Agenda has already been published and the submission deadlines, as outlined in this bylaw have passed;
 - d) Refer the correspondence to a Meeting of Council or Committee considered to be most appropriate according to the subject matter of the correspondence and inform Council or the Committee of the referral; or
 - e) Take any other appropriate action on the communication and inform Council of the action.
- 13.2 If the requirements of Section 12.5 are not met, the CAO may file the correspondence, dispose of it, or take any other appropriate action on the communication.
- 13.3 The CAO must make reasonable efforts to respond to the person sending the correspondence and to advise that person of any action taken on the subject of the correspondence.
- 13.4 After considering correspondence Council or a Committee may:
- a) Refer the correspondence to Administration or a Committee for a report or recommendation; or
 - b) Introduce a Motion on the substance of the correspondence.

14.0 INVITED PRESENTATIONS AND DELEGATIONS

Invited Presentations

- 14.1 Invited Presentations shall be scheduled as part of Meetings of Council in the Delegations portion of the agenda. Notwithstanding the foregoing, the Mayor, CAO, or Agenda Setting Committee may schedule an Invited Presentation as part of a Committee Meeting when in the opinion of the Mayor and CAO it is appropriate to do so.
- a) No more than three (3) presentations shall be scheduled as part of the Delegations portion of the Agenda. Should the number of requests exceed three (3), the fourth (4th) presentation will be put on the subsequent Agenda.
- 14.2 Presenters who are invited by the Mayor or CAO, do not have to request to be a delegation and are not subject to the requirements in Sections 14.4. though 14.13.
- 14.3 When an invited presentation includes a request for a Council decision, after considering the request a Council may:
- a) Refer the request to Administration or a Committee for recommendation;
 - b) Introduce a Motion related to the presentation; or
 - c) Receive the request for information as part of the Corporate Record.

Delegations

- 14.4 Delegations shall be scheduled as part of Meetings of Council. Notwithstanding the foregoing, the Mayor, CAO, or Agenda Setting Committee may schedule a Delegation as part of a Committee Meeting when in the opinion of the Mayor, CAO, or Agenda Setting Committee it is appropriate to do so.



- 14.5 A Member of the public may request in writing to be included on an Agenda as a delegation. The written request must:
- a) Include the name(s) of the person(s) who would be making the presentation if approved,
 - b) Provide a written report or detailed synopsis of the request to appear before Council or Committee, and clearly state any requests being made of Council and any recommended Council resolutions, and
 - c) Be submitted in accordance with Section 12 and the deadlines established in this bylaw.
- 14.6 A Council Member may ask questions of the delegation to clarify or correct information but must not enter into debate on the item which is the subject of the delegation and Council itself will not enter into debate on the information received.
- 14.7 The Mayor may refer delegations to another Committee Meeting, or direct the CAO to ask Administration to address the delegate's issue, as deemed appropriate according to the subject matter of the delegation.
- 14.8 The Agenda Setting Committee may refuse to place a delegation on the Agenda:
- a) If the issue is not considered to fall within the jurisdiction of Council or a Committee; or
 - b) If the delegation is proposing to present the same information as presented within the last twelve months with no significantly new information.
- 14.9 Delegation requests that are denied shall be:
- a) Offered the opportunity to provide written information for distribution to Council; and
 - b) Informed of their right to appeal the decision.
- 14.10 If the delegation wishes to appeal the Agenda Setting Committee's decision, the information must be distributed under separate cover to Council for their consideration. A Council survey poll will be conducted, by email outside of a meeting, to obtain Council's decision whether or not to allow the delegation to make a presentation. Council, by majority vote, can direct Administration to place the delegation on an upcoming Council or Committee Agenda.
- 14.11 When a delegation scheduled as part of a Committee Meeting includes a request for a Council decision, after considering the request the Committee may:
- a) Refer the request to the next Council Meeting for which the deadlines outlined in this bylaw have not passed; or
 - b) Refer the request to Administration or a Committee for recommendation.
- 14.12 Invited presentations and delegations shall be placed on the Agenda on a first come basis and pursuant to Section 12.2 of this bylaw.
- 14.13 Members of the public who appear at a Council meeting without notice may request to speak to Council during the delegation section of the agenda with the approval of the Chair and subject to Section 12.2(c).



15.0 ROLES AND CONDUCT AT MEETINGS

Role of the Presiding Officer

- 15.1 The Mayor, when present, presides as Presiding Officer over all Council Meetings.
- a) If the Mayor is absent from a Council Meeting or joins virtually, unless the entire meeting is being held virtually, the Deputy Mayor shall preside. If both the Mayor and the Deputy Mayor are absent or have joined the meeting virtually, unless the entire meeting is being held virtually, the Mayor shall appoint a member of Council who is present in person as Presiding Officer. If the Mayor makes no such appointment the Council shall accept nominations and vote for the Chair for that meeting only.
- 15.2 The Presiding Officer:
- a) When present at a Meeting, must vote on all items, unless required to abstain from voting;
- b) Is not required to vacate the chair in order to join in the deliberation so long as the Presiding Officer participates on the same basis as all other Members; and
- c) Is not required to vacate the chair in order to make motions.
- 15.3 The Chair of a Committee, when present in-person, presides as Presiding Officer. If the Chair is absent or joined the meeting virtually, unless the entire meeting is being held virtually, the Vice-Chair presides.
- a) If both the Chair and the Vice Chair are absent or have joined the meeting virtually, unless the entire meeting is being held virtually, the Chair shall appoint a member of the Committee who is present in-person as Presiding Officer. If the Chair makes no such appointment the committee shall accept nominations and vote for the Chair for that meeting only.
- 15.4 The Chair of a Committee may be removed by a majority vote of the Members of the entire Committee.
- 15.5 During a Meeting, the Presiding Officer shall:
- a) Preserve order and decorum;
- b) Keep a sequence of speakers, recognize Members, administration, or citizens to speak,
- c) Make rulings on Points of Order or Questions of Privilege, subject to appeals by Members;
- d) Ensure that Members understand the motion before them;
- e) Subsequently call the vote;
- f) Perform such leadership functions as may be required for the efficient and effective conduct of the Meeting;
- g) At a Closed Meeting, ensure that only the matters that are approved to be discussed at the Closed Meeting are discussed.

Conduct of Members

- 15.7 The Code of Conduct for elected officials applies to the behavior expected of Members at all Council and Committee meetings.



- 15.8 A Member or any other person wishing to speak at a Meeting shall address the Presiding Officer and must be recognized by the Presiding Officer before speaking.
- 15.9 A Member must not interrupt another person who was duly recognized to speak, except on a Point of Order (pointing to a violation of a specific rule) or a Question of Privilege (pointing to an issue that affects the comfort of Members, such as noises, uncomfortable room temperature, and other distractions).
- 15.10 Members may not engage in debate with or ask argumentative questions of the public or Administration.
- 15.11 No Member shall leave a Meeting after a question has been put to vote, until the vote is taken.

Calling a Member to Order

- 15.12 The Presiding Officer or a Member may call to order any Member who is out of order during the proceeding of a Meeting.
- 15.13 When a Member has been warned about breaches of order but continues to engage in them, the Presiding Officer may name the Member by stating his or her name and declaring the offence. The CAO or designate shall note the offence committed by the Member in the minutes of the proceedings; and
- 15.14 In accordance with Section 6.0, the Member may appeal the ruling of the Presiding Officer.

Conduct of Public

- 15.15 In order to ensure a safe and respectful meeting environment, those seated in the public gallery or participating remotely at Council or Committee Meetings must:
- a) Speak only when called by the Chair;
 - b) Limit their comments to the matter contained in the publicly available report and the recommendations being discussed;
 - c) Not shout use profane, vulgar or offensive language;
 - d) Refrain from abusive conduct, personal attacks or verbal attacks upon the character or motive of Members of Council, Members of Committees, Administration, or other members of the public;
 - e) Not engage in arguments with Members;
 - f) Not spontaneously applaud, display signs, or engage in any behaviour which may be disruptive, disrespectful, or intimidating to others; and
 - g) Ensure that all electronic devices are silent and operated in such a manner that does not interfere with the Meeting or with another person's ability to hear or view the proceedings.
- 15.16 The Presiding Officer may order that a member of the public, who disturbs or acts improperly at a Meeting by words or actions, be expelled.



16.0 MEETING RECORDS

- 16.1 Minutes of Meetings shall be recorded in accordance with the Act.
- 16.2 Unless otherwise authorized by this or another bylaw, by statute, or by majority vote of Members present, discussion and questions shall not be recorded in the minutes.
- 16.3 Minutes of a Meeting shall be adopted by unanimous consent, as per Section 8.23 of this Bylaw, at the following regular Meeting, regardless of whether or not the same Members are present.
- 16.4 For the purposes of Section 16.3, a signature may be affixed to adopted minutes by mechanical or electronic means.
- 16.5 The agendas and approved Minutes of a Council or Committee Meeting shall be posted on the Town's Meeting Management website.
- 16.6 The minutes of every Council and Committee Meeting must record:
 - a) The decisions of Council
 - b) The recommendations of Committees;
 - c) The names of the Members who voted against a motion;
 - d) Whether the motion was carried or defeated;
 - e) The name and general nature of a Pecuniary Interest declared by a Member (as defined in the MGA);
 - f) The names of any person, group of persons or person representing them, who claims to be affected by a proposed Bylaw or resolution, who have spoken on a matter considered at a public hearing, and who have complied with the Public Hearing Procedures outlined in this bylaw;
 - g) The names of any person, group of persons or person representing them, who has addressed Council or Committee, in accordance with this bylaw, with respect to approved items on an Agenda;
 - h) The names of any person, group of persons or person representing them, who has provided a written submission to Council or Committee, in accordance with this bylaw, with respect to approved items on an Agenda;
 - i) The distribution of additional material received at Council and Committee Meetings, to form part of the Corporate Record; and
 - j) The sections of the *FOIP Act* that apply to an item being discussed in a Closed Meeting.
- 16.7 Any Member may request a correction to the minutes before they are adopted. Corrections are deemed adopted when the motion to adopt the minutes has carried.
- 16.8 Formatting, clerical, typographical and grammatical errors in minutes may be corrected by the CAO at any time. No change shall be made that would alter or affect the actual decision made by Council.
- 16.9 Approved minutes shall be signed by the Presiding Officer and the CAO, or acting CAO, who were present at the Meeting where the minutes were taken. Where not practicable, in the case of a presiding Officer or CAO or acting CAO having left the organization, the minutes shall be signed by the current Presiding Officer and recording secretary.



- 16.10 In the event a Committee is disbanded, the minutes of the final Meeting shall be approved by the Presiding Officer and signed by the Presiding Officer and recording secretary.
- 16.11 The CAO is authorized to provide for streaming video and video recording of any open Meeting subject to any policies and procedures adopted by Council.
- 16.12 The video recording provided by the CAO may be used to determine the accuracy of a portion of the minutes.

17.0 COMMITTEES

- 17.1 In accordance with the Act, Council may pass bylaws establishing and determining the functions of Committees.
- 17.2 The membership of Committee must be as provided for in the enabling governance documents for that body, as established by the Town's Committees of Council Bylaw.
- 17.3 Unless otherwise stipulated in a statute or in a bylaw passed further to Section 17.1:
- a) Council shall appoint Members to Committees when the Committee is initiated or when there is a vacancy to be filled, and after that at each Annual Organizational Meeting;
 - b) Where a Committee position is vacant for any reason, Council may appoint a replacement for the remainder of the term for which the previous member had been appointed;
 - c) Council shall appoint Members to External Committees, as determined by Council at each Annual Organizational Meeting;
 - d) The term of a Council member's Membership on External Committees shall be one (1) year,
 - e) No Council member shall sit on a Council committee for more than three (3) consecutive terms unless Council determines that conditions warrant additional terms.
 - f) Administration may serve as advisors and provide administrative assistance to Committees, but may not serve as voting Members; and
 - g) Council may terminate the appointment of a Member of a Committee through a majority vote.
- 17.4 Each Committee shall meet as soon as possible after appointment to elect a Chair and Vice-Chair using a representative of Administration as temporary Chair, in accordance with the Section 17.6 unless Council designates otherwise. The enabling governance documents must then state:
- a) Who may be the Chair and Vice-Chair of a Committee; and
 - b) The manner in which the Chair and Vice-Chair shall be selected.
- 17.5 In the absence of the Chair and Vice-Chair, another Member must be elected as Acting Chair for that meeting, in accordance with the process in Section 17.8.
- 17.6 When a committee has not yet elected a Chair, the first meeting is called to order by the Administrative Resource serving as temporary Chair. The first order of business will be:



- a) The temporary Chair calls for nominations, and then ballots for the position of chair;
 - b) The temporary Chair announces who is elected to the position of chair;
 - c) The Chair assumes the meeting, calls for nominations, and then ballots for the position of vice-chair; and
 - d) The Chair announces who is elected to the position of vice-chair.
- 17.7 At any subsequent meeting, when both the Chair and Vice-Chair are absent, another Member must serve as Acting Chair for that meeting as noted in Section 15. with the Administrative Resource serving as temporary Chair for nomination purposes only to select a Chair for that meeting only.
- 17.8 Unless otherwise authorized by statute or bylaw, Committees are charged only with making recommendations to Council. Recommendations shall be made by motion at Committee Meetings and submitted to a subsequent Council Agenda for consideration, in a form determined by the Committee.

18.0 SEVERABILITY

- 18.1 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

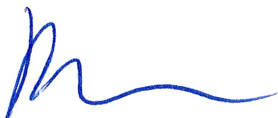
19.0 REPEAL

- 19.1 The Procedural Bylaw 422-21, Bylaw 438-22, and Bylaw 443-23, is repealed.

20.0 ENACTMENT

- 20.1 This bylaw comes into force when it receives third reading and is signed by the Mayor and the CAO.


READ A FIRST TIME on the 19th day of December 2023.



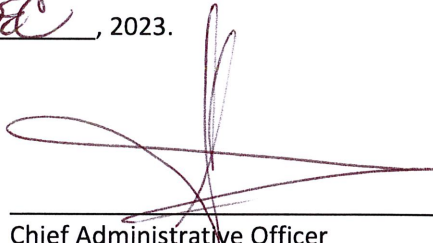
Mayor

Chief Administrative Officer

READ A SECOND TIME on the 19 day of DEC, 2023.




Mayor

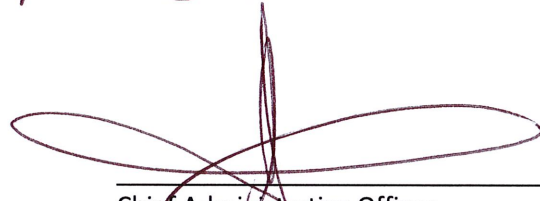


Chief Administrative Officer

READ A THIRD AND FINAL TIME on the 19 day of DEC, 2023.



Mayor



Chief Administrative Officer