

**TOWN OF PEACE RIVER
BYLAW NO. 2015**

A BYLAW OF THE COUNCIL OF THE TOWN OF PEACE RIVER, IN THE PROVINCE OF ALBERTA, TO PROVIDE RULES GOVERNING THE PROCEEDINGS AND THE REGULAR BUSINESS OF COUNCIL AND COUNCIL COMMITTEES

WHEREAS Section 145(b) of the *Municipal Government Act*, RSA 2000, Chapter M-26, provides that Council shall by Bylaw make rules for calling meetings and governing its proceedings, the conduct of its members, the appointment of committees, and for the transaction of its business; and

WHEREAS the *Municipal Government Act* provides that Council may establish committees to consider matters referred to them by Council, may appoint the members of such committees and may require reports of the findings or recommendations of the committees;

NOW THEREFORE, the Council of the Town of Peace River enacts as follows:

1. SHORT TITLE

This Bylaw may be cited as "the Procedural Bylaw" and governs all statutory meetings of Council. The precedence of the rules governing the procedure of Council is:

- (1) The *Municipal Government Act*;
- (2) Other Provincial or Federal Legislation;
- (3) This Bylaw; and
- (4) Robert's Rules of Order.

2. DEFINITIONS

In this Bylaw:

- (1) "Administration" means the employees of the Town of Peace River.
- (2) "Business Day" shall be determined by excluding the day notice is given but shall include the day of the meeting or event. It shall not include Saturdays, Sundays, or legal holidays.
- (3) "CAO" means the Chief Administrative Officer for the municipality or their designate.

- (4) "Chief Elected Official" means the person elected as Mayor under the *Municipal Government Act*;
- (5) "Chair" means the Mayor, Deputy Mayor or presiding officer who presides over Council and/or committee meetings.
- (6) "Committee" means committees, boards, and commissions of Council.
- (7) "Council Member" means a Member duly elected as a Council Member under the Local Authorities Election Act to represent the Town of Peace River who continues to hold office;
- (8) "Council Standing Committee" means a committee appointed by Council under section 145 of the *Municipal Government Act* to provide advice and make recommendations to Council (and excepting the Library Board).
- (9) "Delegation" means any person that has permission of Council to appear before Council or a committee of Council to provide pertinent information and views about the subject before Council or Council committee.
- (10) "Electronic Meeting" is a meeting held in two or more places with the participants using electronic means of communication. Participation by electronic means shall be reflected in the Minutes.
- (11) "Emergent Items" shall be considered as those items of an emergency nature that cannot be left until the next meeting or require immediate attention. When the nature of an emergent item is in question, its acceptance for the agenda shall be determined by a two-thirds vote of Council.
- (12) "Freedom of Information and Protection of Privacy Act" or "FOIP" means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended or legislation substituted therefore.
- (13) "Improper Conduct" means any action by a Member of the public, Council, Committee or Administration at a meeting which is offensive, disrespectful, intimidates, threatens, harasses, obstructs, or physically injures any other person and/or includes the refusal to follow any direction of the Mayor or the Chair of the meeting.

- (14) "In camera" means a portion of the Meeting which is closed to the public in accordance with the *Municipal Government Act* and the Freedom of Information and Protection of Privacy Act;
- (15) "Meeting" means duly constituted Regular or Special meetings of Council where Bylaws and resolutions are formally ratified.
- (16) "Member" means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council.
- (17) "Motion" means a standard terminology used by Council to describe the original statement whereby business is brought before a meeting and may also mean resolutions.
- (18) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, Chapter M-26.1 of the Statutes of Alberta as amended, or legislation substituted therefore.
- (19) "Municipality" means the corporation of the Town of Peace River.
- (20) "Non-Statutory meeting" means a public meeting of Council which is not required by statute and at which only non-statutory matters may be addressed.
- (21) "Notice of Motion" is the means by which a member of Council brings business before Council.
- (22) "Person" means a reference in discourse to the speaker, the person spoken to, or another person capable of having legal rights and duties.
- (23) "Point of Order" means a demand that the Chair enforce the rules of procedure.
- (24) "Point of Privilege" means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual Councillors and includes the:
 - (a) Comfort of members; or
 - (b) Conduct of employees or members of the public in attendance at the meeting; or
 - (c) Organization and existence of Council.

- (25) "Postpone" means to delay the consideration of any matter to a definite time when further information is to be available.
- (26) "Public Hearing" is a meeting:
 - (a) To hear matters pursuant to the *Municipal Government Act*; or
 - (b) Other matters which Council directs be considered at a public hearing.
- (27) "Quorum" shall be defined as:
 - (a) the majority of all the Councillors that comprise the Council or, if there is a vacancy on the Council and the Council is not required to hold a by-election, the majority of the remaining Councillors that comprise the Council;
 - (b) For the purposes of quorum, a Councillor is deemed to be absent for a vote if the Councillor is required to abstain from the vote, or the Councillor is permitted to abstain from the vote and does abstain; or
 - (c) as set out in the Terms of Reference with respect to a Committee.
- (28) "Reconsider" a member who voted on the prevailing side of a Motion may, at that same meeting, re-open debate by means of a Motion to Reconsider.
- (29) "Recorded Vote" means the calling by a Member, prior to the vote on a Motion, for a record to be kept of the members voting for and against a Motion.
- (30) "Renew" means to bring forward to a later meeting a previously defeated Motion.
- (31) "Rescind" means to bring forward to a later meeting a previously successful Motion with the intent of revoking the original Motion.
- (32) "Secretary" means the CAO or their designate.
- (33) "Spelling" the Canadian spelling of words shall be used for Council and Committee documents.

- (34) "Special Resolution" means a resolution passed by two-thirds majority of all members.
- (35) "Table" means a Motion to delay consideration of any matter in order to deal with more pressing matters, which does not provide a specific time to resume consideration of the matter.
- (36) "Term" means the length of time that an elected Council serves between two consecutive municipal elections.
- (37) "Town" means the Town of Peace River, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Town.
- (38) "Unanimous vote or unanimously agreed" means all Members present voted in favour or with justification, abstained.

3. PHILOSOPHY AND APPLICATION

- (1) Council shall provide good, responsible, and fair municipal government to the citizens of the Town and each member of Council shall fulfill the duties and expectations of the position as a member of Council in a diligent and faithful manner.
- (2) Members of Council shall conduct themselves in accordance with the ethical guidelines of conduct of this Bylaw, the Code of Conduct Bylaw, and such Policies as Council may see fit to adopt.
- (3) It shall be the role of Council to develop and adopt such Policies as may be necessary to govern the Town in a responsible and fair manner and it shall be the duty of the CAO to carry out and fulfill the requirements of Council's policies.
- (4) Where this Bylaw is applicable to Council committees it may be modified in accordance with the Committee Terms of Reference or governing Bylaw, provided that such modifications conform to the *Municipal Government Act* with respect to Committees of Council.
- (5) Where this Bylaw is applicable to Council Committees, any reference to the Mayor shall be treated as a reference to the Chair of the Council committee.

4. SEVERABILITY

- (1) 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.

5. MEETINGS AND PROCEEDINGS

This Bylaw covers the following areas:

- (1) Rules of Order
 - (2) Conduct
 - (3) Pecuniary Interest
 - (4) Agendas
 - (5) Notice of Meeting
 - (6) Meeting Etiquette
 - (7) Regular, Special, Organizational, and Governance and Priorities Committee Meetings
 - (8) Order of Business
 - (9) Presentations
 - (10) Letters and Petitions
 - (11) Non-Statutory Public Hearing Procedures
 - (12) Statutory Public Hearing Procedures
 - (13) Comments from the Public
 - (14) Key Communication Items
 - (15) In camera
 - (16) Rights in Debate
 - (17) Motions
 - (18) Voting
 - (19) Bylaws, Resolutions, and Policies
 - (20) Minutes
 - (21) Duties of the Mayor
 - (22) Duties of the Deputy Mayor
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- (1) Rules of Order
 - (a) In all Regular and Special Council meetings, in camera meetings, and committee meetings, this procedural Bylaw will be followed.
 - (b) The conduct of all Town business is controlled by the general will of the Council and committee members – the right of the majority to decide, accompanied by the right of the minority to require the majority to decide only after a full and fair deliberation, in a constructive and democratic manner, of the issues involved.

- (c) At no time is it intended that undue strictness of adherence to the rules of order limit full participation.
- (d) The first person to raise a hand and address the Chair, "Your Worship", when the person speaking has finished, and to be recognized by the Chair, has the floor. Speaking while another is still speaking is out of order, except to make a point of order or to make a point of privilege.
- (e) Debate begins when the Chair states the Motion or resolution and asks for discussion on the Motion. If no one initiates discussion, the Chair calls for the vote.
- (f) No member can speak twice to the same issue until everyone who wishes to, has spoken to it once.
- (g) All remarks must be directed to the Chair and be courteous.
- (h) A quorum for meetings shall be a simple majority of the whole Council, committee, or board.
- (i) As soon as a quorum is present after the hour at which the meeting is to start the Mayor shall take the Chair and call the meeting to order.
- (j) In a case where neither the Mayor nor Deputy Mayor are in attendance within 15 minutes after the hour appointed for a meeting, and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a Chair shall be elected by the members present. Said Chair shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.
- (k) If a quorum is not present within 30 minutes of the start time set for a Regular or Special Council meeting, the CAO or designate shall record the names of the Council members present and Council shall stand adjourned until the next Regular meeting.
- (l) If a quorum is not present within 15 minutes of the start time set for a committee or board meeting, the meeting shall be re-scheduled.
- (m) Individuals who arrive late for meetings shall not have prior discussion reviewed for them except with the unanimous consent of all members present.

- (n) If an individual needs to temporarily leave the meeting it shall be so recorded in the Minutes.
- (o) If a member of the Council arrives late, leaves before the meeting is adjourned, or absents themselves from the meeting due to pecuniary interest, it shall be so recorded in the Minutes.

(2) Conduct

- (a) Councillors and committee members shall carry out required duties to the best of their ability, be accountable for their decisions and actions, and strive to create a courteous, respectful atmosphere.
- (b) The presiding Chair shall maintain order and decorum at all meetings, and rule on points of order, citing the applicable governing rule or authority, without debate or comment.
- (c) The presiding Chair shall recognize who has the right to speak, rule on Motions, and call members to order, as required.
- (d) The presiding Chair shall encourage questions, treating them impartially, with sound judgment.
- (e) The Chair will not make Motions.
- (f) Each individual wishing to address a meeting shall first be recognized by the Chair.
- (g) No speaker shall be interrupted by private conversations or comments, except on a point of order or point of privilege.
- (h) No individual may give specific direction to any staff member at any Council or committee meeting; such direction shall come from the full Council at a duly assembled meeting, as delegated to the CAO or designate. Nothing in the foregoing shall in any way restrict or interfere with the right of a member of Council to seek information from any employee of the Town.

- (i) Any individual addressing a meeting shall not shout, use profane, vulgar or offensive language, or speak on a matter not before the meeting.
- (j) Speakers shall not make personal comments about any staff or Council member, or any other person, or indulge in personalities, use language personally offensive, impugn the motives of members, charge deliberate misrepresentation, or use language tending to hold another member up to contempt.
- (k) Speakers shall obey the approved rules of order and shall be called to order by the Chair if they do not, at which they must immediately stop speaking unless permitted to explain.
- (l) In the event that a Member refuses to be seated when called to order, the Mayor shall request the Deputy Mayor to make a Motion to remove the unruly Member either:
 - (i) For the balance of the meeting; or
 - (ii) Until a time stated in the Motion; or
 - (iii) Until the Member makes an apology acceptable to the Meeting for the unruly behavior; or
 - (iv) Whichever is the shortest time.
- (m) If the resolution passes, the Mayor shall direct the Member to leave. When the Mayor has directed a Member to leave and the Member makes a satisfactory explanation and apology, the Council may, by a Motion, allow the offending Member to remain.
- (n) The Council or committee shall, if appealed to, decide the case without debate. The speaker may proceed only if the decision is in their favour.
- (o) No member shall resist the rules of the Council or disobey the decision of the Council on points of order or practice, or upon the interpretation of the rules of Council.
- (p) Individuals who flout the rules twice in one meeting shall be asked to leave that meeting (only) and in case of refusing to do so, the Mayor may order the police or a Peace Officer to remove them from the meeting. The

matter may be discussed in camera if necessary. When the open meeting reconvenes, the excluded member may, upon an adequate apology and majority vote of the members, be permitted to rejoin the meeting.

- (q) No exclusion shall be for more than the meeting in progress.
- (r) The decision of the presiding Chair is final, unless the person called to order appeals to the meeting members; this shall be decided without debate.
- (s) When a Member wishes to challenge the ruling of the Mayor, the Motion, "That the decision of the Mayor be overruled" shall be made, and the question shall be put to a vote immediately without amendment or debate by decision of Council. A vote against the Motion is a vote to uphold the ruling of the Mayor.
- (t) The Mayor shall be governed by the vote of the majority of the Members present.
- (u) If the Mayor refuses to put the Motion, "That the decision of the Mayor be overruled", the Deputy Mayor shall be requested to proceed with putting the Motion and the vote, from the floor if necessary.
- (v) A resolution carried under section 9.b.21 is as effectual and binding as if carried with the Mayor as chair.

(3) Pecuniary Interest

- (a) Anyone with a pecuniary interest as defined in section 170 of the *Municipal Government Act* shall declare that interest and shall not participate in any debate or decision concerning the matter.
- (b) Such pecuniary interest shall be recorded in the Minutes.

(4) Agendas

- (a) The CAO or designate shall be responsible for preparing meeting agendas, including input from participants, Town staff, and previous meetings.
- (b) Meeting agendas shall be made available at least two business days prior to the time of the meeting.

- (c) No item shall be added on to any agenda at the Council meeting unless it is of an emergency nature or is permitted to be so added by the Chair or a two-thirds (2/3) majority vote of Council.
- (d) Notwithstanding 9.d.3, a member of Council or Administration may bring forward an item of urgent or emergent business that cannot wait to be included on the next Regular Council Meeting Agenda. The Council or staff member shall supply information to Council and/or Administration by handout or electronic mail prior to the Regular Council Meeting. This information, if not confidential, shall be published to the agenda after the item has been accepted as an addition to the agenda. Information provided shall include the matter, brief detail and recommendation around the matter.
- (e) Agenda items and applications from delegations shall be accepted up to Wednesday noon, prior to the meeting and approved at the discretion of the Mayor or designate.

(5) Notice of Meeting

- (a) Regular Council meetings: Notice to participants and the public is not required unless there is a change, in which case the CAO or designate shall deliver notice to all members of the Council and to the public at least one business day prior to the day of the Council meeting.
- (b) Special Council meetings shall be called in accordance with section 194 of the *Municipal Government Act*.
- (c) Notice of committee meetings shall be given to participants and the public at least 24 hours in advance.

(6) Meeting Etiquette

- (a) Accepted conventions of meeting protocol shall be used to facilitate respect, orderly progression, and attentiveness.
- (b) The designated Chair shall start the meeting on time; explanation of a late start shall be included in the Minutes.
- (c) Speakers shall raise their hands to be recognized by the Chair and shall then have the floor.

- (d) Respect for all participants and guests shall be shown at all times, so there shall be no side comments or private conversations.
 - (e) When addressing any participants in a meeting, the use of official titles is required (e.g. Councillor Miller, Mrs. Whalen or Mr. Brown).
 - (f) Active participation is expected, with the intent of arriving at the best solutions for the Town.
 - (g) The meeting must be formally adjourned by means of a resolution.
- (7) Regular, Special, Organizational, and Governance and Priorities Committee meetings
- (a) All meetings shall be open to the public, except for any in camera portions.
 - (b) All Council and committee meetings shall be held in accordance with the provisions of the *Municipal Government Act*.
 - (c) The CAO or designate shall record the Minutes of all Council and committee meetings and provide the required written reports of committee activities to Council.
 - (d) The CAO may authorize the use of recording equipment to assist in the preparation of Meeting Minutes.
 - (e) Council shall hold its Regular meetings on the second and fourth Monday of each month at 5:00 p.m. in the Town Office Council Chambers.
 - (f) Council, by resolution, may change the frequency, time, date or location of any meeting.
 - (g) Notification of a change in time, date, location or cancellation of any meeting of Council will be provided to the public by:
 - (i) posting a notice on the Town Office entrances, and posting a notice on the Town of Peace River's website; or
 - (ii) advertising in the newspaper.

- (h) When a Regular Council or committee meeting falls on a legal holiday, the meeting shall be rescheduled.
- (i) Any Regular meeting may be cancelled:
 - (i) By a majority of Members at a previously held Meeting; or
 - (ii) with the written consent of a majority, provided twenty-four (24) hours notice is provided to Members and the public; or
 - (iii) with the written consent of two-thirds of the Members if twenty-four (24) hours notice is not provided to the public.
- (j) A Special Meeting, called by the Mayor, may be cancelled:
 - (i) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
 - (ii) if less than twenty-four (24) hours notice is provided, the Mayor may cancel with the written consent of two-thirds of the Members.
- (k) A Special Meeting, requested in writing by a majority of Members, may be cancelled:
 - (i) With the written consent of the requesting Members, if 24 hours notice is provided to the Members and the public; or
 - (ii) If less than 24 hours notice is provided, with the written consent of Two-Thirds of the Members.
- (l) Special Council meetings shall be called in accordance with the *Municipal Government Act*.
- (m) Council may establish Council committees and other bodies as necessary under the *Municipal Government Act* and shall determine Terms of Reference for each.
- (n) The Library Board, while appointed by Council, is not advisory, but self-governing, established by Council Bylaw

under the Alberta Libraries Act and responsible to Council under that Act.

- (o) Council shall appoint a representative to the North Peace Housing Foundation annually as set out in 5.7.13. The Foundation is not a committee of Council and is governed by the Alberta Housing Act and Ministerial Order H:062/95.
- (p) Committee members shall be appointed annually by the Council no later than two weeks following the third Monday in October, unless otherwise specified in the applicable committee's Bylaw.
- (q) The annual Organizational Meeting must be held at a designated time in accordance with the *Municipal Government Act*.
- (r) Each committee is responsible for reviewing and making recommendations to Council on all Bylaws and Policies dealing with subject matters germane to that committee.
- (s) Notification of Committee meetings shall set date, time, and location.
- (t) Committees may pass no resolutions other than a Motion to report to or make recommendations to Council, unless otherwise specified in the applicable committee's Bylaw.
- (u) Councillors shall, as soon as practicable, provide a copy of the minutes or other report of committee meetings for inclusion on the agenda of the next Regular meeting.
- (v) No committee has the power to pledge the credit of the municipality or commit the municipality to any particular action.
- (w) Evening meetings shall be adjourned by 10:30 p.m., unless a resolution to continue is passed by simple majority.
- (x) When two (2) or more elected officials participate in Council or committee meetings through an electronic device or other communication facilities, that meeting will be deemed to be a meeting through electronic communication as per the *Municipal Government Act*.

(8) Order of Business

- (a) Council and Council committees shall use the following order of business unless changed by unanimous consent.**
- (b) The order of business established in this section shall apply unless altered by the presiding officer with no objection from members, or otherwise determined by a majority vote of the members present, and the vote upon a matter of priority of business shall be decided without debate.**
 - (i) Call to Order**
 - (ii) Adoption of Agenda**
 - (iii) Adoption of Minutes**
 - (iv) Public Hearings**
 - (v) Presentations**
 - (vi) Bylaws**
 - (vii) Unfinished Business**
 - (viii) New Business**
 - (ix) Reports**
 - (x) Councillor Reports**
 - (xi) Information**
 - (xii) Notices of Motion**
 - (xiii) Comments from the Public**
 - (xiv) Key Communications Items**
 - (xv) In camera**
 - (xvi) Adjournment**

(9) Presentations

- (a) Any registered presentation wishing to appear before Council or to address an agenda item not designated as a public hearing shall give written notice to the Executive Assistant no later than noon on the Wednesday proceeding the meeting day.**
- (b) An instructional sheet setting out meeting procedures and protocol shall be supplied to anyone wishing to address a Council or committee meeting.**
- (c) Any person or delegation addressing Council shall state name(s), address(s), and the purpose of the presentation.**
- (d) Presentations shall speak only on the matters which they have submitted to Council and which have been included on the agenda.**

- (e) Presentations may be limited in the time they are permitted but shall generally be allowed 15 minutes for presentation and discussion, which can be extended or decreased at the discretion of Council.
- (f) Approval of a presentation is subject to the Mayor's or designee's discretion.
- (g) Council may accept a written submission in lieu of a verbal presentation as long as the document is signed, dated, and shows the residential address of the person making the submission.
- (h) Presentations shall not address Council on the same subject matter more than once every six (6) months.
- (i) Notwithstanding any provision of this Bylaw, the Council will grant a full and fair hearing to persons entitled by law to make oral presentations to Council.

(10) Letters and Petitions

- (a) Notwithstanding the provisions of the *Municipal Government Act* respecting Petitions, where a person or group of persons wishes to bring any matter to the attention of Council or to have any matter considered by Council, a letter, Petition, or other communication shall be addressed to the CAO, which letter, Petition, or other communication shall:
 - (b) Be printed, typewritten or legibly written;
 - (c) Clearly set out the matter at issue and the request made of Council in respect thereof, including a request to speak to Council if this is what is wished;
 - (d) In the case of a letter or electronic communication, it must:
 - (i) Be signed with the correct name of the writer; and,
 - (ii) Contain the correct mailing address of the writer.

- (e) In the case of a Petition, it must:
 - (i) Be signed by electors of the municipality equal in number to at least ten percent (10%) of the eligible electors;
 - (ii) Set out the civic address of each petitioner;
 - (iii) Indicate the name of the spokesperson; and
 - (iv) Fulfill all other requirements for sufficiency of a Petition as provided for in the *Municipal Government Act*.
- (f) All letters or communications must be delivered or mailed to the office of the CAO so it arrives not later than 12:00 noon on the Wednesday before the meeting at which it is to be presented.
- (g) Petitions submitted to the Chief Administrative Officer shall be processed in accordance with the *Municipal Government Act*.

(11) Non-Statutory Public Hearing Procedures

- (a) Council may hold public meetings to solicit input from the public on issues for which a public hearing is not required.
- (b) The Chair states that all persons giving oral presentations are to clearly state their name and that presentations are to be brief and to the point.
- (c) The order for the non-statutory public hearing presentation will be:
 - (i) Administrative staff;
 - (ii) Those speaking in favour;
 - (iii) Those speaking in opposition;
 - (iv) Any person deemed to be affected who wishes to be heard;
 - (v) The Chair may allow questions from members of Council after each presentation;

(vi) The Chair may allow a concluding statement from those who have made a presentation; and

(d) After all presentations are made, the Chair will declare the public hearing closed.

(12) Statutory Public Hearing Procedures

(a) A Motion is made to open a Public Hearing.

(b) The Chair declares the Statutory Public Hearing open and states that the hearing is held pursuant to sections 7, 8, 230, 606 and 692 of the *Municipal Government Act*;

(c) The Chair requests the Executive Assistant to confirm:

(i) what the purpose of the public hearing is;

(ii) when the public hearing notice was advertised in the local newspaper; and

(iii) that any written submissions received and not included in the public hearing agenda package are read into the record.

(d) The Chair states that all persons giving oral presentations are to clearly state their name and that presentations are to be brief and to the point.

(e) The order for the Statutory Public Hearing presentation will be:

(i) Development Officer or designate;

(ii) Those in favour of the Bylaw;

(iii) Those opposed to the Bylaw; and

(iv) Any person deemed to be affected who wishes to be heard;

(v) The Chair may allow questions from members of Council after each presentation.

(vi) The Chair may allow a concluding statement from those who have made a presentation.

(vii) After all presentations are made, the Chair will declare the public hearing closed.

(f) Once closed, a Statutory Public Hearing may not be re-opened. However, Council may recess a Hearing and continue it at another Meeting. Council may also direct that a second or additional Public Hearings be held on the same subject. Second or any other subsequent Hearings are subject to the same requirements of advertising and rules for speaking as the initial Public Hearing.

(g) If a second Public Hearing is held on the same subject, and although Council may wish to encourage the receipt of new information, Council may not close debate solely on the basis that the information being given is the same as that received in the initial Public Hearing.

(13) Comments from the Public

(a) The Chair will allow members from the public to comment on any item from the meeting Agenda.

(b) The Chair will ask the person providing the comments to state their name and place of residence for the record.

(c) Members of the public will have up to two (2) minutes to comment on the items from the Agenda.

(d) Members of the public who constitute the gallery during a meeting shall maintain order and peace and shall not applaud or otherwise interrupt any speech or action of the Members.

(e) The Chair may direct that any person in the gallery who creates any disturbance during a meeting leave the Council Chambers immediately, and if that person does not forthwith leave, may have such person removed.

(14) Key Communications Items

(a) The Mayor will review with staff the key communication items that should be promoted to the public from the meeting.

(b) The Mayor will review with any members of the media the key communications items from the meeting.

(15) In camera

- (a) At the discretion of the Mayor or Chair or a majority of the members of a committee, a meeting may be closed to the general public or municipal employees, as deemed appropriate, called in camera.
- (b) A Motion is required to go in camera, and the times the meeting goes in camera and comes out are to be recorded in the Minutes.
- (c) Any Councillor may request that an in camera item be placed on the Agenda.
- (d) The in camera items on the Agenda are approved by the Mayor or CAO in accordance with the provisions of the *Municipal Government Act* and the Freedom of Information and Protection of Privacy Act.
- (e) The in camera portion of the Agenda may be distributed to members and other essential persons with the Agenda package. The Chief Administrative Officer shall be responsible for the security and management of in camera documents.
- (f) In accordance with Section 153 of the *Municipal Government Act*, and the Freedom of Information and Protection of Privacy Act, all members are required to keep in confidence matters discussed in camera until the item is discussed at a meeting held in public.
- (g) No record is necessary during the in camera portion of the meeting, but if a record is kept, it is subject to the Freedom of Information and Protection of Privacy Act.
- (h) Council shall not pass resolutions or Bylaws during in camera meetings. Any decisions reached by consensus during the in camera session must be passed as Motions when the Regular meeting resumes.

(16) Rights in Debate

- (a) Debate is the discussion regarding a Motion that occurs after the Chair has restated the Motion and before it is put to a vote.

- (b) When a pending question is presented for consideration, the Chair shall recognize the member who made the Motion to speak.
- (c) When two or more members wish to speak, the Chair shall name the member who is to speak first.
- (d) No member shall normally speak more than three minutes on any question or amendment to a question but may request permission to exceed this limit; the privilege shall be accorded without objection upon Motion supported by two-thirds of the members present.

(17) Motions

- (a) A **Main Motion** brings new business (the next item on the Agenda) before the members present. A Motion (resolution) does not require a seconder.
- (b) Council or committees may deal with a Motion on a subject which is not on the agenda with unanimous consent only. In the absence of any statutory obligation, any provision of this Bylaw may be waived by unanimous resolution of Council to suspend the rules and address the matter under consideration in some other manner. Such waiver shall be temporary to allow for action on a matter then under consideration.
- (c) After a Motion has been moved and has been stated or read, it shall be deemed to be in possession of the Council or committee and may only be withdrawn by majority consent of the members present and will not be recorded in the Minutes.
- (d) Every Motion or resolution shall be stated or read by the mover.
- (e) When a Motion is stated, and upon request by any member, it shall be read by the Mayor or other presiding officer or Recording Secretary before debate.
- (f) When duly moved, a Motion shall be open for discussion and debate. A member may speak to a Motion a maximum of two times only unless there is agreement to provide another opportunity to address the issue.

- (g) Any member may ask to have the Motion under discussion to be read again at any time during the debate but may not interrupt a speaker to do so.
- (h) When the question under consideration contains distinct propositions, should any member so request, the vote of each proposition shall be taken separately.
- (i) The mover of a Motion may speak and vote for or against the Motion.
- (j) When required by the Chair, a Motion shall be in writing and a copy shall be given to the CAO before such Motion shall be open for consideration.
- (k) No Motion other than an amending Motion or Motion to table or refer shall be considered until any Motion already before the meeting has been disposed of.
- (l) A **Notice of Motion** may be given (and shall be given verbally and in writing to all members present) at any Regular meeting, specifying the entire content of the Motion to be considered, but may not be dealt with at that meeting.
- (m) The CAO shall receive a copy of any Notice of Motion upon adjournment of the meeting at which the Notice was given and shall put it on the agenda under New or Unfinished Business for the next Regular meeting unless otherwise instructed.
- (n) When a Motion is tabled without being settled, no similar or conflicting Motion which would restrict action on the first Motion may be introduced or adopted.
- (o) A written **Notice of Motion to Renew or Rescind**, given from one meeting to the next with a minimum of five (5) members voting in favour, is the only way a Motion once decided may be reversed or rescinded within one year after the decision.
- (p) Where the Town has a contractual liability or obligation, Council shall not reconsider, vary, revoke, rescind, or replace any Motion except to the extent that it does not avoid or interfere with such liability or obligation.

- (q) The following Motions are not debatable by members:
 - (i) to take a recess;
 - (ii) question of privilege;
 - (iii) point of order;
 - (iv) to limit debate on a matter before members; or
 - (v) to table the matter.
- (r) A **Point of Privilege** pertains to noise, personal comfort and should only interrupt discussion if unavoidable.
- (s) A **Parliamentary Inquiry** is a query as to the correct Motion, to accomplish a desired result, or to raise a point of order.
- (t) A **Point of Information** generally applies to a question asked of the speaker.
- (u) A **Point of Order** refers to an infraction of the rules or improper decorum in speaking and must be raised as soon as the error is made.
- (v) To **Amend** is to insert or strike out words or paragraphs or substitute whole paragraphs or resolutions; this Motion may be made by any member. There will be no more than two (2) amending Motions on the table at any one time.
- (w) Amendments shall be voted on in reverse order to that in which they are moved, and all amendments shall be decided on or withdrawn before the original Motion is put to a vote.
- (x) To **Withdraw or Modify a Motion** can be done only after a Motion is stated; mover can accept an amendment without obtaining the floor.
- (y) To **Refer** is to state which committee or administration sector is to receive the Motion for research/further information, and shall include terms, timelines, and necessary explanations.

- (z) To **Limit Debate** is to close debate at a set time or limit it to a set period.
- (aa) To **Postpone** is to state the time the Motion or agenda item will be resumed (usually the next Regular meeting) and must be passed by a majority of members present. It shall appear on the agenda for the meeting date specified as an item of unfinished business.
- (bb) To **Table** is to temporarily set aside an issue and bring it back without debate.
- (cc) To **Take from the Table** is to state a Motion previously laid on the table to resume consideration of it without debate.
- (dd) To **Reconsider** can be made only by an individual on the prevailing side who has changed position or view.
- (ee) To **Appeal the Decision of the Chair** is an appeal which the members present must decide and must be made before other business is resumed; it is NOT debatable if relates to decorum, violation of rules, or order of business.
- (ff) To **Suspend the Rules** allows a violation of the meeting's own rules; the object of the suspension must be specified.
- (gg) A **Motion to Adjourn** is not subject to debate and will be voted on immediately.

(18) Voting

- (a) When debate on a Motion is closed, the Chair shall put the Motion to a vote, and this decision is final unless overruled by a majority vote of the members present at the meeting.
- (b) Once the Motion has been put to a vote, no member shall debate further on the Motion or speak any words except to request that the Motion be read aloud.
- (c) When a Motion is put to vote, no member shall leave the room until the vote is taken.
- (d) Any Bylaw or resolution upon which there is an equality of votes shall be deemed to be defeated.
- (e) Pursuant to the *Municipal Government Act*, a Council member must vote on a matter at a Council meeting

except where the person abstaining is prohibited from voting because of pecuniary interest in accordance with the *Municipal Government Act*.

- (f) Any member wishing to call for a recorded vote must do so prior to the calling of the vote.
- (g) The result of the vote on any matter shall be recorded.

(19) Bylaws, Resolutions, and Policies

- (a) Draft Bylaws and Policies shall be prepared at the request of Council or a committee by the appropriate committee or Town staff and shall be reviewed by the appropriate committee before being presented for approval. Copies of the drafts shall be included in the Agenda packages according to Town procedure.
- (b) Before a Bylaw is passed, it shall, in accordance with the *Municipal Government Act*, have three distinct and separate readings before it is adopted, but no more than two readings may take place at any one meeting of Council, unless unanimous consent is taken before third (3rd) reading. Such unanimous consent shall be recorded in the Minutes.
- (c) Council shall vote on the Motion for the first reading of the Bylaw without amendment or debate.
- (d) When all amendments (if any) have been accepted or rejected, the Motion for second reading of the Bylaw as presented or amended shall be considered.
- (e) When a Bylaw has received third reading and been passed, the Chair shall declare the Bylaw adopted, and it becomes a municipal enactment, effective immediately unless the Bylaw itself provides otherwise.
- (f) Upon being passed, a Bylaw shall be signed by the Chair of the meeting at which it was passed and by the CAO, and shall be embossed with the corporate seal of the Town.
- (g) A Bylaw which requires approval from the Province of Alberta shall receive one reading prior to the submission of a certified copy to the provincial authorities. The second and third readings may proceed only after the signed approval of the provincial authority is received.

- (h) Resolutions or Motions shall come into effect as soon as they are passed unless they contain a deferred implementation.
- (i) Policies shall be presented for discussion, and passed by simple majority, and shall come into effect as soon as they are passed unless they contain a deferred implementation.
- (j) Upon being passed, a Policy shall be signed by the Chair of the meeting at which it was passed and by the CAO.

(20) Minutes

- (a) Minutes of all proceedings of Regular and Special Council and committee meetings shall be recorded in accordance with the *Municipal Government Act*.
- (b) At every Regular Council and committee meeting, Minutes of the previous Regular meeting and any Special meeting held more than 48 hours prior to the current meeting shall be considered for adoption.
- (c) Minutes shall include resolutions to go in camera and to adjourn the meeting.
- (d) The CAO (or designate) shall, as soon as possible after a meeting of the Council, prepare Minutes of the meeting and circulate them to the members of Council or the committee.

(21) Duties of the Mayor

The Mayor shall, when present:

- (a) Open and adjourn Council meetings;
- (b) Chair all meetings of Council and Governance and Priorities Committee meetings;
- (c) Preserve order and decorum in Council meetings;
- (d) Rule on all questions of procedure;
- (e) Ensure that each member of Council who wishes to speak on a debatable Motion is granted the opportunity to do so;

- (f) Determine the speaking order when two or more members of Council or others wish to speak;
- (g) Decide who, aside from members of Council, may address Council;
- (h) The Mayor is an ex officio member, by virtue of office, of all Council committees, unless:
 - (i) a Bylaw establishing a committee expressly states that the Mayor is not an officio member of that committee; or
 - (ii) another Act or Regulation specifies the members of the board or committee.
- (i) If the Mayor is present at a committee meeting at which they are an ex-officio member, the Mayor has all the rights and privileges of the other committee members including the right to make Motions and vote.

(22) Duties of the Deputy Mayor

- (a) Council shall appoint a Deputy Mayor for a one year term at the Organizational Meeting. For the Organizational Meeting immediately following a Municipal Election, the Deputy Mayor shall be Councillor receiving the largest number of votes. In the event the election was acclaimed, or there was a tie for the largest number of votes, Council shall appoint the Deputy Mayor by a simple majority vote.
- (b) The Deputy Mayor shall chair Council meetings when the Mayor is absent or unable to act as Mayor and shall have all the powers and responsibilities of the Mayor under this Bylaw during the absence or incapacitation of the Mayor.
- (c) In the absence or inability of the Mayor and Deputy Mayor to act, a member of Council shall chair Council meetings according to the provisions of 5.1.10 and shall have all the powers and responsibilities of the Mayor under this Bylaw.

6. REPEAL

- (1) Bylaw No. 1962 is hereby repealed.

(2) This Bylaw shall not be repealed, amended or suspended, except so far as the terms hereof permit, unless it is repealed, amended or suspended:

- (a) By a Bylaw passed at a Regular or Special meeting of Council at which all members thereof are present, or
- (b) By a Bylaw passed at a Regular or Special meeting of Council, pursuant to a notice in writing given and openly announced at the next successive meeting of the Council and setting out the terms or the substantial effect of the proposed Bylaw.

7. EFFECTIVE DATE


(1) This Bylaw shall come into full force and effect upon the final passing thereof.

READ a first time this 25 day of June, 2018.

READ a second time this 25 day of June, 2018.

READ a third and final time this 25 day of June, 2018.

SIGNED by the Mayor and Chief Administrative Officer this 25 day of June, 2018.



Thomas Tarpey
Mayor



Christopher J. Parker
Chief Administrative Officer