

**ADMINISTRATIVE CONSOLIDATION OF BYLAW 42-17
AS OF MARCH 11, 2019**

BYLAW 42-17

**A BYLAW TO DEAL WITH PROCEDURE AND THE TRANSACTION
OF BUSINESS BY THE MUNICIPAL COUNCIL OF THE
TOWN OF OKOTOKS, IN THE PROVINCE OF ALBERTA**

(As amended by Bylaw 10-19)

WHEREAS, by virtue of the power conferred on it by the *Municipal Government Act*, M-26, RSA 2000, the Council of the Town of Okotoks, in the Province of Alberta duly assembled, enacts as follows:

SECTION 1 - SHORT TITLE

1. This bylaw may be cited as the Town of Okotoks "Procedure Bylaw".

SECTION 2 - PURPOSE AND DEFINITIONS

PURPOSE

1. The purpose of this bylaw is to establish rules to follow in governing the Town of Okotoks.

DEFINITIONS

2. The following words and phrases mean:

- (a) *Act* the *Municipal Government Act*, M-26, RSA 2000, or any legislation in replacement or substitution thereof;
- (b) Administration the Chief Administrative Officer and through the Chief Administrative Officer, the Directors, Managers, and employees of the Town of Okotoks;
- (c) Acting Mayor is the Councillor who is appointed by Council at the Inaugural Meeting to preside at any meeting of Council in the absence, ineligibility or incapacity of both the Mayor and the Deputy Mayor. The Acting Mayor is the next Councillor in the current Deputy Mayor Rotation schedule; (**Bylaw 10-19**)
- (d) Agenda is the list of items and order of business for any meeting of Council or its Committees;
- (e) Chair the person who has been given authority to direct the conduct of a meeting including the appointed head of a Committee;
- (f) Challenge an appeal of a ruling of the Chair;

- (g) Chief Administrative Officer (CAO) is the person appointed to the position of the chief administrative officer for the Town of Okotoks, within the meaning of the *Municipal Government Act*;
- (h) Chief Elected Official is the Mayor;
- (i) Committee any board, committee, commission, task force, or other body to which Council may appoint Members; **(Bylaw 10-19)**
- (j) Council is the Mayor and Councillors of the Town of Okotoks duly elected pursuant to the provisions of the *Local Authorities Election Act*; **(Bylaw 10-19)**
- (k) Councillor is a Member of Council, including the Mayor, duly elected and continuing to hold office;
- (l) Deputy Mayor is the Councillor who is appointed by Council at the Inaugural Meeting to preside at any meeting of Council in the absence, ineligibility or incapacity of the Mayor as per the current Deputy Mayor Rotation schedule; **(Bylaw 10-19)**
- (m) Ex-officio means membership by virtue of one's office and/or where appointed by Council; ex-officio members do not form part of the Quorum when not present and when present, does form part of the Quorum and may vote unless specifically excluded from voting by resolution or bylaw;
- (n) General Municipal Election an election held in the Town to elect the Councillors as described in the *Local Authorities Elections Act*, as amended, or any legislation in replacement or substitution thereof;
- (o) In Camera means when the assembly has closed that portion of the meeting to the public in accordance with one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom Of Information and Protection of Privacy Act* to discuss an item privately;
- (p) Inaugural Meeting the Organizational Meeting immediately following a General Municipal Election as described in Subsection 7 of this bylaw;
- (q) Mayor is the Councillor duly elected as the Chief Elected Official and continuing to hold office, and is the Chair at all meetings of Council;

- (r) Member is a Councillor, including the Mayor;
- (s) Organizational Meeting the meeting held as described in Subsection 8 of this bylaw, including the Inaugural Meeting;
- (t) Parliamentary Inquiry a request for information from the Chair about parliamentary procedure that does not require a formal ruling;
- (u) Point of Order a demand that the Chair enforce the rules of procedure;
- (v) Point (or Question) of Privilege a request made to the Chair or Council on any matter related to the rights and privileges of Council, individual Councillors or Administration which include the:
- (i) organization or existence of Council;
 - (ii) comfort of Councillors;
 - (iii) conduct of Administration or members of the public in attendance at the meeting;
 - (iv) accuracy of the reports of Council's proceedings;
 - (v) reputation of Councillors or Council; and
 - (vi) reputation of Administration;
- (w) Postpone to delay the consideration of any matter either to a definite time, (for example when further information is likely to be obtained), or indefinitely;
- (x) Previous Question a motion to end debate and vote on the motion under debate;
- (y) Public Hearing Meeting is a meeting of Council, which is convened to hear representations on matters in accordance with Section 230 of the *Act* and the procedures under Section 18 of this bylaw;
- (z) Put is when the Chair calls for a vote or 'puts the question to vote'. The Chair asks "Are you ready for the question?";
- (aa) Quorum is a majority of Councillors elected and serving on Council, including the Mayor;
- (bb) Special Resolution a resolution passed by a two-thirds majority of all Councillors or two-thirds of all members of a Committee;

- (cc) Table a motion to delay consideration of any matter indefinitely in order to deal with more pressing matters, which does not set a specific time to resume consideration of a matter;
- (dd) Town the Corporation of the Town of Okotoks;
- (ee) Two-Thirds (2/3) Vote a vote by two-thirds of Councillors present at the meeting and entitled to vote on the motion.

SECTION 3 - INTERPRETATION AND APPLICATION

- RULES FOR INTERPRETATION** 3. The marginal notes and headings in this bylaw are for reference purposes only.
- SUSPENSION OF RULES** 4. Council may suspend any provision of this bylaw by Special Resolution except:
- (a) the provisions about statutory hearings; and
 - (b) the provisions for amending or repealing this bylaw.
- COUNCIL PROCEEDINGS** 5. When any matter relating to proceedings in Council or in the Committees arises which is not covered by a provision of this bylaw, the matter shall be decided by reference to Roberts Rules of Order, Newly Revised.
- PARAMOUNT RULES** 6. If the provision in any other bylaw conflicts with the rules in this bylaw, this bylaw will prevail.

SECTION 4 - ORGANIZATION OF COUNCIL

- INAUGURAL MEETINGS** 7. Council must hold its Inaugural Meeting no later than two (2) weeks after each General Municipal Election at the time and place fixed by the CAO. At this meeting:
- (a) the Returning Officer must report;
 - (b) all Councillors must take the oath of office;
 - (c) the seating of the Councillors excepting that of the Mayor shall be determined by lot for a term through to a following Organizational Meeting of Council;
 - (d) in case the seat of any Councillor becomes vacant by reason of death, resignation or otherwise, the Councillor elected to fill the place shall occupy that seat in the Council Chamber;

- (e) rotation schedules for the position of Deputy Mayor shall be determined by the Mayor for the term of the Council;
- (f) all other matters required under Subsection 8 must be dealt with.

ORGANIZATIONAL MEETINGS

- 8. An Organizational Meeting of Council must be held annually, according to Section 192 of the *Act*. At this meeting Council must establish:
 - (a) Regular Council Meeting dates;
 - (b) the appointment of Councillors to Committees which Council is entitled to make;
 - (c) the seating of the Councillors, excepting that of the Mayor shall be determined by lot for a term through to a following Organizational Meeting of Council;
 - (d) in case the seat of any Councillor becomes vacant by reason of death, resignation or otherwise, the Councillor elected to fill the place shall occupy that seat in the Council Chamber;

and will deal with any other business described in the Notice of the Meeting.

SECTION 5 - MEETINGS OF COUNCIL

MEETINGS

- 9. (a)(i) Regular meetings of Council shall be held on the second and fourth Monday of each month, except for one meeting in July, August, and December. Where a Regular Council Meeting falls on a holiday, the meeting shall be held the next day. All Regular meetings will commence at 2:00 p.m., beginning immediately with an In Camera session until 2:30 p.m., at which time the public portion of the meeting will commence. Meetings will be held in the Council Chamber or other location as determined by the CAO.
- (ii) That Statutory or Non Statutory Hearings may also be held on the first or third Monday of each month at 7:00 p.m. in the Council Chamber, Okotoks, or other location as deemed appropriate by the CAO.

- (b) The date and time of the Regular Meeting of Council may be changed by 2/3 consent of all Councillors provided changes are made at the Council Meeting prior to or 14 days in advance of the date of the Regular Meeting of Council.
- (c) Any scheduled Regular Meeting of Council may be cancelled by consent of 2/3 of all Councillors.
- (d) When it is necessary to continue the meeting beyond the relevant day the meeting will be continued at 6:00 p.m. on the day following the said day, unless otherwise determined by a vote of 2/3 of all Councillors.

ADJOURNMENT

- 10.** On the day of a Council meeting, Council shall adjourn at 9:45 p.m. in the evening if in session at that hour, unless otherwise determined by a vote of 2/3 of all Councillors present, provided that a motion to extend the time of the meeting beyond the said hour may be made and passed while in Council.

QUORUM

- 11.** (a) A Quorum of Council will be a majority of Councillors elected and serving on Council, including the Mayor.
- (b) Subject to Subsection 11(a) of this bylaw, as soon after the hour of meeting as there is a Quorum present, the Mayor shall take the Chair and the Councillors shall be called to order.
- (c) In case the Mayor or Deputy Mayor is not in attendance within fifteen minutes after the hour appointed, the CAO shall call the meeting to order until an Acting Mayor shall be chosen, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
- (d) If a Quorum is not present in half an hour after the time appointed for the meeting of Council, or within half an hour of the time appointed for the meeting to reconvene after a recess or other adjournment, the CAO shall call the roll and record the names of the Councillors present and the Council meeting shall then stand adjourned.
- (e) Whenever a vote on any matter before Council or a Committee cannot be taken because of loss of Quorum, resulting from the disqualification of a Councillor or Councillors from voting, then the matter shall be the first business to be proceeded with and disposed of at the next Regular Meeting of the

Okotoks website no later than 72 hours after each meeting of Council and that any revisions to the documents originally provided be clearly marked.

**ADOPTION OF
AGENDA**

17. Council must vote to adopt the Agenda prior to transacting other business and may:
- (a) add new items to the Agenda by a majority vote of Council; or
 - (b) delete any matter from the Agenda by unanimous vote.

**RECORDING OF
MINUTES**

18. The CAO must ensure that all Council minutes are recorded which will include:
- (a) all decisions and other proceedings;
 - (b) the names of the Councillors present and absent from the meeting;
 - (c) the names of Councillors, Administration, and any other person present including their purpose for attending, during In Camera sessions; **(Bylaw 10-19)**
 - (d) any declarations of pecuniary interest made under the *Act* by any Councillor; and
 - (e) the signatures of the Chair and CAO.

**ADOPTION OF
MINUTES**

- 19.
- (a) The CAO shall ensure the minutes of each Council meeting are prepared and shall include a copy in the Agenda package for the next Regular Meeting.
 - (b) The Mayor shall present the minutes to Council with a request for a motion to adopt the minutes.
 - (c) The minutes of a previous meeting shall not be read aloud unless requested by a majority of Councillors.
 - (d) Any Councillor may make a motion requesting that the minutes be amended to correct any inaccuracy or omission.
 - (e) Only minor changes may be made to correct errors in grammar, spelling, and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change shall be

allowed which would alter or affect in a material way the actual decision made by Council.

- (f) No Councillor may introduce any extraneous evidence to support a Challenge to the accuracy of the minutes unless the evidence has been compiled or made under the direction or control of the CAO.
- (g) If a Councillor wishes to Challenge the accuracy of the minutes of a previous meeting, the Councillor must make the Challenge known to the CAO before Council has officially confirmed the minutes.

ELECTRONIC MEETINGS

- 20. (a) A meeting may be conducted through electronic or telephone services if:
 - (i) notice is given to the public of the meeting, including the way in which it is to be conducted;
 - (ii) the public is able to watch or listen to the meeting at a place specified in that notice; and
 - (iii) all the meeting's participants are able to watch or hear each other.
- (b) Councillors participating in a meeting conducted through electronic or telephone services are deemed to be present at the meeting.

RECORDINGS

- 21. Council meetings will be recorded through video or audio services and be available in perpetuity on the Town of Okotoks' website.

SECTION 7 - INQUIRIES AND RESPONSES

INQUIRIES

- 22. (a) Councillor inquiries may be presented in the following format, with a maximum of two (2) inquiries per Councillor per meeting, by verbal inquiry.
- (b) Administration may respond verbally and immediately following an inquiry; or
 - (i) Administration may provide a written response at the next Regular Meeting, or
 - (ii) Administration may request that a response be provided at a future time.
- (c) Should a response to an inquiry require more than four (4) hours of administrative time, a Council resolution to proceed must be provided at the next Regular Council Meeting. **(Bylaw 10-19)**

QUESTION PERIOD

- 23.** A person wishing to speak to, or ask a question of Council shall be permitted to speak during a Regular Council Meeting at the Delegation / Question Period at approximately 3:00 p.m., or 6:00 p.m. by prior arrangement through the CAO, or as otherwise agreed by Council, under the following guidelines:
- (a) the person's name and subject matter are to be provided to the CAO in advance of the meeting or listed on the form provided in the Council Chamber, or other appropriate location, prior to 3:00 p.m.;
 - (b) no person shall address Council for more than five (5) minutes unless otherwise approved by 2/3 vote of all Councillors;
 - (c) a subject is to be in the form of a question;
 - (d) Councillors may ask questions of the presenter with regard to the subject only;
 - (e) a Councillor or Administration may verbally answer the question during the question period if possible;
 - (f) if an immediate answer is not available, the person will be given a reply through Administration or as Council may determine, as soon as available.

SECTION 8 - MOTIONS

NOTICE OF MOTION

- 24.** A Councillor may make a motion introducing any new matter only if:

- (a) notice is given at a Council meeting held at least seven days before the Council meeting at which the motion is proposed to be made and a written copy of the content of the notice is made available to the CAO; or
- (b) Council passes a Special Resolution waiving notice.

DETAILED NOTICE OF MOTION

- (c) A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the notice of motion is proposed to be made. A notice must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.

**DELAY IN
PRESENTING MOTION**

- (d) If a motion is not made at the meeting indicated in the notice, it will appear on the Agenda for, and may be made at any of, the next two Regular Meetings. After the third Regular Meeting, it will be removed from the Agenda and may only be made by a new notice of motion.

**STYLE AND
PRESENTATION OF
MOTIONS**

- 25. (a) All motions must be concise and unambiguous
- (b) No motion bringing a new matter before Council may be made while any other motion is in the possession of Council.

**RECOMMENDATIONS
ARE NOT MOTIONS**

- (c) A motion must be made on any Agenda item before it is debated. A recommendation in a report does not constitute a motion until a Councillor has expressly moved it.

WITHDRAWAL

- (d) Once a motion has been moved and stated by the Chair, it is in the possession of Council, and may not be withdrawn without unanimous consent of all Councillors present at the meeting.

URGENT BUSINESS

- 26. (a) A Councillor may move to discuss a matter of urgent public importance without prior notice.
- (b) A motion to bring a matter before Council as Urgent Business is subject to the following conditions:
 - (i) The matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;
 - (ii) The motion must not involve discussion of a matter which has been discussed previously in the same meeting, excepting questions raised in the Delegations / Question Period by the Public;
 - (iii) The motion must not raise a Question of Privilege.
- (c) When a Councillor has made a motion to waive notice to bring a matter before Council as Urgent Business, the Mayor shall rule upon the admissibility of the matter.

REPEATING MOTIONS

- 27. A motion which has been superseded, withdrawn, or has not been in the possession of Council may be repeated unless it has been ruled out of order because it is improper.

PUT BY THE CHAIR

- 28. The Chair must Put all motions before a vote is taken.

**POSTPONE
INDEFINITELY**

29. (a) A motion to Postpone indefinitely is debatable and debate may deal with the merits of the motion being Postponed.
- (b) A motion Postponed indefinitely may only be brought back or reconsidered at a meeting of Council held six (6) months or more from the date of Postponement, or
- (c) A Special Resolution is passed allowing it to be brought back.

**POSTPONE TO A
DEFINITE TIME**

30. (a) A motion to Postpone to a definite time may be made at any time during debate. The 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.
- (b) If a motion is Postponed to a definite time, it will take priority over all other unfinished business at that time, but it may not be brought back before that time without a Special Resolution.

AMENDMENTS

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

**AMENDMENTS TO
AMENDMENTS**

32. (a) Only one amendment to a motion may be before the meeting at any time, but an amendment to the amendment may be before the meeting at the same time. The amendment to the amendment must be voted on before the amendment.
- (b) An amendment to an amendment must be relevant to the amendment. When an amendment is to make a change to numbers, the longest time, largest sum or largest quantity must be put first.

**DEBATABILITY OF
AMENDMENTS**

33. Councillors may debate the merits only of the amendment, not the merits of the motion it is applied to.

**CANNOT AMEND OWN
MOTION**

34. A Councillor may not amend his or her own motion.

REFERRAL MOTIONS

35. A Councillor may move to refer any motion to a Committee, Administration, or for investigation and report, and the motion to refer:
- (a) will preclude all further amendments to the motion;

- (b) is debatable; and
- (c) may be amended only as to the body or membership of the body to which the motion is referred and the instructions on the referral.

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| REPORT FROM REFERRAL | 36. | When a response to a referral is before Council, the motion under consideration will be the motion, which was referred, including any amendments made prior to the referral. |
| REFERRALS REFUSED BY THE CHAIR | 37. | The Chair may refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies (for example, due to time constraints). |
| LIMITING OR ENDING DEBATE | 38. | <p>Any motion to limit or end debate, including a motion for the Previous Question:</p> <ul style="list-style-type: none">(a) cannot be debated;(b) must be passed by a Two-Thirds (2/3) Vote; and(c) may only be amended as to the limit to be placed on debate. |
| MOTION FOR THE PREVIOUS QUESTION | 39. | <ul style="list-style-type: none">(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 Postpone is made, when a motion for the Previous Question is carried, the motion to which it applies must be Put without further debate or amendment. |
| TAKE FROM THE TABLE | 40. | <ul style="list-style-type: none">(a) Any Councillor may move to take a motion from the Table, provided no other motion is on the floor.(b) A tabled motion is brought back with all of the motions connected with it, exactly as it was when laid on the Table.(c) The motion to take from the Table is not debatable or amendable and requires only a majority vote.(d) If a motion to take a motion from the Table is defeated, it may only be made again after other business has intervened. |

- (e) A motion may be taken from the Table at any Regular Meeting, but not at a Special Meeting unless prior notice was given.
- (f) If a question is not taken from the Table:
 - (i) within six months after the date that it was Tabled; or
 - (ii) prior to the General Municipal Election held after it was Tabled;it may not be taken from the Table but may be made only as a new motion.

**MOTIONS
DISALLOWED**

- 41.** 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 comments.

PRIVILEGED MOTIONS

- 42.** The following motions are privileged motions and may, if the Chair determines that they are of overriding importance, interrupt the debate on another motion:
- (a) a Point of Privilege;
 - (b) a motion to excuse a Councillor from voting;
 - (c) a motion to recess;
 - (d) a motion to adjourn; and
 - (e) a motion to fix the time to adjourn.

POINT OF PRIVILEGE

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

**MOTION ON POINT OF
PRIVILEGE**

- 44.** If a motion is made resulting from an accepted Point of Privilege, it is not debatable or amendable.

POINT OF ORDER

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

**MOTION TO
CHALLENGE**

- 46.** (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?” and may participate in debate on the Challenge without leaving the Chair.
- (e) If the Chair refuses to Put the question on a Challenge, the person who would preside if the individual occupying the Chair were absent must Put the question to Council.
- (f) Unless there is a Two-Thirds (2/3) Vote against it, the ruling of the Chair will be upheld.

RECESS

- 47.** (a) Any Councillor may call for a recess at the discretion of the Chair. After the recess, business will be resumed at the point when it was interrupted. A recess may not be used to interrupt a speaker. **(Bylaw 10-19)**

ADJOURNMENT

- 48.** (a) A motion to adjourn is not debatable or amendable.
- (b) Council will take up a motion pending at the time of adjournment as the first item under unfinished business at the next meeting.

NOTICES OF MOTION GIVEN PRIOR TO ADJOURNMENT

- 49.** Before Putting the motion for adjournment, the Chair must allow an opportunity for any notices of motion to be given.

ADJOURNMENT OF REGULAR MEETING

- 50.** A motion to adjourn a Regular Meeting or a Public Hearing Meeting requires a majority vote.

OBJECTION OF CONSIDERATION OF A MOTION

- 51.** The purpose of an “Objection to the Consideration of a Motion” is to enable Council to avoid a particular original main motion when it would be undesirable for the motion to come before them, and may be dealt with in the following manner:
- (a) A Councillor may move to object to the consideration of the main 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. The motion objected to

will be heard unless there is a Two-Thirds (2/3) Vote against hearing it.

- (c) 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 in accordance with Subsection 56 of this bylaw.

DIVIDING MOTIONS INTO PARTS

- 52. A Councillor may request that a motion be divided if it contains parts, which stand as complete propositions. Council must then vote separately on each proposition.

MOTIONS PREVIOUSLY CONSIDERED

- 53. Subject to Subsections 54 and 58 of this bylaw, once Council has dealt with any matter, a motion that would have a similar result may not be made.

RECONSIDERING MOTIONS

- 54. A Councillor who voted with the prevailing side may move to reconsider a motion only at the same meeting or during the continuation of a meeting at which it was discussed.

RECONSIDERATION NOT ALLOWED

- 55. (a) A motion to reconsider may not be applied to:
 - (i) any vote which has caused an irrevocable action; or
 - (ii) a motion to reconsider.
- (b) A motion to reconsider is only debatable when the motion being reconsidered is debatable.

RESCINDING AND RENEWING MOTIONS

- 56. A motion to rescind a motion which has been passed or to renew a defeated motion may be offered subsequent to the meeting at which the motion was passed or defeated if the rescinding or renewal motion is:
 - (a) brought more than six months after the date of the original motion; or
 - (b) brought after a General Municipal Election that has taken place since the date of the original motion; or
 - (c) brought more than one month after the date of the original motion when the original motion was defeated by a tie vote.

NOTICE OF RESCISSION OR RENEWAL

- 57. Notice of a motion to rescind or renew a motion must be given or dispensed with pursuant to the provisions of this bylaw.

- RESCISSION NOT ALLOWED** **58.** No motion to rescind may be made when:
- (a) a vote has caused an irrevocable action; or
 - (b) a decision has been made to rescind or reconsider the motion.
- SECTION 9 - VOTING**
- MOTION CARRIED** **59.** A motion will be carried when a majority of Councillors present at a meeting vote in favour of the motion, unless otherwise specified in this bylaw. When a motion is Carried Unanimously, it shall be recorded as such.
- TIE VOTE** **60.** A motion is defeated when the vote is tied.
- FAILURE TO VOTE** **61.** Each Councillor present must vote on every motion as outlined under the *Act*, unless that *Act*, or any other Provincial or Federal enactment requires or permits the Councillor to abstain, in which case the Councillor must cite the legislative authority for abstaining, and the abstention and reasons must be recorded in the minutes.
- LOSS OF QUORUM** **62.** If a motion cannot be voted on because there would be no Quorum due to:
- (a) a Councillor being excused from voting by Council; or
 - (b) 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. If Council is unable to achieve Quorum at any meeting on an issue due to the pecuniary interest of Councillors, then Council must ask the Minister of Municipal Affairs for an order or direction under the *Act*.
- VOTING PROCEDURES** **63.** Votes on all motions must be taken as follows:
- (a) Councillors must be in their designated Council seat when the motion is Put;
 - (b) the Chair must Put the motion;
 - (c) Councillors must use the approved electronic or computerized voting system if it is available;

- (d) vote by a show of hands if the electronic or computerized system is unavailable; or
- (e) vote verbally by stating “for” or “against” the motion if participating by telephone;
- (f) the Chair must declare the result of the vote.

- NO CHANGE TO VOTE** **64.** After the Chair declares the result of a vote, Councillors may not change their vote for any reason.
- SILENCE ONCE QUESTION IS PUT** **65.** From the time the question is Put by the Chair until the result of the vote is declared, Councillors must be silent and must not leave their seats.

SECTION 10 - RULES GOVERNING DEBATE

- ORDER OF SPEAKERS** **66.** The Chair will determine the speaking order when two or more Councillors wish to speak, subject to a Challenge.
- ADDRESS PRESIDING OFFICER** **67.** Councillors must address the Chair when speaking.
- INTERRUPTIONS** **68.** Councillors who have been assigned their turn to speak may only be interrupted by other Councillors including the Chair:
- (a) when a Councillor is debating a subject and no motion is on the floor;
 - (b) when a Councillor has exceeded the five (5) minute time limit to speak;
 - (c) by a Point of Privilege;
 - (d) by a Point of Order;
 - (e) by an objection to the consideration of a motion; or
 - (f) by a Challenge.
- DEBATE** **69.** Councillors, including the Mayor, may enter debate once a motion is on the floor.
- MAYOR ENTERING DEBATE** **70.** (a) The Chair must step down from the Chair for the purpose of taking part in a debate in which case the Deputy or Acting Mayor or another Councillor must be called to take the Chair.

- (b) The Mayor is not required to leave his / her seat to step down from the Chair.
- (c) The Chair must not resume the Chair until the main motion is voted on by Council.
- (d) The Chair, either the Mayor or designate, shall not normally participate in debate.

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| COUNCILLOR CALLED TO ORDER | 71. | A Councillor who is called to order must immediately stop talking, but must be given an opportunity to Challenge before debate is closed. Council will decide the Challenge without debate. |
| REQUEST TO HAVE MOTION CONSIDERED | 72. | A Councillor may require that the motion being considered be read at any time during debate, but must not interrupt the speaker. |
| NUMBER OF SPEECHES | 73. | Unless otherwise provided in this bylaw, Councillors may speak only once on any motion; however, the Chair may give permission to speak again. |
| TIME LIMITS | 74. | Each Councillor may speak for five (5) minutes; <ul style="list-style-type: none">(a) by asking questions on a motion;(b) in debate on a motion;(c) by asking questions on an amendment;(d) in debate on an amendment; and(e) in reply, when the Councillor is the mover of the motion; unless Council gives permission, by a Two-Thirds (2/3) Vote, to speak for an additional five minutes. |
| OPPORTUNITY TO BE HEARD | 75. | Each Councillor will be given an opportunity to speak to a motion before it is Put to a vote, unless a motion is passed to limit or end debate. |

SECTION 11 - DUTIES OF THE CHAIR

- | | | |
|-------------------------------------|------------|---|
| CHAIR TO MAINTAIN ORDER | 76. | The Chair must preserve order and decorum and decide all questions of procedure. |
| CITING REASONS FOR DECISIONS | 77. | When the Chair makes a decision on a question of procedure, except a Parliamentary Inquiry, he or she must provide a reason for the decision. |

SECTION 12 - DISCIPLINARY PROCEDURES

- CALLING A COUNCILLOR TO ORDER** **78.** The Chair may call to order any Councillor who is out of order.
- NAMING A COUNCILLOR FOR AN OFFENSE** **79.** When a Councillor has been warned about breaches of order but continues to engage in them, the Chair may name the Councillor by stating his or her name and declaring the offense. The CAO must note the offense in the minutes.
- EFFECT OF NAMING A COUNCILLOR** **80.** If a Councillor who has been named:
- (a) apologizes and withdraws any objectionable statement, then:
 - (i) that Councillor may remain and continue participating in the meeting, and
 - (ii) the Chair may direct that the notation of the offense be removed from the minutes;
 - (b) if that Councillor fails or refuses to apologize, Council must vote on a motion to expel that Councillor. A motion to expel must be decided without debate and, if passed, that Councillor must immediately leave Council Chamber.
- REMOVAL OF COUNCILLOR** **81.** If a Councillor has been expelled pursuant to Subsection 80 of this bylaw, that Councillor must leave the Council Chamber immediately. The Chair may order the RCMP to remove an expelled Councillor if that Councillor does not leave voluntarily.
- DISTURBANCE BY PUBLIC** **82.** The members of the public during the proceedings of Council:
- (a) shall not address Council without permission of the Chair;
 - (b) shall maintain order and quiet;
 - (c) shall not applaud or otherwise interrupt any speech or action of the Councillors, or any other person addressing Council;
 - (d) when granted permission to address Council, shall not use offensive words or speak disrespectfully of Council, any Councillor, or Administration.

(c) The Chair shall preside at every meeting and shall vote on all questions.

IN CAMERA

90. When a Committee established by Council is of the opinion that a meeting is to be held In Camera, the motion that is passed to authorize the In Camera meeting shall include the reason for holding the meeting In Camera, and the meeting may only be held in accordance with the *Act*.

BUSINESS OF COMMITTEES

91. The business of Committees shall be conducted in accordance with the *Act* and within the rules governing the procedures of Council.

ORGANIZATIONAL MEETING APPOINTMENTS

92. (a) At the Organizational Meeting at the beginning of the term of office of the new Council, and annually thereafter, the Mayor shall recommend to the full Council the membership of each Committee.

(b) The Mayor shall request all Councillors to submit their preference for membership on Committees and shall take these into consideration in arriving at recommendations for the ratification of Council.

(c) The recommendations of the Mayor shall be Put before the full Council for ratification.

SECTION 15 - STANDING AND SPECIAL COMMITTEES

APPOINTMENT OF COMMITTEES

93. Subject to the *Act*, Council may appoint any Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the Town and may establish generally or in detail the:

(a) duties and responsibilities;

(b) composition; and

(c) duration of a Committee.

COMMITTEE PROCEDURES

94. The business of all Committees shall be conducted under the rules governing procedure in Council, except where the same conflict with the following rules:

(a) The Chair shall preside at every meeting and shall vote on all questions submitted, and in case of equal division, the question shall be lost. In the absence of the Chair, the Deputy Chair shall preside or in the absence of both, the Committee shall appoint a Chair from among the members present.

- (b) The CAO shall record the minutes of the Committee.
- (c) The minutes of the transactions of every Committee shall be accurately recorded as a record of the Town.
- (d) No report or recommendation dealing with any matter or thing shall be recognized as emanating from any Committee unless it is in writing, has been certified correct by the CAO, or designate, and refers to the minutes of the Committee under which it is issued.
- (e) Any Councillor, who is not a member of a Committee, shall have the right to attend Committee meetings with right of debate, but may not make motions or vote.

MEETING OPEN TO COUNCILLORS

95. Meetings of Committees shall be open to other Councillors, who may take part in any discussion or debate, but only those Councillors specifically named or appointed to the Committee shall be entitled to vote.

SECTION 16 - BYLAWS

TITLE AND BYLAW NUMBER

96. All proposed bylaws must have a bylaw number assigned by the CAO and a concise title indicating the purpose of the bylaw.

NOTICE OF PROPOSED BYLAW

97. The bylaw number and the short title of a proposed bylaw must be included on the Agenda and the CAO must provide all Councillors with a copy of the proposed bylaw prior to any motion for first reading.

FIRST READING

98. (a) A proposed bylaw must be introduced at a Council meeting by a motion that "Bylaw Number (specify the number assigned by the CAO) be read a first time". Council may hear an introduction of the proposed bylaw from Administration.
- (b) Bylaws requiring a Public Hearing, excluding Road Closure Bylaws, shall be introduced at a Council meeting at least one Council meeting prior to the scheduled public hearing date.
- (c) Council shall vote on the motion for first reading of a bylaw without amendment or debate.

SECOND READING

99. After first reading has been given, any Councillor may move that "Bylaw Number (specifying the proposed bylaw number) be read a second time".

- AMENDMENTS** **100.** After a motion for second reading has been made, Council may:
- (a) debate the substance of the bylaw;
 - (b) propose and consider amendments to the bylaw.
- THREE READINGS** **101.** (a) After second reading has been given, any Councillor may move that “Bylaw Number (specifying the proposed bylaw number) be read a third time and passed”.
- (b) When a bylaw is being considered for third reading and the bylaw received first and second reading at a previous meeting or meetings, after a motion for third reading, Council may:
 - (i) debate the substance of the bylaw;
 - (ii) propose and consider amendments to the bylaw.
 - (c) Any amendments to the bylaw which are carried prior to the motion for third reading being Put will be considered to have been given first and second reading and will be incorporated into the proposed bylaw. If amendments to the proposed bylaw have been carried:
 - (i) all Councillors must be given an opportunity to review the full text of the amendments; and
 - (ii) the Chair must Put the question that “Bylaw Number (specifying the proposed bylaw number) as amended, be given third reading”.
 - (d) Council may not give a bylaw more than two readings at a meeting unless all Councillors present at the meeting vote unanimously in favour of allowing a third reading at that meeting.
 - (e) If any reading of a proposed bylaw fails, any previous readings are rescinded.
- AMENDMENT PRIOR TO THIRD READING**
- NUMBER OF READINGS ALLOWED AT A MEETING**
- FAILURE OF A READING**
- EFFECTIVE DATE** **102.** A bylaw is effective from the beginning of the day it is given third reading and signed, unless the bylaw or any applicable statute provides for another effective date.
- SIGNING AND SEALING BYLAWS** **103.** The Mayor or Chair and CAO present at the meeting must sign and seal the bylaw as soon as reasonably possible after third reading is given.
- AMENDMENT AND REPEAL** **104.** 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 statute.

SECTION 17 - DELEGATIONS

DELEGATIONS

- 105.** (a) Notwithstanding any provision of this bylaw, Council shall grant an opportunity to persons entitled, under Provincial legislation, to make verbal submissions to Council.
- (b) A person wishing to make representations directly to Council shall so advise the CAO in writing not less than five days prior to the Council meeting date.
- (c) At the place in the Agenda for the hearing of delegations, the Chair shall call each item in order as it is listed on the Agenda.
- (d) A member of Administration may introduce items.
- (e) After delegations have been heard, Council may question the Administration and Council shall then proceed to deal with the matter.
- (f) No person shall address Council upon any matter for more than five (5) minutes, exclusive of the time required to answer the questions Put by Council.
- (g) In questioning delegations, Councillors will ask only those questions which are relevant to the subject and will avoid repetition. Delegations speaking to the subject will be restricted to the subject matter only.

SECTION 18 - PUBLIC HEARINGS

PUBLIC HEARINGS

- 106.** When the *Act* or any other legislation requires Council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held unless another enactment specifies otherwise:
- (a) before second reading of the bylaw; or
- (b) before Council votes on the resolution.

TIME FOR A STATUTORY HEARING ON A BYLAW

- 107.** If a person indicates their presence to speak to the proposed bylaw, then the following procedures will apply:
- (a) the Administration will introduce the proposed bylaw;
- (b) the person will be allowed five minutes to speak; those in favour will speak first, followed by those opposed;

- (c) after a person has spoken, any Councillor may ask that speaker relevant questions;
- (d) any Councillor may ask Administration relevant questions after all persons who wish to speak have been heard;
- (e) Council must allow an opportunity to all persons to respond to any new information that has arisen; and
- (f) any Councillor may then move that "The statutory hearing on Bylaw Number (specifying the proposed bylaw number) be closed".

**WHEN NO SPEAKER
PRESENT**

108. If a person is unable to attend a hearing, that person may authorize an individual to speak on his or her behalf. The authorization must:

- a) be in writing;
- b) name the individual authorized to speak;
- c) indicate the proposed bylaw to be spoken to; and
- d) be signed by the person giving the authorization.

**STATEMENT OF
AUTHORIZATION**

109. The authorized speaker must state the name of the person that the speaker represents and must present the written authorization to the CAO.

**REPRESENTING MORE
THAN ONE PERSON**

110. If an authorized speaker represents more than one person, the speaker will be allowed only five minutes to speak unless Council decides otherwise.

SECTION 19 - AMENDMENT AND REPEAL

**OTHER BYLAWS
REPEALED OR
AMENDED**

111. Bylaw 2-02 and all amendments thereto are hereby repealed.

This Bylaw will come into force on the date of final reading.

Bylaw 42-17 received third and final reading September 25, 2017.

ORIGINAL BYLAW SIGNED BY
MAYOR AND CHIEF ADMINISTRATIVE OFFICER

Revised Bylaw 42-17 signed February 27, 2019 by the Chief Administrative Officer as
authorized by Bylaw 21-17.

ORIGINAL SIGNED BY
CHIEF ADMINISTRATIVE OFFICER

Bylaw 10-19 received third and final reading March 11, 2019.

ORIGINAL BYLAW SIGNED BY
MAYOR AND CHIEF ADMINISTRATIVE OFFICER

SCHEDULE 'A'
BYLAW 42-17

COUNCIL AGENDA

1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. IN CAMERA
4. MOTION(S) ARISING FROM IN CAMERA (**Bylaw 10-19**)
5. MINUTES OF PREVIOUS MEETING
6. CHIEF ADMINISTRATIVE OFFICER'S REPORT
7. BUSINESS
8. BYLAWS
9. DELEGATIONS / QUESTION PERIOD BY THE PUBLIC (3:00 P.M. and/or 6:00 P.M. by prior arrangement)
10. NOTICES OF MOTION
11. MOTIONS RE NOTICES
12. CORRESPONDENCE FOR ACTION
13. COUNCILLOR INQUIRIES AND SUGGESTIONS
14. COUNCIL REPRESENTATIVE REPORTS
15. STATUTORY / NON-STATUTORY HEARING(S) (7:00 P.M.)
16. BYLAWS / BUSINESS RELATING TO HEARING(S)
17. RESPONSES TO COUNCILLOR INQUIRIES AND SUGGESTIONS
18. CORRESPONDENCE FOR INFORMATION
19. BOARD AND COMMITTEE MINUTES
20. ADJOURNMENT