



TOWN OF WESTLOCK

COUNCIL PROCEDURE BYLAW

BYLAW NO. 2021-13

EFFECTIVE DATE – June 14, 2021

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW

DATE OF ADOPTION

EFFECTIVE DATE

(If different from Date of Adoption)

Bylaw No. 2024-13

September 9, 2024

BEING A BYLAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ORDERLY PROCEEDINGS OF COUNCIL MEETINGS AND THE TRANSACTING OF BUSINESS BY COUNCIL OF THE TOWN OF WESTLOCK.

WHEREAS it is Council's desire to establish and follow a process and procedure of municipal governance that reflects an open, transparent government where decisions are made after all information has been provided;

NOW THEREFORE the Council of the Town of Westlock, in the Province of Alberta, duly assembled and under the powers conferred upon it by the *Municipal Government Act*, RSA 2000, Chapter M-26, and amendments thereto, enacts as follows:

1) TITLE

This Bylaw may be cited as the "Council Procedure Bylaw".

2) DEFINITIONS

In this Bylaw:

"Adjourn" used in relation to any meeting, except at a Public Hearing, means to terminate the meeting.

"Administrative Inquiry" is a request from a Member of Council to the Administration for the future provision of information.

"Agenda" means the items of business of a meeting and the associated reports, bylaws or other documents.

"CAO" means the Chief Administrative Officer of the Town of Westlock within the meaning of the *Municipal Government Act*, section 205, or their designate.

"Chair" means the Mayor, Deputy Mayor or other Person who has authority to preside over a meeting; and shall be able to vote on matters.

"Challenge" means an appeal of the ruling of the Chair.

"Closed" means a meeting closed to the public at which only Councillors and other Persons specified by Council may attend at which no resolution or bylaw may be passed, except a resolution to revert to a meeting held in public.

"Committee of the Whole" means a committee comprised of all Councillors that conducts itself as a committee of Council.

“Council” means the municipal Council of the Town of Westlock.

“Council Meetings” means a Regular, Committee of the Whole, Organizational and Public Hearing meetings of Council; or any other meeting in which there is a Quorum of Council.

“Councillor” means a Member of Council, including the Mayor, who is duly elected and continues to hold office.

“Council Committee” means a committee, board or other body established by Council, by bylaw or resolution under the *MGA*, section 1(1).

“General Municipal Election” means an election held in the Town to elect the members of Council as described in the *Local Authorities Election Act*.

“Inaugural Meeting” means the Organizational Meeting immediately following the General Election.

“MGA” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto. Any direct quote from the *MGA* contained within this bylaw will be italicized and cannot be amended or revised by Council.

“Mayor” means the chief elected official of the Town of Westlock within the meaning of the *Municipal Government Act*, section 150, and is a Member of Council.

“Member” means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council.

“Minutes” are the record of decisions of a meeting.

“Motion” a formal proposal by a Member, in a meeting, that the group take a certain action. Motion can also be referred to as a resolution.

“Notice of Motion” means notice that an item will be placed on the next council meeting agenda.

“Orders of the Day” means a requirement that the Chair return to the pre-determined agenda, including adjourning at the pre-determined time, unless a Motion to extend the discussion occurring at that time or a Motion to extend the meeting is adopted, Schedule A.

“Organizational Meeting” means the meeting the *Council must hold annually not later than 2 weeks after the 3rd Monday in October*.

“Pecuniary Interest” means a Pecuniary Interest pursuant to sections 169 to 173 of the *Municipal Government Act*; sometimes referred to as Conflict of Interest.

Pecuniary Interest refers to a Council Member:

- who has a personal interest which would conflict with their obligation as a Member of Council to fairly consider a matter before Council, or
- whose ethical integrity of the Council Member may be in doubt if that Council Member was to participate in the consideration of the matter before Council.

“Person” means an individual, partnership, association, corporation, trustee, executor, administrator or legal representative.

“Point of Information” is a question to obtain information on the procedures of Council to assist a Member to:

- a) make an appropriate Motion,
- b) raise a point of order,
- c) understand the procedure, or;
- d) understand the effect of a Motion.

“Point of Interest” means a request from a Council Member to share a comment, information, or commendation about an individual, group, organization, or event.

“Point of Order” means a request that the Chair enforce the rules of procedure.

“Point of Privilege” does not relate to the pending business. An immediate and overriding request made to the Chair on any matter related to the rights and privileges of Council or individual Councillors and includes the:

- a) comfort of Councillors,
- b) conduct of Town employees or members of the public in attendance at the meeting,
- c) accuracy of the reports of Council’s proceedings, or
- d) reputation of Councillors or Council.

“Postpone” means to delay the consideration of any matter, either:

- a) to later in the meeting,
- b) to a specified time and/or date,
- c) until the occurrence of an event, or

d) indefinitely.

“Previous Question” means a motion to end debate and vote on the Motion under debate.

“Public Hearing” means a meeting or portion of a meeting that Council is required to hold for statutory hearings.

“Quorum” means the minimum number of members that must be present at a meeting for business to be legally transacted.

“Recess” means to take a short break in the order of business or an Agenda item of a meeting with the intent of returning to that order of business or Agenda item at the same meeting.

“Reconsider” means a Motion made by a Member who voted on the prevailing side of a Motion adopted by Council with the purpose of reconsidering the vote on a Motion dealt with earlier in that same meeting. If it is adopted by a majority vote, the Motion will be back again before Council.

“Refer” means to send a pending Motion or Agenda item to a Council Committee or administration for investigation and report.

“Renew” means to bring forward to a later meeting a previously defeated Motion.

“Rescind” means to bring forward to a later meeting a previously successful Motion with the intent of revoking the original Motion.

“Rise and Report” means a Motion to put forward to a Council Meeting may be made any time and must be decided without debate.

“Table” means to Lay on the Table, a Motion to set aside a main Motion temporarily to take up a more pressing or important issue.

Marginal notes and headings in the Bylaw are for Reference purposes only.

3) APPLICATION AND INTERPRETATION

- a)** This Bylaw shall apply to all Council Meetings.
- b)** Council may make this Bylaw applicable to other Council Committees, either in whole or in part.
- c)** Where Council makes this Bylaw applicable to a Council Committee, it shall apply with all necessary modifications, and
 - i.** any reference to the Mayor shall be treated as a reference to the Chair of the Council Committee,
 - ii.** any reference to a Councillor shall be treated as a reference to a Member of the Council Committee, and
 - iii.** any reference to Council shall be treated as reference to the Council Committee.
- d)** The precedence of the rules governing the procedures of Council is:
 - i.** the *MGA*,
 - ii.** other provincial legislation,
 - iii.** this Bylaw, and
 - iv.** Robert's *Rules of Order* Newly Revised.
- e)** Council may waive all or part of the provisions of this Bylaw for a defined time if the Councillors present vote unanimously to do so. However, this Bylaw must be amended or repealed by bylaw.

4) COUNCIL MEETINGS**a) Regular Council Meetings**

- i.** Unless Council by resolution from time to time otherwise determines, regular meetings shall be held in the Town Council Chambers on the second and fourth Monday of each month beginning at 6:30 p.m. For the months of July, August, and December of each year, there shall be one (1) regular meeting of Council held on the second Monday of those months.

- ii. Council meetings shall Adjourn within three (3) hours of commencement unless members of Council by a two-thirds (2/3) majority vote agree to an extension of time.
- iii. When the date of a regular Council Meeting falls on a statutory holiday, the date of the meeting shall be changed to the following day.

b) Committee of the Whole Meetings

- i. Unless Council by resolution from time to time otherwise determines, Committee of the Whole meetings shall be held in the Town Council Chambers on the third Monday of each month beginning at 6:30 p.m. For the months of July, August, and December of each year, there shall be no Committee of the Whole meeting.
- ii. Committee of the Whole meetings shall Adjourn within three (3) hours of commencement unless members of Council by a two-thirds (2/3) majority vote agree to an extension of time.
- iii. When the date of a Committee of the Whole Meeting falls on a statutory holiday, the date of the meeting shall be changed to the following day.

c) Inaugural Meeting

- i. The Organizational Meeting immediately following a general municipal election shall be called the Inaugural Meeting.
- ii. At the Inaugural Meeting immediately following a general municipal election, the CAO shall Chair the meeting until the Mayor has taken the oath of office.
- iii. As the first order of business at the Inaugural Meeting, each Councillor shall take the prescribed oath of office.

d) Organizational Meeting

- i. An Organizational Meeting will be held each year in accordance with the requirements established in the MGA, section 192(1) *not later than 2 weeks after the 3rd Monday in October.*
- ii. At the annual Organizational Meeting, Council will:

- establish Council seating,
- set Council meeting dates,
- set Council Committee appointments, and
- conduct other business as identified within the Organizational Meeting agenda.

5) MEETING THROUGH ELECTRONIC COMMUNICATIONS

- a)** Councillors may attend a Council Meeting by means of electronic communications.
- b)** A Councillor should notify the Mayor and CAO of their intentions to meet through electronic means as soon as reasonably possible prior to the Council Meeting.
- c)** Council should make their best effort to attend meetings in-person, however extenuating circumstances may require electronic attendance. A Councillor may attend a regular Council Meeting by means of electronic communication no more than six (6) times a year.
- d)** A Councillor shall only be permitted to attend a meeting by means of electronic communications if the location in which the meeting is to be held is equipped in a manner such that enables all Councillors participating in the meeting to watch or hear one another.
- e)** A Councillor attending a meeting by electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
- f)** The Mayor shall announce to those in attendance at the meeting that the Councillor is attending the meeting by means of electronic communications.
- g)** When a vote is called, Councillors attending by means of electronic communications shall be asked to state their vote only after all Councillors present in the meeting have cast their votes by a show of hands.
- h)** A Councillor attending a Closed session by electronic communications must ensure that they are in a secure location.
- i)** Only members of Council, Administration and out of Town delegations are permitted to attend meetings virtually.

6) NOTICE OF REGULAR AND COMMITTEE OF THE WHOLE COUNCIL MEETINGS

- a)** Council, by resolution, may change the frequency, time, date, or location of any meeting.
- b)** Notification of calling additional, a change in time, date, location, or cancellation of any meeting of Council or Committee of the Whole will be provided to Council Members and the public. For all meetings requiring notice, the CAO shall ensure the notice is:
 - i.** issued a minimum of twenty-four hours prior to the meeting date,
 - ii.** delivered, or emailed to each Member, and
 - iii.** posted on the Town of Westlock website and social media avenues, and/or
 - iv.** posted in the newspaper or radio advertisement or other announcement.

7) SPECIAL COUNCIL MEETINGS

- a)** Under section 194 of the *MGA*, the Mayor
 - i.** may call a Special Council Meeting whenever the Mayor considers it appropriate to do so, and
 - ii.** must call a Special Council Meeting if the Mayor receives a written request for the meeting, stating its purpose, from a majority of the Councillors.
- b)** A Special Council Meeting called under Section 7, must be held with fourteen (14) days after the date the Mayor receives the request, or any shorter period provided for by bylaw.
- c)** The Mayor calls a Special Council Meeting by giving at least twenty-four (24) hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time, and place at which it is to be held. The CAO shall ensure the notice is:
 - i.** issued a minimum of twenty-four hours prior to the meeting date,
 - ii.** delivered or emailed to each Member, and

- iii. posted on the Town of Westlock website and social media avenues, or
 - iv. posted in the newspaper or radio advertisement or other announcement.
- d) A Special Council Meeting may be held with less than twenty-four (24) hours' notice to all Councillors and without notice to the public if at least two-thirds (2/3) of the whole Council agrees to this in writing before the beginning of the meeting.
- e) No matter other than that stated in the notice calling the Special Council meeting may be transacted at the meeting unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.

8) QUORUM

- a) Quorum of Council is a majority of Council Members.
- b) If Quorum is not achieved within thirty (30) Minutes after the time the meeting was scheduled to begin, the CAO will record the names of those present and the meeting will be rescheduled.
- c) If at any time during a meeting the Quorum is lost, the meeting will be recessed and if a Quorum is not achieved again within fifteen (15) minutes the meeting will be deemed to be adjourned.
- d) If a meeting is adjourned for failure to constitute a Quorum or due to a loss of Quorum, the Agenda for that meeting shall be considered at the next scheduled Council meeting, unless a Special Meeting is conducted to complete such business.

9) CHAIRMANSHIP OF MEETINGS

- a) The Chair:
 - i. Opens, chairs and preserves order in Council Meetings.
 - ii. Decides all questions of procedure.
 - iii. Ensures that each Councillor who wishes to speak on a debatable Motion is granted the opportunity to do so.

- ## 10) DUTIES OF THE CAO

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- iv.** Record Minutes of the meetings of Council and provide secretariat functions for Council Meetings, and
 - v.** Review proposed bylaws to ensure compliance with this Bylaw and to advise Council of the existence of complementary and conflicting provisions in other bylaws.
- b)** The CAO shall have custody of the corporate seal. The corporate seal shall only be used under the direction of the CAO as prima facie evidence that the Town has assented to those documents to which the seal is affixed.

11) AGENDA

- a) The Agenda orders the business for a meeting and will follow the appropriate Orders of the Day set out in Schedule A.
- b) The Agenda for each Council Meeting is established, reviewed, and authorized by the CAO.
- c) Other than Delegation requests, all material for inclusion in the Agenda shall be completed and submitted to the Clerk's office no later than 12:00 p.m., seven (7) calendar days prior to the day on which the Council Meeting is held.
- d) The CAO will distribute the Council Agenda to Council and administration by Thursday end of day, prior to the Council Meeting.
- e) The Agenda and all associated reports, bylaws or other documents (unless they may be withheld under the *Municipal Government Act*, *Freedom of Information & Protection of Privacy Act*, or any bylaw or policy dealing with access to information) will be made available to the general public and media representatives Friday, end of day, prior to the Council Meeting.
- f) Reports and supplementary materials to items on the Agenda that are received too late to be included with the Agenda will be made available to Council, administration, and the media in paper or electronic format as soon as is reasonably possible.
- g) The first order of business at any Council Meeting shall be consideration of the proposed Agenda and adoption of it, subject to any amendment that Council may approve by resolution.

- h)** The order of business at a Council Meeting shall be the order of the items on the adopted Agenda.
- i)** The Chair shall introduce the Agenda item.
 - The CAO shall provide background information if required.
 - The Chair shall ask for any questions by Council on the item. The Chair may limit the number of questions from Council provided each Councillor has had an equal opportunity for questions.
 - The Chair may ask for a Motion, or the Chair or Councillor may put forward a Motion.
 - A Motion must be made on the Agenda item before it is debated.
- j)** After adoption of the Agenda, Council may alter the order of the items on the Agenda, by majority vote, for convenience of the meeting.
- k)** The order of business at a Meeting is the order of the items on the Agenda except when:
 - i.** a previous meeting has been adjourned for lack of Quorum and no Special Meeting has been called to deal with the business of the adjourned meeting, the Agenda items from the adjourned meeting must be dealt with before any items on the current Agenda,
 - ii.** Council alters the order of business for the convenience of the meeting by a two-thirds (2/3) vote,
 - iii.** the same subject matter appears in more than one place on the Agenda and Council decides, by Motion, to deal with all items related to the matter at the same time, and
 - iv.** Council decides not to deal with an item on the Agenda and no Motion is made about it.
- l)** A Motion calling Orders of the Day (requiring Council to adhere to its schedule) is not debatable or amendable.

12) MINUTES

- a)** The CAO or their designate will prepare a written record of all Council Meetings that includes:

- i. the names of the members of Council present at and absent from the meeting, CAO and/or delegated authority, staff, and the recording secretary,
 - ii. all decisions, other proceedings, and outcomes,
 - iii. the names of members of the public who speak to an item during Question Period,
 - iv. any abstentions made under the *MGA*, sections 183 and 184, by any Member of Council and the reason for the abstention (i.e., absent from Public Hearing), and
 - v. any abstentions made as a result of a Pecuniary Interest and the reason for the abstention, as per sections 170 and 172 of the *MGA*.
- b)** When the vote on a Motion is carried or defeated, the Minutes shall reflect "Carried" or "Defeated."
- c)** When a Motion is specifically asked to be recorded by a Member of Council, the Minutes shall reflect the number of votes for and against a Motion, as well as the names of the members that voted in favour of and the names of those that were opposed to the Motion.
- d)** The Chair shall request a Motion to adopt the Minutes.
- e)** Minutes shall have the signatures of the Chair and the CAO or their designate.
- f)** Unless otherwise authorized in this bylaw, discussion, questions, and debate shall not be recorded in the Minutes.
- g)** A summary of any verbal presentation made and/or a copy of written materials provided by members of the public will be recorded in the Minutes.
- h)** When a meeting is closed to the public to discuss a matter that is within one of the exceptions to disclosure in the *Freedom of Information and Protection of Privacy Act*, the reason for closing the meeting shall be recorded in the Minutes.
- i)** Minutes of a meeting shall be adopted by Motion at the following meeting, regardless of whether the same Members are present.

- j) 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 been carried.
- k) The Minutes of a previous meeting shall not be read aloud unless directed by a unanimous vote of the Members present.
- l) The CAO is authorized to provide for audio/video recording of any meeting.
- m) An audio/video recording provided by the CAO may be used to determine the accuracy of a portion of the Minutes.
- n) The audio/video recording will be available for public viewing by request only for two (2) months after the council meeting, then permanently destroyed.

13) PROCEEDINGS AT MEETINGS

- a) All discussion at a meeting of Council is directed through the Chair who will be addressed as "Your Worship", "Mayor", or "Mister/Madam Chair".
- b) When two or more Members wish to speak to a matter, the Chair shall decide who is entitled to speak. A Motion may be made that any Person who is addressing the Chair 'be now heard' or 'do now speak' and such Motion shall be put without debate.
- c) A Councillor may ask questions of administration or other Councillors on any Motion or amendment to a Motion through the Chair.
- d) A Councillor may speak to answer questions put by other Councillors, through the Chair.
- e) When a Member of Council wishes to leave the Council Chambers while a Council meeting is in progress:
 - i. the Member of Council shall await the formal acknowledgement of the Chair before leaving; and
 - ii. the time of the Member's departure, and return, if any, shall be recorded in the Minutes.
- f) To ensure that Quorum is not lost, the Chair may Recess the meeting briefly if a Member of Council wishes to leave the meeting but intends to return.

- g)** No Councillor shall leave the Council meeting after a question is put to a vote until the vote is taken.
- h)** A Council Member shall not speak on any matter for longer than ten (10) minutes unless otherwise permitted by the Chair.
- i)** No Member shall interrupt any other Person who has been recognized by the Chair and has the floor.
- j)** Councillors who have been assigned their turn to speak may only be interrupted by other Councillors including the Chair:
 - i.** when a Councillor is discussing a subject and no Motion is on the floor,
 - ii.** when a Councillor has exceeded the time limit to speak,
 - iii.** by a call for Orders of the Day,
 - iv.** by a Point of Privilege,
 - v.** by a Point of Order;
 - vi.** by an objection to the consideration of a Motion, or
 - vii.** by a Challenge.
- k)** A Councillor who is speaking when a Point of Order or Point of Privilege is raised will cease speaking immediately.
- l)** If a Councillor wishes to raise a Point of Order or a Point of Privilege, the Member, upon recognition, shall then state briefly the grounds of same.
- m)** The Chair may grant permission:
 - i.** to the Councillor raising the point to explain the point briefly, and
 - ii.** to the Councillor who was speaking to respond briefly,
 - iii.** but a Point of Order or Point of Privilege is not debatable or amendable.
- n)** The Chair may seek advice from the CAO on a Point of Order or Point of Privilege to determine whether a matter is within the jurisdiction of the Council.

- o)** The Chair must rule on a Point of Order or Point of Privilege and no vote will be taken unless there is a Challenge by a Member of Council to the ruling.
- p)** A Point of Order or Point of Privilege shall take precedent over all other business and any appeal shall be determined by a majority vote which shall not be reconsidered or rescinded.
- q)** Closed Agenda items sent to Council through an electronic Agenda are to be kept confidential and deleted upon the completion of the meeting.

14) DELEGATIONS AND REQUESTS TO COUNCIL

- a)** A Person or delegation wishing to make formal representation directly to Council at a regular council meeting shall advise the CAO no later than 12:00 noon, ten (10) calendar days (typically a Thursday) before the upcoming regular meeting of Council. The written request shall include the contact information of the person wishing to appear before council, along with a brief explanation of the subject to be addressed and the specific request to be made to Council. The request must meet the following criteria to be considered; is a Town of Westlock municipal issue and in the realm of Council's authority. The requester must also agree to meet with the CAO, or CAO and Mayor prior to being considered for inclusion on a council agenda.
- b)** After meeting with the requester, the CAO, in consultation with the Mayor, or their delegate, may place the request on the agenda.
- c)** When hearing from the public, Council does not require a Motion on the floor.
- d)** The following procedures will apply to delegations before Council
 - i.** the Chair will introduce the delegations, and
 - ii.** the delegation shall present from the delegation table and will:
 - state their name and address, and
 - indicate if they are speaking on their own behalf, a client, a company, or a group of citizens (i.e., club or organization).
- e)** After a delegation has spoken, members of Council will ask only questions of clarification that are relevant to the subject of the delegate's session and will avoid repetition. Persons speaking to the subject will be restricted to speaking to the relevant subject matter only.

- f)** Each Person or delegation appearing before Council shall be limited to a maximum of fifteen (15) Minutes of presentation time unless the Chair, at their discretion, agrees to extend the time.
- g)** Any Councillor may ask the CAO relevant questions after the delegation has spoken.

15) QUESTION PERIOD

- a)** Members of the public and media shall only be permitted to ask questions pertaining to agenda items at that current meeting.

16) PROCEDURE FOR ADMINISTRATION TO PRESENT ITEMS FOR COUNCIL CONSIDERATION

The procedure for the two-stage discussion of Motions shall be:

- administration presents and clarifies with Council; and
- discussion among Council members.

17) RULES FOR MOTIONS

- a)** A Motion must be made by a Councillor prior to any debate or vote occurring. It must be concise and unambiguous.
- b)** A seconder to a Motion is not required.
- c)** Council shall consider only one Motion at a time.
- d)** After a Motion has been moved, and stated by the Chair, it may not be withdrawn without the majority consent of Council.
- e)** The following Motions are not debatable by Council:
 - i.** to raise a Point of Privilege,
 - ii.** to call for Orders of the Day,
 - iii.** to raise a Point of Order,
 - iv.** to withdraw a Motion,
 - v.** to Recess or Adjourn the meeting, or

- vi.** to challenge a ruling of the Chair.
- f)** When a Motion has been made and is being considered, no Councillor may make any other Motion except:
 - i.** as set out in Section 16) e) above,
 - ii.** to amend the Motion,
 - iii.** to refer the main Motion to the Committee of the Whole, to administration, to a Council Committee, or to some other Person or group for consideration,
 - iv.** to Postpone consideration of the Motion, or
 - v.** to Table the Motion.
- g)** Motions shall have precedence in accordance with the order that they are listed in Section 16) e) and f).
- h)** A Motion is defeated when the vote is tied.

18) MOTION TO RECONSIDER

- a)** If a Motion is voted on by Council, a Councillor who voted on the prevailing side may move, at the same meeting or continuation thereof, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.
- b)** If a Motion is defeated, the same Motion shall not be renewed unless:
 - i.** a General Municipal Election has been held, or
 - ii.** one (1) year has passed since the date that the Motion was defeated.

19) RENEW OR RESCIND A MOTION

- a)** Notwithstanding “Motion to Reconsider” Section b) above, if a Motion is defeated, a Councillor may introduce a Motion calling on Council to Renew at a subsequent meeting if:
- i.** a two-thirds (2/3) majority of Council grants leave to a Councillor to introduce a Motion calling on Council to Renew, or

- ii. the Councillor who wishes to have Council Renew a Motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.
- b) If a Motion succeeds, a Councillor may introduce a Motion calling on Council to Rescind the Motion or amend a Motion previously adopted provided that the Councillor sets out in writing what special or exceptional circumstances warrant further debate.
 - i. In emergent situations, where previous notice to Rescind or amend a Motion previously adopted is not practical, a Motion to Rescind or amend a Motion previously adopted shall require a two-thirds vote of Councillors present at the Council Meeting at which the rescinding or amending Motion is introduced.
 - ii. If a Motion to Reconsider is passed the original Motion is on the floor.
 - iii. A Motion to Rescind, Renew or amend a Motion previously adopted may not be introduced where the vote on the original Motion has caused an irrevocable action.
 - iv. Council may consider a matter Closed in accordance with the *Freedom of Information and Protection of Privacy Act*.
 - v. No Motions may be made when Council is sitting in Closed session except the Motion to return to the public forum.
- c) If a Motion is contrary to the rules and privileges of Council, the Chair may refuse to accept it and must cite the rule or authority applicable without other comment.
- d) If a Motion cannot be voted on because there would be no quorum due to any abstention allowed or required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular meeting of Council.

20) AMENDMENTS TO MOTIONS

An amendment proposed to a Motion must be relevant to its subject matter and must not propose a direct negative of the Motion.

- a) Any Councillor, other than the Councillor who moved the main Motion, may move to amend a Motion.

- b)** The Chair shall allow only one (1) amendment to the main Motion and one (1) amendment to the amendment to be advanced and considered at a time.
- c)** Council must vote:
 - i.** on an amendment to the amendment, if any, before voting on the amendment, and
 - ii.** on any amendment before voting on the main Motion.
- d)** When an amendment is on the floor, Council may debate only the merits of the Amendment and shall not debate the merits of the Motion to which it is applied.
- e)** The Chair shall not put the main Motion under debate to a vote until all amendments to it have been put to a vote of council.
- f)** Once the amendments to the main Motion have been voted on, the Chair shall put forth the main Motion under debate to council for a vote, incorporating the amendments that have been passed by council.
- g)** Notwithstanding anything in this section, a Motion may with the consent of the mover be withdrawn or the wording thereof changed.

21) MOTION TO CHALLENGE

- a)** Any ruling of the Chair may be challenged.
- b)** A Motion to Challenge may be made only at the time of the ruling, whether or not another speaker has the floor.
- c)** A Motion to Challenge is debatable unless it relates to decorum, the priority of business, or an undebatable pending Motion.
- d)** If a Motion is made to Challenge, the Chair must state the question "Is the ruling of the Chair upheld?" The Chair may participate in debate on the Challenge without leaving the chair.
- e)** If the Chair refuses to put the Challenge to Council, Council may request the Deputy Mayor to assume the Chair in order that the Challenge to the Chair's ruling can be put to Council. The result of the vote is as binding as if conducted under the Chair and the Chair shall abide by the result.

- f)** Unless there is a two-thirds (2/3) vote against it, the ruling of the Chair will be upheld (it requires a majority vote in the negative to overturn the Chair's ruling; a tie sustains the decision of the Chair and the appeal is defeated).

22) MOTION TO LIMIT OR END DEBATE

- a)** Upon a reasonable opportunity for discussion of a Motion, in the opinion of the Chair, being afforded and when no other Person is holding the floor a Motion may be made that the question be called.
- b)** A Motion that the question be called is neither amendable nor debatable and if such Motion is passed, the main Motion or amendment (as the case may be), shall be voted upon without further amendment or debate. If the Motion is not passed, debate upon, or amendment to, the main Motion may continue.

23) NOTICE OF MOTION

- a)** Prior to Council adjourning a regular Council Meeting, Councillors will be given an opportunity to bring a Notice of Motion by reading into the Minutes the Notice of Motion.
- b)** A Notice of Motion must give sufficient detail so that the subject of the Motion and any proposed action can be determined.
- c)** A notice must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.
- d)** A Notice of Motion given at a regular Council Meeting will automatically appear on the Agenda of the next regular Council Meeting.
- e)** A Notice of Motion cannot be made at a Special Council Meeting.
- f)** A Notice of Motion is not debatable until a Councillor moves the Motion.

24) MOTION FOR PREVIOUS QUESTIONS

- a)** If the Previous Question is moved, the Chair must state that the Previous Question has been moved and immediately take the vote on the Motion for the Previous Question.

- b)** Unless a Motion to Table is made, when a Motion for the Previous Question is carried, the Motion to which it applies must be called without further debate or amendment.

25) MOTION TO RECESS

- a)** The Chair, without a Motion, may Recess the meeting for a specific period of no more than ten (10) minutes.
- b)** Any Councillor may move that Council Recess for a specific period.
- c)** After the Recess, business will be resumed at the point where it was interrupted.

26) MOTION TO REFER

- a)** A Councillor may move to Refer any Motion and any pending amendments to the appropriate Council Committee or administration for investigation and report.
- b)** A Motion to Refer:
 - i.** precludes all further amendments to the Motion, until the Motion to Refer has been addressed by Council,
 - ii.** is debatable,
 - iii.** shall include instructions indicating what the receiving body is to do and the date by which Council requires a response, and
 - iv.** may be amended only as to the body to which the Motion is Referred and the instructions on the Referral.
- c)** The Chair shall refuse to accept a Motion to Refer that would have the effect of defeating the Motion to which it applies.
- d)** Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption, any amendment to the resolution so referred, without regard to any amendments considered by Council prior to that referral. The resolution proposed by the referral body shall be as if introduced to Council for the first time, and Council shall be free to consider any amendment to it.

27) OBJECTION TO CONSIDERATION OF A MOTION

- a)** A Councillor may move to Object to the Consideration of a Motion prior to any debate on the Motion and the Chair must state the question "Will the Motion be considered?"
- b)** A Motion to Object to the Consideration of a Motion is not debatable or amendable.
- c)** The Motion objected to will be heard unless there is a two-thirds (2/3) vote against hearing it.
- d)** If Council passes a Motion to Object to the Consideration of a Motion, the Motion objected to may be brought before Council only by renewal.

28) POINT OF ORDER

- a)** A Point of Order which requires immediate attention, may interrupt a speaker and is not debatable or amendable.
- b)** The Chair must rule on the Point of Order and no vote will be taken unless there is a Challenge.

29) POSTPONING MOTIONS

- a)** A Motion may be postponed:
 - i.** to later in the Meeting to enable Council to deal with other more pressing matters,
 - ii.** to a specified time and/or date,
 - iii.** until the occurrence of an event, or
 - iv.** indefinitely.
- b)** A Motion to postpone indefinitely is debatable and debate may deal with the merits of the Motion being postponed.
- c)** A Motion to postpone indefinitely may only be brought back after:
 - i.** more than a year from the date of the postponement,

- ii. a General Election, or
 - iii. a Special Resolution is passed allowing it to be brought back.
- d) The effect of the Motion to postpone a Motion indefinitely is to suppress it throughout the current Council term.
- e) A Motion to postpone to a definite time may be made at any time during debate.
 - i. A Motion to postpone to a definite time is only debatable as to advisability of the postponement and is amendable only as to the time specified.
 - ii. A Motion to postpone takes precedence over any other Motion connected with the Motion being postponed.
- f) If a Motion has been postponed to a specified time and/or date or until the occurrence of an event, the Motion is automatically placed on an Agenda for consideration at that time and date or upon the occurrence of the event.
 - i. It will take priority over all other unfinished business at that time.
 - ii. It may not be brought back before that time without a Special Resolution.
- g) A Motion that has been postponed under Section 28a)i or 28a)iv may be considered at any time by a two-thirds (2/3) majority vote of the current Council.
- h) If a Motion to consider a postponed Motion is defeated, it may only be made again after Council has addressed some other matter or business.
- i) When a Motion that has been postponed is brought back to Council, it is brought back with all Motions connected with it, exactly as it was when postponed.

30) PRIVILEGED MOTION

- a) The following Motions are privileged Motions and may, if the Chair determines that they are of overriding importance, interrupt the debate on another Motion:
 - i. a call of Orders of the Day,
 - ii. a Point of Privilege,
 - iii. a Motion to Recess,

- iv. a Motion to Adjourn, and
- v. a Motion to fix the time to Adjourn.

31) POINT OF PRIVILEGE MOTION

- a) A Councillor may raise a Point of Privilege to remedy any pressing situation at any time.
- b) The Chair must immediately decide whether to accept the Point of Privilege.
- c) If the Point of Privilege is accepted, it must be dealt with immediately.

32) SPLITTING A MOTION

- a) When a Motion is lengthy, complicated or contains a series of independent issues a Councillor may request that the Motion be split into parts so that each part may be voted upon individually. The Chair shall grant this request.
- b) A Councillor who requests that a Motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- c) The CAO may, on the request of the Chair, assist with phrasing the Motions that would result from a Motion being split so that the Motions may be dealt with most effectively by Council.

33) TABLING MOTIONS

- a) A Motion may be tabled by a majority vote of Council to enable Council to deal with other more pressing matters. It is not amendable or debatable.
- b) A Motion to Table:
 - i. includes all other Motions, and
 - ii. takes precedence over any other Motion connected with the Motion being tabled.
- c) A Motion that has been tabled may be raised from the Table at any time by a majority vote of Council.

- d)** If a Motion to raise a Motion from the Table is defeated, it may only be made again after Council has addressed some other matter or business.
- e)** When a Tabled Motion is raised from the Table, it is brought back with all Motions connected with it, exactly as it was when laid on the Table.
- f)** A Motion fails if it is not raised from the Table within one (1) year of being Tabled, it then becomes a new Motion.
- g)** If a Motion is not raised from the Table prior to the General Municipal Election held after it was Tabled, it may not be raised from the Table but may be made only as a new Motion.

34) VOTES OF COUNCIL

- a)** Each Council Member present must vote on every Motion, unless the Member is required or permitted to abstain from voting under the *MGA*, sections 169 to 173, 183, and 184, *or* as required under common law.
- b)** Any Councillor who fails to vote will be recorded as having voted in the affirmative unless a statute expressly allows or requires an abstention.
- c)** Votes on all Motions must be taken as follows:
 - i.** except for a meeting conducted through electronic or other communication facilities, Council Members must be in their designated Council seat when the Motion is considered,
 - ii.** the Chair puts the Motion to a vote,
 - iii.** Council Members vote by a show of hands or other method agreed to by Council, and
 - iv.** the Chair declares the result of the vote.
- d)** A Motion is carried when a majority of Council Members at a meeting vote in favour of a Motion, unless otherwise specified in this Bylaw.
- e)** After the Chair declares the result of the vote, Council Members may not change their vote for any reason.
- f)** A question on the results of a vote may be resolved by the Chair immediately calling for a confirmation of the voting results on the Motion.

35) PECUNIARY INTEREST

- a) As per section 172 of the *MGA*, a Member who has a Pecuniary Interest in a matter before Council shall:
 - i. *disclose the general nature of the Pecuniary Interest, and*
 - ii. *leave the meeting before debate and return after the vote is declared.*
- b) The Member declaring a Pecuniary Interest is not considered part of the Quorum for the item.
- c) Pecuniary Interests are to be noted in the meeting Minutes stating the Agenda item in which they pertain to.
- d) Pecuniary Interest for Closed items is to be noted under the "Closed" heading; however, the description is not required.

36) RULES FOR BYLAWS

- a) The CAO must approve the form of every proposed bylaw prior to its submission to Council.
- b) Each proposed bylaw must include a bylaw number and a concise title indicating the purpose of the bylaw, which must be included on the Agenda of the meeting at which the bylaw is to be introduced.
- c) Council members will be provided the opportunity to review a copy of the proposed bylaw, in its entirety, prior to any Motion for the first reading.
- d) A proposed bylaw will be introduced at a Council Meeting by a Motion that the bylaw be read a first time. Council may hear an introduction of the proposed bylaw from the administration and/or applicant.
- e) After first reading has been given, subject to the requirements of the *MGA* section 187, any Councillor may move that the bylaw be read a second time.
- f) Council may not give a bylaw more than two readings at a meeting unless Council members present at the meeting unanimously agree to consider third reading at that meeting.

- g)** Any amendments to the bylaw that are passed by Council before the Motion for third reading is passed are deemed to have received first and second reading and are incorporated into the proposed bylaw.
- h)** The CAO may draw Council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that Council consider an amendment to correct the error.
- i)** If amendments to the proposed bylaw have been carried, a Councillor may request an opportunity to review the full text of the bylaw as amended prior to third reading and the Chair shall provide a Recess for the Councillor to do so.
- j)** If any reading of a proposed bylaw fails, all previous readings are rescinded.
- k)** A bylaw is rescinded if the bylaw does not receive third reading within two (2) years from the date of the first reading.
- l)** A bylaw is effective from the date of third reading unless the bylaw, or any applicable statute, provides for another effective date.
- m)** The Chair and the CAO must sign and seal the bylaw as soon as reasonably possible after third reading is given.
- n)** Once a bylaw has been passed, it may only be amended or repealed by another bylaw made in the same way as the original bylaw, unless another method is specifically authorized by another enactment.

37) ADMINISTRATIVE INQUIRIES

- a)** A Councillor wishing to make an information request of administration shall present it to Council at the appropriate time on the Agenda of a Regular Council Meeting or Committee meeting.
- b)** If the CAO is unable to answer the information request at the meeting, the CAO will forward the request to the appropriate official or body in the Town for a response.
- c)** Unless the information request specifies that the Councillor wishes the information to appear on a subsequent Agenda, the information will be forwarded directly to all Councillors.
- d)** A Councilor requesting a copy of a document that contains exceptions to disclosure under the *Freedom of Information and Protection of Privacy Act*; must

be made by an Administrative Inquiry. The Councillor requesting the document must put forward a Motion that identifies the document and the reason why the document is being requested.

- e) If the CAO determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the CAO shall file a response with Council stating the reasons for withholding the information.
- f) If the CAO determines that the time and cost of compiling the information will be considerable, the CAO shall request a resolution of Council to approve the request either at the same meeting or a future meeting.
- g) If a Councillor who has made an information request wishes to withdraw the request, at the appropriate time on the Agenda that Councillor shall so inform Council.
- h) Administrative Inquiries made at a Council Meeting will be responded to at the next meeting of Council following the meeting at which the inquiry was submitted, unless:
 - i. the financial or other resources required to answer the inquiry are substantial and a decision of Council or the CAO is required to approve such allocation of resources, or
 - ii. additional time is required to prepare the response or compile the requested information.
- i) Council Members will be advised as to when the response to an Administrative Inquiry will be provided.

38) ADJOURNING THE MEETING

- a) When the Chair is satisfied that all the business and purposes of a meeting have been addressed, the Chair may Adjourn the meeting or request a Motion to Adjourn the meeting.
- b) Any Councillor may move to Adjourn the meeting at any time.
- c) A Motion to Adjourn is not debatable or amendable and requires a majority vote. This Motion cannot be reconsidered.

- d) Council will take up a Motion pending at the time of adjournment, and it shall become the first item under unfinished business at the next meeting.
- e) Before putting the Motion for adjournment, the Chair must allow an opportunity for any Notices of Motion to be given.

39) COMMUNICATION TO COUNCIL

- a) Any communication intended for Council or a Committee will be forwarded to the CAO in writing and must:
 - i. be legible and coherent,
 - ii. name the individual authorized to speak,
 - iii. indicate the proposed bylaw or resolution to be spoken to,
 - iv. be signed by the Person giving the authorization,
 - v. be able to identify the writer and the writer's contact information, and
 - vi. not be libelous, impertinent, or improper.
- b) If the standards set out in Section 39 a) are met and the CAO determines the communication is within the governance authority of Council, the CAO will:
 - i. if it relates to an item already on the Agenda, deliver a copy of the communication or a summary of it to the Mayor and Councillors prior to or at the meeting at which the Agenda is being considered,
 - ii. refer the communication to administration for a report or a direct response, and inform the Councillors of the referral,
 - iii. send a copy of the communication or a summary of it to all Councillors for information, or
 - iv. take any other appropriate action on the communication.
- c) If the standards set out in Section 39 a) are not met, the CAO may file the communication, or dispose of it, unless the CAO determines the communication to be libelous, impertinent, or improper, in which case the CAO must summarize the communication and inform Council that it is being withheld.

- i. Council may direct that any communication withheld under this Section be forwarded to members of Council.
 - ii. The CAO must make reasonable efforts to respond to the Person sending the communication and to advise the Person of any action taken on the subject of the communication.
- d) Council may:
 - i. refer any communication to administration for a report, and
 - ii. give other instructions on the communication.
- e) Council may not debate the subject of a communication without a two-thirds vote in favor of debate or without prior notice.
- f) When a communication requests Council or a Committee to Reconsider, Rescind, or Renew a previous decision, the CAO must inform the Person sending the communication that the request can only be dealt with in accordance with Section 16 of this bylaw.
- g) Any matter required to be brought to Council by way of a petition must be supported by a petition that complies with the *MGA*, sections 219 through 226, and sections 231 through 234, or other legislation.
- h) Within a regular Council Meeting, Councillors must present in writing or verbally:
 - i. Notice of Motion, and
 - ii. reports on any meetings attended or matter dealt with at the request of Council.
- i) Councillors must submit to the CAO for the municipal records as soon as they become available:
 - i. all Minutes of non-municipal Committees on which they sit, and
 - ii. any report or records of a meeting.

40) CONDUCT IN COUNCIL MEETINGS

MEMBERS OF PUBLIC

- a) The members of the public during a meeting will:

- i. not approach or speak to Council without permission of the Chair,
 - ii. not speak on any matter for longer than ten (10) minutes unless permitted by the Chair,
 - iii. maintain order and quiet, and
 - iv. not interrupt a speech or action of Council or another Person addressing the Members.
- b) The Chair may order a member of the public who creates a disturbance or acts improperly at a meeting to be expelled.
- c) A Person who refuses to leave may be guilty of an offence and liable to penalties set out by statute.
- d) The Chair may request a Peace Office to remove the Person.

MEMBERS OF COUNCIL

- a) Members of Council during a meeting will not:
 - i. speak disrespectfully, use offensive words, or un-parliamentary language,
 - ii. address Members without permission,
 - iii. carry on a private conversation,
 - iv. break the rules of Council or disturb the proceedings,
 - v. leave their seat or make any noise or disturbance while a vote is being taken or the result declared, or
 - vi. disobey the decision of the Chair on any question of order, practice, or interpretation.
- b) A Member of Council who persists in a breach of section a) after having been called to order by the Chair, may at the discretion of the Chair, be ordered to leave for the duration of the meeting.

- c) When a Councillor has been warned about breaches of order but continues to engage in them the Chair may name the Councillor by stating their name and declaring the offence.
- d) The CAO must note the offence in the Minutes.
- e) If a Councillor, who has been named; apologizes and withdraws any objectionable statements, then:
 - i. that Councillor may remain and continue participating in the Meeting, and
 - ii. the Chair may direct that the notation of the offence be removed from the Minutes; or
- f) If a Councillor, who has been named, fails or refuses to apologize, then:
 - i. that Councillor must immediately leave Council Chambers,
 - ii. Council must, without debate, vote on a Motion to expel that Councillor, and
 - iii. a majority vote carries the Motion.
- g) If a Councillor has been expelled pursuant to Section f) that Councillor must leave Council Chambers immediately.
- h) The Chair may request a Peace Officer to remove an expelled Councillor if that Councillor does not leave voluntarily.
- i) At the discretion of the Chair, a Member of Council may resume their seat after making an apology for the member's offending conduct.

41) INFORMATION TECHNOLOGY

- a) The intent is to ensure that Council and the Public are aware of all communications occurring within or outside of the Council Chambers during meetings.
 - i. No Member shall engage in use of social media or instant messaging such as email messaging and texting during a meeting.

- ii. Members of Council shall be respectful and attentive and shall avoid distracting themselves and others by keeping their electronic devices on silent mode during a meeting.

42) PUBLIC HEARINGS / STATUTORY HEARINGS

- a) When a Council is permitted to delegate a hearing by statute, Council may delegate the responsibility to hold the hearing to any Committee.
- b) As per section 199 of the MGA, Public Hearings under Part 17 of the MGA are to be conducted by electronic means.
- c) As per section 216.4(1) of the MGA, the Public Hearing on any proposed bylaw or resolution must be held before the Chair has put:
 - i. *a Motion on the resolution, or*
 - ii. *a Motion for the second reading of a bylaw.*
- d) As per section 216.4 (4) of the MGA, in the Public Hearing, Council
 - i. *must hear any Person, group of Persons, or Person representing them, who claim to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the Council, and*
 - ii. *may hear any other Person who wishes to make representations and who Council agrees to hear.*
- e) "Adjourn" used in relation to a Public Hearing means to take a break in the hearing with the intent of returning to the Public Hearing at another meeting or later in the same meeting.
- f) "Close" used in relation to a Public Hearing means to terminate the Public Hearing.
- g) Public Hearings shall be heard during the Regular Meetings of Council or Special Council Meetings.
- h) The order of business for each item of a Public Hearing shall be:
 - Public Hearing Regarding: Details of Hearing
 - Public Hearing Declared Open

- Background and Review
 - Details of Proposed Amendments
 - Formal Correspondence/Submissions Received (if any)
 - Presentations
 - Applicants
 - Other
 - Questions/Comments from Council Members
 - Summary
 - Hearing Closed
- i)** Administration will introduce, present, and respond to questions of clarification on the proposed bylaw or resolution.
- j)** The CAO shall inform Council of any written submissions and the numbers in favour of and opposed to the matter. Any Councillor or the public may review the written submissions received before the commencement of the Public Hearing or during the Public Hearing.
- k)** The Chair must ask if anyone is present to speak to the proposed bylaw or resolution. All questions are to be directed through the Chair.
- l)** If a Person indicates their presence to speak to the proposed bylaw or resolution, then the following procedures will apply:
- i.** a Person will be allowed five (5) minutes to speak,
 - ii.** those in favor will speak first,
 - iii.** followed by those opposed,
 - iv.** any applicants if applicable, and
 - v.** others.
- m)** Persons addressing Council should:
- i.** state their name and address, and
 - ii.** Indicate if they are speaking on their own behalf, a client, company, or a group of citizens (i.e., club or organization).
- n)** After a Person has spoken, a Councillor may ask that speaker relevant questions.

- o)** Any Councillor may ask the CAO through the Chair relevant questions after all Persons who wish to speak have been heard.
- p)** Council must allow an opportunity to all Persons to respond to any new information that has arisen.
- q)** If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter until it reconvenes the Public Hearing.
- r)** If no one is present to speak to a proposed bylaw or resolution which requires a Public Hearing, Council may hear an introduction of the matter from Administration, ask relevant questions, and then must vote to close the statutory hearing.
- s)** The Public Hearing must be closed before Council debates the proposed bylaw or resolution.
- t)** If Council wishes to make amendments to the proposed bylaw or resolution, Council will:
 - i.** direct the CAO to amend the bylaw or resolution,
 - ii.** give second reading to the bylaw with amendments; or
 - iii.** move the resolution and amend.
- u)** After the close of the Public Hearing Council may:
 - i.** pass the bylaw or resolution, or
 - ii.** defeat the bylaw or resolution.
- v)** A Councillor who was absent for all of the Public Hearing on a proposed bylaw or resolution must not vote.
- w)** A Councillor who was absent for part of the Public Hearing may choose not to vote.
- x)** If a Councilor does not vote, the abstention must be recorded.

- y) If there is more than one (1) Public Hearing on the Agenda, there shall be a Motion to Adjourn or close one (1) Public Hearing before the Chair opens another Public Hearing.
- z) Matters that are related to the same topic may be addressed in the same Public Hearing.
- aa) Council may hold public meetings to solicit input from the public on issues for which a Public Hearing or a statutory hearing is not required. Public meetings means a meeting at which members of the public may attend and may be invited to make submissions to Council but which is not a Public Hearing.

43) REPRESENTATIVES

- a) If a Person is unable to attend a hearing, that Person may authorize an individual to speak on their behalf.
- b) The authorization must:
 - i. be in writing,
 - ii. name the individual authorized to speak,
 - iii. indicate the proposed bylaw or resolution to be spoken to, and
 - iv. be signed by the Person giving the authorization.
- c) The authorized speaker must state the name of the Person that the speaker represents and must present the written authorization to the CAO.
- d) If an authorized speaker represents more than one Person, the speaker will be allowed only five (5) minutes to speak, unless Council decides otherwise.

44) COMMITTEE OF THE WHOLE

- a) Any Councillor may move that an item be referred to the Committee of the Whole.
- b) The Mayor, Deputy Mayor, or in their absence the next Deputy Mayor in rotation, will preside over the Committee of the Whole.
- c) Quorum of Committee of the Whole is a majority of Councillors

- d) Procedures in Committee of the Whole only differ from Council's in that:
 - i. Councillors may speak more than once, provided that all Councillors who wish to speak to the matter have been permitted to speak, and
 - ii. the proceedings will not be recorded except the Motions.
- e) The only Motions permitted are:
 - i. to adopt reports or recommendations, and to recommend amendments;
 - ii. to amend its own reports or recommendations, and
 - iii. to Rise and Report to a Council Meeting.
- f) Rise and Report, a Motion to put forward to a Council Meeting, may be made at any time and must be decided without debate.
- g) Any matter which has not been decided will be considered lost.
- h) Any Councillor may move to adopt the recommendations of the Committee of the Whole and debate will only be allowed on any amendments proposed by Committee of the Whole.

45) **COUNCIL COMMITTEE**

- a) Council Committees are established by bylaw or resolution and are subject to revision by bylaw or resolution as required.
- b) The membership of the Committees will be determined as follows:
 - i. membership of Councillors, except the Mayor, is for a total of one year on a Committee as determined at the Organizational Meeting, and
 - ii. if a Councillor vacates the office of Councillor during the term of office:
 - the Person elected as Councillor in a by-election shall take the place of the vacating Councillor on Committee membership until the next General Election or Organizational Meeting, unless the Mayor determines the committees for the newly elected Member, or
 - if no by-election is held, Council may appoint another Councillor to fill the vacancy.

- c) All Councillors may attend any meeting of any Committee; however, they are there only to observe unless the Chair asks for their input.
- d) The Mayor is a member, by virtue of office, of all Committees unless Council has decided that the Mayor is an actual member of a particular Committee.
- e) If the Mayor is present at Committee meetings, the Mayor must 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.
- f) If a Quorum is not possible because of the absence of one or more members of a Committee, any Councillor present at the Committee meeting will become an alternate Member of the Committee and will be counted to determine Quorum.
- g) If more than one Councillor is present, priority for selection as an alternate Member will be determined in accordance with the Deputy Mayor rotation schedule beginning with the current Deputy Mayor.
- h) Alternate membership will cease when there is a Quorum of members regularly appointed under this Bylaw.
- i) Committees have full authority to exercise or perform any power or duty delegated under this or any other bylaw.
- j) Any Member of a Committee may, prior to a vote being taken, request that an item be referred to Council and it must be referred without debate.
- k) Any Committee may submit its reports directly to Council without a Committee recommendation.
- l) Committees must not appropriate, expend, or direct the expenditure of any money not provided for in the budget approved by Council or by a special or supplementary budget adjustment approved by Council.

46) COMMITTEES – GENERAL DUTIES AND RESPONSIBILITIES

- a) Each Committee elects a Chair from among the members of the Committee at the first meeting after each Organizational Meeting.
- b) If the Committee is unable to elect a Chair, then Council must select the Chair from among the members of the Committee at the next regular Council Meeting.

- c) The members of the Committee must elect a Vice-Chair who will preside at meetings of the Committee in the absence of the Chair.
- d) If neither the Chair nor Vice-Chair is present at a Committee meeting, the Committee must elect a Chair from among its members for that meeting.
- e) The duties of all the Committees will be mandated by bylaw or resolution as desired by Council.

47) PROCEDURES FOR COUNCIL COMMITTEES

- a) Council may by bylaw or resolution establish a Council Committee to investigate and report to Council on any matter.
- b) Council may appoint, by resolution, Councillors, Town employees, or other individuals to Council Committees.
- c) When a Council Committee is established by bylaw or resolution, Council must:
 - i. name it,
 - ii. establish Terms of Reference,
 - iii. establish the term of appointment, or direct that the committee exists at the pleasure of Council,
 - iv. establish requirements for reporting to Council or a Standing Committee, and
 - v. allocate any necessary budget or other resources.
- d) A Council Committee may establish, on an annual basis, a schedule of its meetings.
- e) An annual schedule established under Section d) must be filed with the CAO a minimum of three (3) working days prior to the first meeting. The CAO will post a monthly schedule of meetings on the Town website.
- f) The Chair 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 the purpose of the meeting.

- g)** A Special Meeting requested by Committee members must be held within fourteen (14) days after the request is received.
- h)** Notice of Committee of Council meetings not approved in their annual schedule or cancellation of a previously called meeting must comply with Section 6 of this Bylaw and be filed with the CAO a minimum of forty-eight (48) hours prior to the meeting.
- i)** Quorum is a majority of Members of a Council Committee unless specified otherwise by this or any other bylaw.
- j)** Minutes must be prepared for all Council Committee meetings and will include:
 - i.** all decisions and other proceedings,
 - ii.** the names of the Committee members present at and absent from the meeting,
 - iii.** any abstentions made under the *MGA*, sections 170, 172, 183, and 184, by any Member and the reason for the abstention, and
 - iv.** the signatures of the Chair and the Recording Secretary.
- k)** The Minutes of each meeting must be circulated prior to the meeting at which they are to be adopted:
 - i.** if there are errors or omissions, the Committee must pass a Motion to amend the Minutes and adopt the Minutes as amended, or
 - ii.** if there are no errors or omissions, the Committee must adopt the Minutes as circulated.

48) PROCEDURES WHEN A COMMITTEE SITS AS A QUASI-JUDICIAL TRIBUNAL (SUBDIVISION AND DEVELOPMENT APPEAL BOARD)

- a)** Membership of a committee sitting as a Quasi-Judicial Tribunal needs to be an odd number.
- b)** When a committee acting as a Quasi-Judicial Tribunal needs to increase its membership to create an odd number, the following procedures will be used:
 - i.** the Mayor will be requested to the meeting while the Committee is sitting as a Quasi-Judicial Tribunal, or

- ii. when the Mayor is not available or already in attendance, then the Quasi-Judicial membership will be augmented by using the Deputy Mayor roster beginning with the current Deputy Mayor.
- c) While the committee is sitting as a Quasi-Judicial Tribunal, only members of the committee, appellants, or affected parties may participate in the meeting.
- d) Once the Quasi-Judicial Tribunal has completed hearing the appeal(s), the additional Member of the committee, other than the Mayor, will no longer be part of the committee nor be able to make a Motion and vote.
- e) Appeal Hearings will be scheduled pursuant to the *MGA*, sections 678 to 682, within the time guidelines as stated by that *Act*.
- f) The following procedures will be used when hearing an Appeal:
 - i. the Clerk will call the appeal,
 - ii. the committee will hear from the presenters in attendance in the following order:
 - the appellant or their agent,
 - other affected parties, and
 - Administration.
- g) Each presenter will have five (5) minutes to make a presentation.
- h) Presenters may be given additional time at the discretion of the Committee.
- i) After the Person has spoken, any committee Member may ask that speaker relevant questions.
- j) The Appellant will have an opportunity to respond to any new information.
- k) If required, the Committee can ask the appellant clarification question prior to its deliberation and decisions on the appeal.
- l) The Committee will then make its decision on the appeal.
- m) Written notification of the decisions will be forwarded to the appellant or their agent at the address provided within the time guidelines as given in the *MGA*, section 680(3) and (4).

49) BOARD AND COMMITTEE CITIZEN APPOINTMENTS

- a) The CAO will advertise for and appoint citizen members for Town Boards or Committees as per the Town's Recruitment and Selection to Council Committees Policy P-73-2015.

50) ROBERT'S RULES

- a) When any matter relating to the proceedings of Council is not addressed in the *MGA* or in this Bylaw, the provisions of the most recent version of Robert's Rules of Order Newly Revised will govern the matter.
- b) In the event of a conflict between the provisions of this Bylaw and Robert's Rules of Order Newly Revised, the provision of this Bylaw shall prevail.

51) SEVERABILITY

If any portion of this Bylaw is declared invalid by a Court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the Bylaw is deemed valid.

52) REPEAL

That Council Procedural Bylaw 2014-10 and all amendments hereto are hereby repealed.

53) EFFECTIVE DATE

This Bylaw becomes effective upon third and final reading.

READ a first time this 14th day of June 2021.

READ a second time this 14th day of June 2021.

Unanimous consent for third and final reading this 14th day of June 2021.

READ a third time and finally passed this 14th day of June 2021.

Ralph Leriger, Mayor

Simone Wiley, CAO

Schedule A

Orders of the Day

Regular Meeting of Council Order of Business

Call to Order
Adopt Agenda
Adopt Minutes
Public Hearings (if required)
Delegations (if any)
Delegation Business (if any)
Old Business
New Business
Correspondence for Action
Correspondence for Information
Council Committee Reports 2nd meeting of the month
Administrative Inquiries
Notices of Motion
Question Period
Closed Meeting Items
Adjournment

Council Committee of the Whole Meeting Order of Business

Call to Order
Adopt Agenda
Adopt Minutes
Old Business
New Business
Department Reports
Closed Meeting Items
Adjournment

Disclaimer: The Orders of the Day presented in "Schedule A" do not apply to Council Committee meetings. Committees will set their own agenda.