



CITY OF BROOKS

BYLAW NO. 11/11

A BYLAW OF THE CITY OF BROOKS TO REGULATE THE PROCEEDINGS OF COUNCIL AND COMMITTEES

WHEREAS pursuant to the Municipal Government Act RSA 2000, c M-26 and regulations as amended, Council may pass a Bylaw respecting the procedure and conduct of Council.

NOW, THEREFORE, the Council of the City of Brooks, in the Province of Alberta, hereby enacts as follows:

TITLE

1. This Bylaw may be referred to as the "Procedural Bylaw".

INTERPRETATION

2. In this Bylaw, unless the content otherwise requires:
 - a) "**Act**" means the Municipal Government Act RSA 2000 c-M-26 and regulations made under the Municipal Government Act as amended;
 - b) "**Administration**" is the general operations of the City, including all personnel, financial and other related resources, as permitted by the Act;
 - c) "**Agenda**" is the order of items of business for a meeting and the associated reports, bylaws or other documents;
 - d) "**Bylaw**" means the City of Brooks Bylaw No. 11/11 as may be amended from time to time;
 - e) "**Chair**" means the person presiding at the meeting of Council or Council Committee;
 - f) "**Chief Administrative Officer**" means the Chief Administrative Officer of the City of Brooks regardless of any subsequent title that may be conferred on that officer by Council or statute, or his/her designate;
 - g) "**City**" means the City of Brooks, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the City of Brooks, as the context may require.
 - h) "**Council**" means the Municipal Council of the City of Brooks;

- i) **"Council Committee"** is a Committee within the meaning of the Act that is carrying out the powers, duties and functions delegated to it by Council and is comprised of all members of Council;
- j) **"Delegation"** shall mean a person or group of persons wishing to appear before the Council to address a specific matter;
- k) **"Deputy Mayor"** shall mean the member who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor and shall be appointed to serve for a one year term;
- l) **"Executive Assistant"** means the person or designate appointed by the CAO to prepare Agendas, Minutes and motions for any meeting and be responsible for indexing bylaws and Council resolutions;
- m) **"In Camera Session"** means a meeting or a portion of a meeting which is closed to the public;
- n) **"Mayor"** shall mean the Chief Elected Official elected in accordance with the Municipal Government Act;
- o) **"Member"** shall mean a member of Council.
- p) **"Minutes"** are the record of decisions of any meeting recorded in the English language without note or comment;
- q) **"Pecuniary Interest"** means a pecuniary interest within the meaning of the Act.
- r) **"Person"** means any person, firm, partnership, association, corporation, company or organization of any kind.
- s) **"Point of Information"** is a request to a Member or the Administration, for information relevant to the business at hand, but not related to a Point of Procedure.
- t) **"Point of Order"** shall mean the raising of a question by a member to call attention to any departure from this Bylaw;
- u) **"Point of Procedure"** shall mean a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand in order to assist a member to make an appropriate motion, raise a point of order or understand the parliamentary situation or the effect of a motion;
- v) **"Public Hearing"** shall mean a meeting of Council convened to hear matters pursuant to the Municipal Government Act, or any other Act, or any other matter at the direction of Council;

- w) “**Question of Privilege**” shall mean a raising of a question which concerns a member of Council, or the Council collectively when a Member believes that another Member has spoken disrespectfully towards him/her or the Council, or when he/she believes his/her comments have been misunderstood or misinterpreted by another Member or Members.
- x) “**Quorum**” means the majority of all Councillors that comprise the Council pursuant to Section 143 of the Act. If there is a vacancy on Council and the Council is not required to hold a by-election under Section 162 or 163 of the Act, quorum shall consist of the majority of the remaining Councillors that comprise the Council under Section 143 of the Act.

GENERAL

- 3. This Bylaw shall govern all meetings of Council, Council Committee, Standing Committee, Adhoc Committees, Public Hearings and any other meeting as may be directed by Council.
- 4. When a matter arises relating to proceedings in a meeting which is not covered by a provision of this Bylaw or the Act, the matter shall be decided by reference to Robert’s Rules of Order.
- 5. In the absence of any statutory obligation to the contrary, the strict application of this Bylaw may be waived if approved by a vote of the majority of Council.
- 6. A motion to waive any provision of this Bylaw as provided for in Clause 5 may be brought at any time, and if accepted, the resolution waiving the strict application of the Bylaw will only be effective for the meeting during which it was passed.
- 7. The precedence of the rules governing the procedure of Council is:
 - a) The Act;
 - b) Other Provincial Legislation;
 - c) This Bylaw; and,
 - d) Roberts Rules of Order.
- 8. All sections of the Act referenced in this Bylaw are for information only and may change as the Act is amended.

ORGANIZATION OF COUNCIL & COMMITTEES

Council:

- 9. The Mayor, when present, shall preside as Chair over all meetings of Council and Council Committee.

10. At the first organizational meeting of Council following a general election, Council shall appoint a separate Councillor to the position of Deputy Mayor for each of the three years following the general election.
11. The Deputy Mayor shall Chair Council and Council Committee when the Mayor is absent or unable to act as Mayor and shall have the powers and responsibilities of the Mayor under this Bylaw.
12. In the absence or inability of the Mayor and Deputy Mayor to act, the next Councillor appointed to be Deputy Mayor shall assume the Chair of Council and Council Committee meetings and shall have the powers and responsibilities of the Mayor under this Bylaw. At the third Organizational Meeting following a general election, the Council shall appoint a Councillor to act in the absence or inability of the Mayor and Deputy Mayor to act.

Standing and Adhoc Committee Establishment:

13. Council may establish Standing and Adhoc Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the City and establish the Terms of Reference and duration of a Committee. Such committees shall be appointed by motion by a majority vote of Members present at a Council meeting and any Member may be appointed to a committee notwithstanding the absence of such Member at the time of being named to such committee for a one year term commencing the following day of the annual Organizational meeting and expiring on the date of the next annual Organizational Meeting.
14. Council Committee shall meet regularly but special meetings may be held at any time at the call of the Mayor upon twenty-four (24) hours notice. The quorum shall be the majority of the Council members.
15. Council Committee, Standing Committees and Adhoc Committees shall not have authority to:
 - a) pass bylaws or adopt policies;
 - b) make, suspend or revoke the appointment of a person to the position of Chief Administrative Officer;
 - c) adopt budgets or budget adjustments under Part 8 Financial Administration of the Act;
 - d) set taxes covered under s. 347 of the Act;
 - e) decide on appeals imposed on it by the Act or any other enactment;
 - f) authorize accumulated annual expenditures over \$10,000 that are not included in the approved operating and capital budget;
 - g) sell land that is not at market value;
 - h) approve subdivisions or rezone any parcel of land;
 - i) make changes to Area Structure Plans or the Municipal Development Plan;

- j) approve annexations or expropriations.

Council Committee:

- 16. The Mayor shall be the designated Chair.
- 17. Meetings shall be held regularly but special meetings may be held at any time at the call of the Mayor upon twenty-four (24) hours notice.
- 18. Delegated powers, duties and functions of Council Committee may include, but are not limited to the following:
 - a) making new or revised policy proposals to Council;
 - b) receiving reports on work in progress;
 - c) creating and being responsible for sub-committees and their Terms of Reference;
 - d) providing performance evaluations and ongoing monitoring of the CAO as required by the Act;
 - e) reviewing and making recommendations about corporate structure, corporate personnel issues and corporate policy to Council;
 - f) providing initial budget guidelines in consultation with the CAO;
 - g) reporting on Council's strategic priorities; and,
 - h) referring reports to Council for policy review and direction.
- 19. No motions shall be made other than recommendations to Council.
- 20. No action of Council Committee shall be binding on the City unless Council has adopted the report of the Committee by resolution.

REGULAR MEETINGS

Council:

- 21. The regular meetings of Council shall be held in Council Chambers at the Municipal Office on the 1st and 3rd Monday of every month. When the meeting day falls on a statutory holiday the meeting shall be held the following day which is not a statutory holiday.
- 22. Regular meetings of Council shall commence at 4:30 p.m.

Council of the Whole:

- 23. Where the majority of Members present are of the opinion that it is in the public interest to hold a committee meeting of the whole or part of the Members on any subject in private, a Council may, by resolution, exclude any person or persons

from the meeting, but it has no power at such a committee meeting to pass any Bylaw or resolution apart from the resolution necessary to revert to an open meeting.

24. The resolution to meet in committee of the whole must state the items or matters to be discussed.

Change in Date/Time:

25. If there are changes to the date and time of the meeting, the municipality must give at least twenty-four (24) hours notice of the change to all Members and post a public notice. Posting a public notice in the front foyer of the Municipal Office is sufficient notice to the public if the Chair or designate is unable to advertise the change in the local newspaper.

In Camera Meetings

26. Council may conduct all or a portion of any meeting In Camera pursuant to Section 197 (2) of the Act, for the purposes of:
- a) protecting the City, its operations, economic interests and delivery of its mandate from harm that could result from the release of certain information; and,
 - b) to comply with Division Two of Part One of the Freedom of Information and Privacy Act.
27. Matters which may be discussed In Camera, include the following:
- a) wages, salaries and other personnel matters;
 - b) any information regarding contract negotiations;
 - c) the acquisition, sale, lease or exchange of land;
 - d) matters involving financial information i.e. budget; financial reporting, etc.;
 - e) matters involving litigation, or the discussion of legal advice provided to the City;
 - f) matters concerning RCMP investigations or confidential reporting; and,
 - g) information pertaining to the City's accounting practices;
 - h) notwithstanding Clause 27 a) to g) above, the Members may by a two-thirds (2/3) vote authorize additional matters to be discussed In Camera.
28. Items discussed In Camera shall remain Confidential.
29. No Bylaw or resolution shall be passed at an In Camera Meeting, except a resolution to revert to meeting in public.

Organizational Meeting

30. An Organizational Meeting of Council shall be held annually pursuant to the Act.
31. When the Mayor has been elected at an election immediately preceding the meeting, the CAO shall call the meeting to order and shall preside over the meeting until every Member present has made and subscribed the official oath prescribed by the Oath of Office Act.
32. The CAO in conjunction with the Mayor shall fix the time and prepare the Agenda which shall be restricted to:
 - a) the administration of the oath and the introduction of new members of Council should the meeting follow the General Municipal Election;
 - b) the establishment of meeting dates;
 - c) the appointment of members to act on committees, boards and other bodies which Council is entitled to representation;
 - d) appointment of Councillors as Deputy Mayor; and,
 - e) any such other business as is required by the Act.

Public Meetings

33. Except as provided in Clauses 23 and 26 of this Bylaw, all meetings shall be held in public.

Quorum

34. A Council meeting is called to order when sufficient Members are present to form a Quorum at the time set for the start of the meeting. The Mayor shall take the Chair and call the Council meeting to order.
35. If there is no Quorum present within half an hour after the time appointed for the meeting of Council, the Executive Assistant shall call the roll and take down the names of the Members present, and the Council shall stand absolutely adjourned until the next meeting unless a special meeting is duly called in the meantime.
36. In the case the Mayor or Deputy Mayor is not in attendance within fifteen Minutes after the hour appointed for a meeting and a Quorum is present, Clause 12 of this Bylaw shall apply.

Attendance

37. Attendance is required as pursuant to the Act.

Special Meetings

38. The Mayor may call a special meeting of Council whenever the official considers it appropriate to do so and when a written request, stating purpose, is received from a majority of the Members.
39. Written notice of a special Council meeting stating the time and place at which it is to be held and stating in general terms the nature of the business to be discussed shall be provided to the public and all Members not less than twenty-four (24) hours in advance of the meeting.
40. The Mayor may call a special meeting of Council upon shorter notice, however no such special meeting may be held unless two-thirds (2/3) of Members give their written or electronic consent to the holding of the meeting.
41. No business other than that stated in the notice shall be discussed at any special meeting of Council, unless all Members are present and two-thirds agree that other business may be discussed.

Cancellation of Meetings

42. (1) Council meetings may be cancelled:
 - a) by a majority of Members at a previously held Meeting; or
 - b) with the written consent of a majority, provided twenty-four (24) hours notice is provided to Members and the public; or,
 - c) with the written or oral consent of two-thirds (2/3) of the Members if twenty-four (24) hours notice is not provided to the public.
- (2) Special Meetings may be cancelled:
 - a) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or,
 - b) if less than twenty-four (24) hours notice is provided, the Mayor may cancel with the written or oral consent of two-thirds of the Members.

AGENDA & MINUTES

Agenda Procedures for Council and Council Committee

43. The draft Agenda for Council shall be prepared by the Executive Assistant. The CAO shall review the Council Agenda with the Mayor prior to the regular scheduled Council meeting.
44. The draft Agenda for Council Committee shall be reviewed by the Mayor and CAO prior to the meeting.

45. All items for Agendas prepared by Administration and/or Members shall be delivered in writing to the CAO's designate by noon the Wednesday preceding the Council or any committee meeting.
46. Items to be discussed at an In Camera session shall be marked Confidential and distributed to Members and designated staff as directed by the CAO.
47. Unless otherwise specified in this Bylaw the order of business for meetings shall endeavor to be contained in the Agenda, which shall be prepared by the Executive Assistant. Copies of all Agenda material to be dealt with will generally be placed at the disposal of Council by 12:00 noon the Friday preceding the meeting.
48. In the event that the Mayor and/or Chair determines a matter to be urgent, the Mayor and/or Chair may bring the matter before Council notwithstanding that the matter did not appear on the Agenda. Each item of urgent business shall:
 - a) be accompanied by a brief explanation from the Mayor and/or Chair indicating the reasons and degree of urgency.
49. In the event that the Mayor and/or Member determines to add an item to the Council/Council Committee Agenda that is not of an urgent matter, the item shall be considered if carried by a two-thirds vote of the Members present.
50. The order of business in the Council Agenda shall be as follows:
 1. Items to add or delete from the Agenda
 2. Adoption of the Agenda
 3. Adoption of the previous Minutes
 4. Business arising out of Minutes
 5. R.C.M.P. Report
(second regular meeting of the month)
 6. Delegations
 7. Correspondence and Information
 8. Accounts Payable
 9. Boards & Commissions Reports
(second regular meeting of the month)
 10. Administrative Reports
 11. Financial Reports
(second regular meeting of the month)
 12. Business
 13. Bylaws
 14. Business – In Camera

15. Questions from the Media

16. Adjournment

51. The order of business established in the foregoing paragraph shall apply unless Council otherwise determines by a two-thirds (2/3) vote of the Members present, to revise the order of business.

Delegations:

52. A Delegation wishing to address Council at any meeting shall:

- a) make a written submission to the Executive Assistant at least seven (7) business days prior to the meeting unless the Mayor and/or Deputy Mayor approves a lesser time;
- b) the written submission will indicate the topic and purpose for requesting to appear before Council and shall become public information unless requested to be Confidential by the delegate;
- c) Delegations consisting of more than one individual shall appoint a spokesperson who will be responsible for presenting the points of view or position for the group;
- d) presentations will be directed to the Chair and limited to ten (10) minutes unless by the unanimous consent of Members present the ten (10) minute period of time is extended;
- e) information presented by the Delegation shall be restricted to the topic noted in the written submission;
- f) debate concerning matters raised by a Delegation will take place at the discretion of the Members;
- g) the Members, by unanimous vote, may make a motion to consider the topic presented under the new business section of the Council Agenda;
- h) notwithstanding Clause 52 (a) – (g) above, the Members by unanimous vote, may authorize a Delegation to speak at a meeting, at any time.

Minutes:

53. The Executive Assistant shall:

- a) make an audio-recording of all Council meetings and store these recordings in a place of safekeeping for a minimum of one hundred and twenty (120) days;
- b) prepare the Minutes of every meeting and distribute to Members and the CAO prior to the next regularly scheduled Council meeting where Minutes of the meetings shall be adopted or received as information;
- c) record in writing or electronically motions made at each Council meeting including names of Members who vote for and against a motion when a recorded vote is taken;

- d) to number each motion in the Minutes numerically and record in the City's Council resolution index after each Council meeting;
 - e) make arrangements to have the Council Minutes signed by the Mayor and CAO or his/her designate after the Council Minutes have been adopted by Council;
 - f) maintain original copies of the meeting Minutes permanently in the vault and forward an electronic copy to the IT Department for placement on the City's website and scan an approved copy for document imaging;
 - g) record the names and general nature of a Pecuniary Interest declared by a Member.
54. A Member, who has reason to believe that the Minutes of a prior Council meeting are incorrect, whether those Minutes have been officially adopted or not, may present a Notice of Motion pursuant to this Bylaw requesting that the Minutes be amended to correct the inaccuracy or the omission.
- a) where a Notice of Motion is received pursuant to this section, the Executive Assistant shall review the audio tapes of the meeting in question and shall prepare a summary of the relevant portion of the audio recording for Council prior to the Hearing; and,
 - b) in the event of disagreement between the Member and the Executive Assistant as to the accuracy of the Executive Assistant's summary of audio recordings, Council may request that the Executive Assistant provide a copy of the audio recording which will be played at the meeting at which the motion seeking the correction is to be heard.

Recording Devices

55. The Chair has the authority to prohibit the use of still and video recording devices at meetings by Members, Administration, the press or the public if the use is disruptive and/or interfering with Council/Council Committee meetings.

ROLES AND RESPONSIBILITIES

Role of the Mayor

56. The Mayor as Chair of Council meetings shall:
- a) maintain order and preserve decorum and may, if necessary, call a Member to order;
 - b) decide Points of Order without debate or comment;
 - c) ensure that all Members who wish to speak on a motion have spoken, that the Members are ready to vote and shall subsequently call the vote; and,
 - d) rule when a motion is out of order.

57. The Chair shall have the same rights and be subject to the same restrictions, as to participation in debate, as all other Members. When wishing to make a motion, the Chair shall:
- a) vacate the Chair, and request that the Deputy Mayor take the Chair;
 - b) if the Deputy Mayor is absent, the next appointed Deputy Mayor shall Chair the meeting; and,
 - c) remain out of the Chair until the motion on the floor has been dealt with, exclusive of the motions arising;
 - d) the current Chair may vacate the Chair at anytime.
58. Procedure is a matter of interpretation, to be determined by the Mayor or Chair as applicable.

Role of Council

59. Members must not exercise a power or function or perform a duty that is by this or another enactment or Bylaw specifically assigned to the CAO or a designated officer.
60. Members are to make decisions as a collective body for all matters regarding policy or of a program nature. Individual Council Members do not have authority to bind Council or the City to a specific course of action unless the authority has been expressly granted through resolution by Council.

Pecuniary Interest

61. Where a Member has a Pecuniary Interest in the matter before Council, as defined by the Act, the Member shall disclose the general nature of the Pecuniary Interest and shall leave the Council Chambers before debate on the matter and shall not return until after all discussions and voting on the matter has been completed.
- a) Where a Member has declared a Pecuniary Interest in a matter and has vacated the Council Chamber, that Member can no longer be counted for the purpose of determining whether there is a Quorum.
 - b) Where a Member has declared a Pecuniary Interest with a question on which, under the Act or another enactment, the Member as a taxpayer, an elector or an owner has a right to be heard by the Council;
 - i) it is not necessary for the Member to leave the room; and,
 - ii) the Member may exercise a right to be heard in the same manner as a person who is not a Member.
62. The Members shall deal with and control the executive and administrative functions through the CAO or his/her designate and Council shall as normal practice require that its directives be carried out through the office of the CAO.

63. Any violations of Clauses 59 and 62 above shall be dealt with by resolution of the Council.

CONDUCT & DEBATE

Public Conduct

64. Members of the public who constitute the audience in the Council Chamber during a Council meeting shall:
- a) not address Council without Council permission;
 - b) maintain order and quiet;
 - c) not applaud or otherwise interrupt any speech or action of the Members, or any other person addressing Council.
65. A member of the public who persists in a breach of 64 above, after having been called to order by the Chair may, at the discretion of the Chair be ordered to leave Council Chambers.

Member Debating

66. A Member wishing to speak on a matter at a meeting should indicate their intention by raising their hand and being recognized by the Chair, shall not speak more than once until every Member has had the opportunity to speak except:
- a) if the explanation part of the speech may have been misunderstood; or
 - b) in reply, to close debate, after everyone else wishing to speak has spoken, provided that the Member presented the motion to the meeting.
67. Supplementary questions or a series of questions relating to the matter before the meeting may be raised by the Member, but each such question requires the consent of the Chair.
68. Members may be permitted to speak two (2) times on each matter, each time no longer than two (2) minutes which may be extended at the discretion of the Chair.
69. All questions or debate shall be directed through the Chair.

Member Conduct

70. A Member shall not:
- a) use offensive words or unparliamentary language;

- b) disobey the rules of the Council or decision of the Chair or of Members on questions or order or practice, or upon the interpretation of the rules of Council;
 - c) leave their seat or make any noise or disturbance while a vote is being taken and the result is declared;
 - d) enter the Council Chamber while a vote is being taken;
 - e) interrupt a Member while speaking, except to raise a Point of Order or Question of Privilege.
71. A Member who persists in a breach of Clause 70 (a) above, after having been called to order by the Chair, may at the discretion of the Chair be ordered to leave their seat for the duration of the meeting.
72. At the discretion of the Chair, the Member may resume their seat following an apology.
73. A Member who wishes to leave the meeting of Council, without intent to return prior to adjournment, shall so advise the Chair and the time of departure shall be recorded in the Minutes.

POINTS OF INFORMATION, ORDER, PROCEDURE AND QUESTION OF PRIVILEGE

74. When a Point of Order, Point of Procedure or Question of Privilege arises, it shall be considered immediately.

Point of Information

75. When a Point of Information is raised, the Mayor shall answer or direct the Point to the appropriate member of the Administration.

Question of Privilege

76. A Member who desires to address Council upon a matter which concerns the rights or privileges of the Council collectively shall be permitted to raise such Question of Privilege. While the Chair is ruling on the Question of Privilege, no one shall be considered to be in possession of the floor.

Point of Order

77. A Member who desires to call attention to a violation of the rules on a Point of Procedure shall ask leave of the Chair to raise a Point of Order with a concise explanation and shall attend the decision of the Chair on the Point of Order. The Member in possession of the floor, when the Point of Order was raised, shall have the right to the floor when the debate resumes.

78. A Member called to order by the Chair shall immediately vacate the floor until the Point of Order is dealt with, and shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.

Appeal Ruling

79. The decision of the Chair shall be final, subject to an immediate appeal by a Member.
80. If the decision is appealed, the Chair shall give concise reasons for his/her ruling and Council, without debate, shall decide the question. The ruling of Council shall be final.

MOTIONS

81. Every motion, when moved and presented to the Chair is the property of Council; a motion may only be withdrawn with the unanimous consent of the Council.
82. All motions shall be in writing and should be concise and unambiguous.
83. Any Member may require the motion under discussion to be read at any time during the debate, except when a Member is speaking.
84. The mover of a motion must be present when the vote on the motion is taken.
85. When a matter is under debate, no motion shall be received other than a motion to:
- a) fix the time for adjournment;
 - b) adjourn;
 - c) withdraw;
 - d) table;
 - e) call the question (that the vote must now be taken)
 - f) postpone to a certain time or date (only debatable for time and date);
 - g) refer;
 - h) amend;
 - i) postpone indefinitely;

which order shall be the order of precedence.

86. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
87. A motion to table may be made when a member wishes Council to decline to take a position on the main question. The motion is not debatable and when passed, may only be resurrected by a motion to raise from the table.
88. A motion to refer shall require direction as to the person or group to which it is being referred and is debatable.

89. A motion to postpone indefinitely must include a reason for postponement and is debatable.

Amendment

90. Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendments.
91. The amendment shall be voted upon. If any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
92. Nothing in Clauses 90 and 91 above shall prevent other proposed amendments being read for the information of the Members.

Motions Out of Order

93. It is the duty of the Mayor to determine what motions or amendments to motions are in order, subject to challenge by a Member, and decline to put forward a motion deemed to be out of order.
94. The Mayor shall advise at a meeting of Council that a motion is out of order and cite the applicable rule or authority without further comment.
95. The Mayor may refuse to accept a motion to refer, that has the effect of defeating the motion to which it refers.
96. Once a motion has been voted on, a similar motion may not be made for six (6) months without first reconsidering the original motion.
97. If a motion is contrary to the procedures and privileges, the Mayor may refuse to accept it and must cite the rule or authority applicable without other comment.
98. A motion containing several distinct recommendations is not out of order for that reason alone.

Reconsideration

99. After a motion has been voted upon, and before moving to the next item on the Agenda, any Member who voted with the prevailing side may move for reconsideration and shall state the reason therefore.
100. Reconsideration shall then be open to debate, voted upon, and shall require the votes of a majority of Members present to pass.

101. If a motion for reconsideration is moved at a subsequent meeting by a Member who voted with the prevailing side, it shall be preceded by a Notice of Motion and shall require a majority vote for the Members present to carry.
102. If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date. Debate on the matter to be reconsidered shall proceed as though it had not previously been voted upon.
103. A Notice for Reconsideration must be confined to reasons for or against reconsideration.
104. A motion for reconsideration which is voted upon and approved, automatically suspends the previous motion to which it relates.

Rescinding Motions

105. A motion to rescind a previous motion may be accepted by the Chair under special circumstances; and, if passed by a majority vote of the Members present, the previous motion referred to would be declared null and void.

Splitting Motions

106. When the motion under consideration contains a number of distinct propositions, each proposition shall, if a Member requests, be voted upon separately.

Notice of Motion

107. Notice of Motion should be used to give notice when an extended period of time is advisable prior to considering a subject.
108. In accordance with Clause 107 above, a Notice of Motion may be received by the Chair prior to the closing of the meeting. The Member shall read the Notice of Motion which shall form part of the Agenda for the subsequent meeting.
109. A Member who hands a written Notice of Motion to the Chair to be read at any meeting need not necessarily be present during the reading of the Notice.
110. A motion, notice of which has been given, if not moved on the day and at the meeting for which notice has been given, cannot be moved at any subsequent meeting without notice being given on the Agenda for such meeting.

Voting – Close Debate

111. When a motion to close debate and take the vote is presented, it shall be put to a vote without debate and, if carried by a two-thirds vote of the Members present, the Motion and any amendments thereto shall be submitted to a vote immediately without further debate.

112. When the Chair, having ascertained that no further information is required, commences to take a vote, no Member shall speak to or present another Motion until the vote has been taken on such Motion or amendment.

Requirement to Vote

113. Every Member present, including the Mayor, shall vote on every matter, unless:
- a) in a specific case, the Member is excused by resolution of the Council from voting; or
 - b) disqualified from voting by reason of pecuniary interest.
114. A Member may request a recorded vote on any Motion.

Tie Vote

115. Any Bylaw or resolution on which there is an equality of votes shall be deemed to be decided in the negative.

Council/Council Committee Meeting Duration

116. Council proceedings shall adjourn after meeting for one and one-half (1.5) hours unless otherwise determined by a two-thirds (2/3) vote of the Members present.
117. Council Committee proceedings shall adjourn after meeting for three (3) hours unless otherwise determined by a two-thirds (2/3) vote of the Members present.

BYLAWS

118. Where a Bylaw is presented to Council for enactment, the Executive Assistant shall cause the number and short title of the Bylaw to appear on the Agenda.
119. Every Bylaw shall have three (3) readings. Only the title or identifying number must be read at each reading.
120. A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time. The following shall apply at first reading:
- a) Council shall vote on the motion for first reading of a Bylaw without amendment or debate; and;
 - b) after first reading, a Member may ask a question concerning the Bylaw.
121. A Bylaw shall be introduced for second reading by a motion that the Bylaw be read a second time.

122. A Bylaw shall be introduced for third reading by a motion that the Bylaw be read a third time.
123. The following applies at second and third reading:
- a) Council may debate the substance of the Bylaw;
 - b) Council may propose and consider amendments to the Bylaw; and,
 - c) a Member may request all or a portion of the Bylaw to be read.
124. A proposed amendment shall be put to a vote and, if carried, shall be considered as having been read a first time and incorporated in the Bylaw.
125. When all amendments have been accepted or rejected, a vote on second reading of the Bylaw, as amended, shall be called.
126. A Bylaw shall not be given more than two (2) readings at one (1) Council meeting, unless the Members present unanimously agree to a motion authorizing third reading.
127. If a reading of a proposed Bylaw fails:
- a) previous readings are rescinded; and,
 - b) first reading of the proposed Bylaw may not be dealt with again, except in accordance with Clause 128 of this Bylaw.
128. Subject to the Land Use Bylaw, failure of a reading of a proposed Bylaw will not preclude the introduction of another proposed Bylaw with similar terms and effect.
129. In accordance with the Act, if a Bylaw:
- a) does not receive third reading within two (2) years from the date of the first reading, the readings are deemed to have been rescinded; and,
 - b) is defeated on third reading the previous readings are deemed to have been rescinded.
130. A Bylaw shall be signed by the Mayor or Deputy Mayor and CAO or his/her designate for the City after third reading is given and passed, and shall be impressed with the corporate seal of the City.
131. The Executive Assistant shall be responsible for keeping a record of all bylaws, including amendments, in the City's Bylaw Index, and shall update the Bylaw Index after each regular Council meeting as required.

PUBLIC HEARINGS

132. Members of the public or a representative may address Council on a planning matter or other matter directed by Council to be considered at a Public Hearing, subject to a ten (10) minute time limit unless otherwise determined by the Chair to have the time extended.

133. Individuals addressing a meeting must state their name and who they represent, if anyone, and provide the Executive Assistant with the correct spelling of their name.
134. Members shall not ask questions of the Administration until all representatives have been heard, except under Clause 135 (a) below.
135. The order of business for each item of a Public Hearing shall be:
- a) presentations from the Administration and questions of clarification;
 - b) Public Hearing presentations by:
 - i) those speaking in favour;
 - ii) those speaking against; and,
 - iii) follow-up questions from Members;
 - c) questions of the Administration from Members; and,
 - d) motions.
136. Members, who are absent for the whole of the statutory public hearing, are not entitled to vote on the matter.

SEVERABILITY

137. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

REPEAL OF BYLAW

138. That Bylaw No. 07/16 and amendments thereto be hereby repealed.

EFFECTIVE DATE

139. This Bylaw shall take effect at the date of final passing thereof.

Read a first time this 3rd day of October, 2011

Read a second time this 3rd day of October, 2011

Read a third time and finally passed this 3rd day of October, 2011



Mayor



Chief Administrative Officer