

Bylaw 1846
Procedural Bylaw

For the purpose of regulating meeting
proceedings for Council and Council
Committee Meetings!



Kneehill
COUNTY

BYLAW #1846

PROCEDURAL BYLAW



BYLAW NO 1846

PROCEDURAL BYLAW

A BYLAW OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING MEETING PROCEEDINGS FOR COUNCIL AND COUNCIL COMMITTEE MEETINGS.

WHEREAS Section 145 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 and amendments thereto authorizes Council to pass bylaws that regulates the procedure and conduct of Council and Council Committee meetings in order to promote orderly proceedings and to provide for open and effective government.

NOW THEREFORE, the Council of Kneehill County, duly assembled, enacts as follows:

PART ONE – INTRODUCTION

1. TITLE

This bylaw shall be known as the "Procedural Bylaw".

2. DEFINITIONS

In this bylaw the following words and phrases mean:

"Act" means the Municipal Government Act, R.S.A. 2000 Chapter M-26, any regulations thereunder, and any amendments or successor legislation thereto.

"Adjourn" means to close and terminate the meeting or public hearing.

"Administration" means an employee, employed by the County.

"Agenda" is the list of items and orders of business for any meeting along with associated reports, policies, bylaws or other documents.

"Bylaw" means a Bylaw of Kneehill County.

"Chairman/Chair" means the person who has been given authority to direct the conduct of a meeting and when in attendance at a Council meeting, shall mean the Reeve or Deputy Reeve.

“Chief Administrative Officer (CAO)” is the administrative head of the municipality who is appointed by Council pursuant to the *Municipal Government Act*.

“Closed Session” means a meeting of Council or Committee which is held in private without the presence of the public pursuant to Section 197 of the *Municipal Government Act*.

“Committee” means a Council Committee, Board or other body established by Council pursuant to the *Municipal Government Act*.

“Council” means the Reeve and Councillors, duly elected in the County and who continue to hold office.

“Councillors” means a duly elected Member of Council, including the Reeve.

“County” means Kneehill County.

“Committee of the Whole” A Council Committee where all members of Council sit as a committee and operates under informal rules to discuss emerging matters and may recommend matters discussed be brought back to a subsequent Council meeting for action.

“Council Committee” means a committee, board, or other body established by Council under Section 145-146 of the *Municipal Government Act*.

“Deputy Reeve” is the Councillor appointed by Council to act as Reeve when the Reeve is unable to perform the duties of the Reeve or if the office of Reeve is vacant.

“Electronic or other Communication Facilities” shall mean that members of Council may attend a Council or Committee meeting through electronic communications. This can include using a telephone with the use of the speaker, via personal computer, or other means of technology advances.

“Emergent Business” is business that is an emergency situation that poses an immediate risk to health, life, property, environment or financial well-being of the County and calls for prompt action.

“Friendly Amendment” is an amendment to a Motion under debate that is perceived by all parties as an enhancement to the original Motion.

“Majority” means more than half of the Members present.

“Meeting” means an organizational, regular or special meeting of Council or Committee.

“Member” is duly elected member of Council or a duly appointed member of a committee who continues to hold office.

“Members at Large” is a member of the public appointed by Council to a Committee of Council.

“Motion” is a proposal for action by Council or Committee.

“Organizational Meeting” means a Meeting of Council held in accordance with Section 192 of the *Municipal Government Act* and Part 3 of this Bylaw.

“Point of Order” is a statement from a Member to call attention to any departure from the Procedural Bylaw.

“Point of Privilege” refers to all matters affecting the rights and privileges of Council collectively or any of its members individually.

“Quorum” means the number of Members required for the legal conduct of the business of Council or a Committee. In the case of Meeting of Council, quorum is four (4) Members.

“Recording Secretary” means the person designated to record the minutes of a Council or Committee meeting.

“Regular Meetings” is a meeting of Council held in accordance with Section 193 of the *Municipal Government Act*.

“Reeve” means the Chief Elected Official of the County within the meaning of the *Municipal Government Act*.

“Special Meetings” is a meeting of Council held in accordance with Section 194 of the *Municipal Government Act*.

“Statutory Public Hearing” means a public hearing required by the *Municipal Government Act* or other legislation.

“Written Consent” means to give approval or consent either by email, text message, facsimile or by signed letter.

APPLICATION

- (1) This Bylaw shall govern Organizational Meetings, Regular Meetings, Special Meetings, and Council Committees established by Council and shall be binding upon all Committee members whether Members of Council or Members at Large.
- (2) When any matter relating to the meeting proceeding is not addressed in this Bylaw or in the *Municipal Government Act*, the matter will be determined by referring to the most recent version of “Robert’s Rules of Order Newly Revised”.
- (3) In the event of a conflict between the provisions of this Bylaw and Robert’s Rules of Order, the provisions of this Bylaw shall apply.
- (4) Notwithstanding Paragraph 3(1), where the Committee Bylaw or Terms of Reference establishes other procedures or gives the Committee the authorization to establish its own Meeting procedure, if there is a conflict between the Committee’s established Meeting procedures and this Bylaw, that Committee’s established Meeting procedure will have precedence over this Bylaw for the purposes of that Committee’s Meetings.

PART TWO – ROLES

3. REEVE

- (1) The Reeve, when present, shall preside as Chair over all meeting of Council, unless otherwise provided for in this Bylaw;
- (2) shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order, replying to points of procedure and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any Member of Council from any ruling of the Chair;
- (3) ensures that each Councillor who wishes to speak on a debatable Motion is granted the opportunity to do so;
- (4) with the permission of Council, may invite persons forward from the audience to speak if it is deemed to be within the best interests of the issue being discussed;
- (5) has all the same rights and is subject to the same restrictions, as to participation in debate, as all other Councillors.

4. DEPUTY REEVE

- (1) The Deputy Reeve chairs Council meetings when the Reeve is absent or unable to act as Reeve and shall have all the powers and responsibilities of the Reeve under this Bylaw.

- (2) The Deputy Reeve will Chair Committee of the Whole Meetings. In the absence of the Deputy Reeve, the Reeve will assume the role of Chair.

PART THREE-COUNCIL & COMMITTEE MEETINGS

5. QUORUM

- (1) As soon as there is a quorum of members after the time set for the meeting, the Chair will call the meeting to order.
- (2) If there is no quorum present within half an hour after the time set for the meeting, the Chief Administrative Officer or designate shall, record the names of the members present and the meeting shall be adjourned.
- (3) If the Reeve or Deputy Reeve in the case of Council or Chair and Vice Chair in the case of Committee are not in attendance within fifteen minutes after the hour appointed for a meeting, and a quorum is present the CAO or designate shall call the meeting to order and a chairman shall be chosen by the members present to preside until the arrival of the Reeve or Deputy Reeve in the case of Council or Chair or Vice Chair in the case of Committee.

6. REGULAR MEETINGS OF COUNCIL

- (1) Shall be held on the second and fourth Tuesday of each month provided that where a regular Council meeting falls on a holiday, the meeting shall be held on the next following day, not being a holiday or on such other day as Council decides by Motion.
- (2) Council may by Motion, change a regularly scheduled meeting day if necessary due to conflicting dates of other meetings or conventions Council would be attending.
- (3) Meetings shall take place at the Kneehill County Municipal Office or at another location within the Municipality when Notice is given.
- (4) Regular meetings of Council shall commence at 8:30 a.m.
- (5) If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change to any Member of Council not present at the meeting at which the change was made, and to the public.
- (6) the CAO or designate will be responsible for posting public notice of changes to a Regular Meeting at least twenty-four (24) hours in advance by:
 - a. Posting a notice in the foyer and on the main entrance window at Kneehill County Administration Building;
 - b. Posting a notice on the County's website if time permits, and

- c. Posting a notice in the local newspaper if time permits.

7. CANCELLATION OF MEETINGS

- (1) A cancellation of a regular scheduled meeting must be made by resolution of Council. If Council changes the date, time or place of regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change
 - a. To any Member of Council not present at the meeting at which the change was made; and
 - b. To the public.

8. SPECIAL MEETINGS

- (1) A Special Meeting shall be scheduled when required by the Reeve or a majority of Council.
- (2) No less than 24-hours notice of a Special Meeting shall be provided to each Councillor and to the public. The notice shall state the time, date, place and in general terms the nature of the business to be transacted.
- (3) A Special Meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if at least two-thirds of the whole Council agrees to do this in writing before the beginning of the meeting.
- (4) The Agenda for a Special Meeting shall be restricted to the business stated in the notice unless all Councillors are present and a Motion is passed to deal with the additional matter.

9. ORGANIZATIONAL MEETINGS

- (1) An Organizational Meeting shall be held no later than two weeks after the third Monday in October each year.
- (2) The CAO (or designate) shall fix the time, date, and place of the Organizational Meeting.
- (3) Agenda- At the Organizational Meeting:
 - a. CAO or designate:
 - i call the meeting to order;
 - ii presides over the election of the Reeve for the ensuing one-year period; and
 - iii administers the Oaths of Office.
 - b. Reeve:
 - i presides over the election of the Deputy Reeve for the ensuing one-year period.
 - c. Council:

- i All Councillors before being appointed to a Council Committee or Board, must sign a Statement of Code of Ethics and Conduct Form that is attached to the adopted Councillor Code of Conduct & Ethics Bylaw.
 - ii appoints Council Committees and Board Members;
 - iii conducts other business identified within the Organizational meeting Agenda.
- (4) The seating arrangements of Council shall be determined at the Organizational Meeting. The Reeve shall occupy the center seat at the head of the Council table with the Deputy Reeve occupying the position directly to the Reeve's left. The seating positions of the remainder of Councillors shall be determined by each Councillor drawing a number between 1 and 5. Councillor seating will also be numbered from 1 through 5 as determined by the CAO or designate prior to Councillors drawing their number. The order of drawing is determined by the official Division number with Division 1 drawing first and Division 7 drawing last. In the event any Councillor is not present at the drawing, the Chief Administrative Officer, or designate, will draw for the Councillor(s) not present.
- (5) Nominations
 - a. Candidates nominated for Reeve or Deputy Reeve will be announced out loud. Candidates will not be nominated by secret ballot.
 - b. If only one nomination is received for the position of Reeve or Deputy Reeve, that nominee shall be declared elected by acclamation.
 - c. Where there is more than one nomination for Reeve or Deputy Reeve, voting shall be done by secret ballot.
 - d. If, on the first ballot, no one Councillor receives a clear majority of the votes, the Councillor who received the least number of votes shall be dropped from the ballot and a second ballot shall be taken.
 - e. On subsequent ballots, a Councillor who receives the least number of votes shall be dropped from the ballot until a Councillor receives a clear majority.
 - f. Councillors hold office from the beginning of the Organizational Meeting following the General Election until immediately before the beginning of the Organizational Meeting following the next General Election, in accordance with the Local Authorities Election Act, R.S.A. 2000 Chapter L-21.

10. COMMITTEE OF THE WHOLE MEETINGS

- (1) The purpose of the Committee of the Whole is to allow Council to meet in a less formal and structured manner to:

- a. Discuss issues of long term planning and policy development
 - b. Discuss complex administration, finance, zoning and land development issues; and
 - c. Consider any other matters that from time to time may require Council's in depth consideration
- (2) Committee of the Whole will meet for the purposes of discussion and possible recommendation to Council. No formal decisions will be made at Committee of the Whole meetings. Recommendations of the Committee of the Whole shall be voted upon at a future Council meeting.
- (3) Council Committee of the Whole may make motions for the following purposes:
 - a. for "procedural" purposes (adopting agenda and the previous Committee of the Whole minutes, and adjourning the meeting);
 - b. to make recommendation to Council or other Council Committee's regarding a matter discussed at the Committee of the Whole meeting; and
 - c. to provide direction to Administration in the preparation and continued development of a matter being reviewed during the Committee of the Whole meeting.
- (4) Meetings of the Committee of the Whole shall be open to the public, unless the Committee moves into a closed session which complies with the MGA Section 197(2).
- (5) The Committee of the Whole meeting schedule shall be established by motion at the annual organization meeting or at a regular meeting following the organizational meeting, as may be appropriate.
- (6) Notice of Council Committee of the Whole meetings shall be posted on the County's website.
- (7) The agenda will be posted on the County website the Friday prior to the Committee of the Whole meeting.
- (8) Regular Committee of the Whole meetings will be held at 8:30 a.m. in Council Chambers.
- (9) Minutes of a Committee of the Whole meeting shall be adopted by motion at the following Committee of the Whole meeting.

11. DELEGATIONS AT COUNCIL MEETINGS

- (1) A member wishing to appear before Council, individually and as a group, must make a written submission to the CAO (or designate) to arrive no later than 4:00 p.m. on the Wednesday immediately prior to the Council meeting.

- (2) Delegations are scheduled at the discretion of the CAO (or designate), subject to:
 - a. the volume of material on any given agenda;
 - b. the number of requests for a specific meeting date and urgency of request; or
 - c. subject matter
- (3) The written submission will indicate the following information:
 - a. complete name of the presenter(s) and contact information (i.e. Mailing address, e-mail, telephone/fax number) and the organization they are representing (if applicable);
 - b. nature and purpose of the delegation and the material to be covered/presented;
 - c. any PowerPoint presentation or other material to be used or presented at the meeting.
- (4) Presentations will be directed to the Chair and will be limited to fifteen (15) minutes with an additional ten (10) minutes for questions for clarification by members and administration. The Chair may extend the time limits as necessary.
- (5) Information presented by the delegation will be restricted to the topic noted in the written submission and recorded on the meeting agenda.
- (6) Subsequent deputations from the same individual/group concerning a topic on which they have previously presented or spoken will not be permitted unless there is significant new information to be brought forward.
- (7) Delegations will not be heard regarding matters involving current or pending litigation, insurance claims, matters beyond the jurisdiction of Council, or Municipal Freedom of Information and Protection of Privacy Act issues.
- (8) Delegations will not be permitted to speak regarding topics that will be the subject of an upcoming public meeting pursuant to the Municipal Government Act, unless exceptional circumstances apply which have been reviewed and approved by Council. Persons wishing to speak about such matters are requested to present their concerns and opinions at the scheduled public meeting where their comments can be considered along with all other submissions.

12. CLOSED SESSION

- (1) The *Municipal Government Act* permits Council or Committee to close all or part of the meeting to the public if a matter to be discussed is within one of the exceptions to disclosure contained in Division 2 Part 1 of the *Freedom of Information and Protection of Privacy Act*.
- (2) Before closing all or any part of the meeting to the public, a Council or Council Committee shall pass a motion

- a. that includes the basis for which that part of the meeting is to be closed and;
 - b. The related section of FOIP that applies, under the Exception to Disclosure in Division 2 of Part 1 (Section 16 to 29) or under the regulations under subsection (7)
- (3) When a meeting is held in closed session, no Motion or Bylaw may be passed except a Motion to revert to a meeting held in public.
- (4) Where a Council or Council Committee closes all or part of a meeting to the public, the Council or Council Committee may allow one or more other persons to attend, as it considers appropriate.
- (5) A Subdivision Authority, Development Authority or Subdivision and Development Appeal Board established under Part 17 of the *Municipal Government Act* may deliberate and make its decision in a meeting closed to the public.
- (6) After the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.
- (7) In accordance with the MGA, Section 153 and the FOIP act, all members are required to keep in confidence matters discussed in closed session until the item is discussed at a meeting held in public.

13. MEETING THROUGH ELECTRONIC COMMUNICATIONS

- (1) Pursuant to the *Municipal Government Act* a meeting of Council or Committee may be conducted by means of electronic or other communication facilities if:
 - a. notice is given to the public of the meeting, including the way in which it is to be conducted;
 - b. the facilities enable the public to watch and/or listen to the meeting at the place specified in the notice and a designated officer is in attendance at that place; and
 - c. the facilities enable all the meeting's participants to watch and/or hear each other.
- (2) Councillors participating in a meeting held by an electronic or other communication facility are deemed to be present at the meeting.
- (3) It is encouraged that physical attendance at meetings occurs regularly. However, there is no limit to the number of times a member of Council may participate electronically in a meeting.
- (4) A Member of Council may participate in a meeting through electronic or other

communication facility if:

- a. The Member is in a location outside of Kneehill County for any reason;
 - b. The Member is in a location within Kneehill County but is unable to attend a meeting for medical reasons;
 - c. If that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
 - d. The location is secure, appropriate for Council interaction and public viewing, and free from outside distractions.
- (5) The number of people participating by using the electronic or communication facility will be limited by the system's capacity.
- (6) The meeting Chairman must be physically present at the meeting and cannot Chair the meeting through electronic or other communication facility.
- (7) The Chair shall announce to those in attendance at the Council meeting that a Council member or Administration member is attending the meeting by means of electronic or other communication facility.
- (8) Council through resolution has the authority to deny the use of the electronic meeting participation if in their opinion the location is disruptive to the meeting, not secure, and it is located in any place deemed inappropriate.
- (9) Notice of Proposed Use
- a. Advise the CAO (or designate) of the phone number at which he or she will be available throughout the meeting.
 - b. Contact the Administration Office a half (1/2) hour before the start of the meeting to receive the electronic or other communication facility meeting codes.
- (10) In the case of an emergency:
- a. Council can conduct their meeting electronically with all Council members and CAO participating electronically ensuring all requirements of Section 13 (1) are met.

14. RECORDING, BROADCASTING AND/OR STREAMING COUNCIL /SPECIAL/COMMITTEE OF THE WHOLE/PUBLIC HEARING/ORGANIZATIONAL MEETINGS

- (1) Council, Special, Committee of the Whole, Public Hearing and Organizational meetings and all other meetings may be audio and/or visually recorded, broadcast and/or streamed publicly, if the meeting location supports its use, with the exception of proceedings closed to the public provided for under Closed Sessions section of this Procedural Bylaw.

- (2) The use of audio and video recording devices and cameras by the press or the public is prohibited.
- (3) If a Council, Special, Committee of the Whole, Public Hearing, Organizational meeting or any other meeting is recorded, broadcasted and/or streamed:
 - a. signage shall be posted to ensure presenters and members of the public are aware that public meetings may be audio and/or visually recorded, broadcast and/or streamed publicly and made available over the website.
 - b. at the commencement of each meeting, the Reeve or Chair shall notify those present, including members of the public, that the meeting is being recorded, broadcasted or streamed publicly through Kneehill County's website and/or online.
 - c. the Reeve or Chair has the discretion and authority at any time to direct the termination or interruption of the recording, broadcasting and/or streaming of the meeting if he or she considers it prudent or advisable to do so.
 - d. there may be situations where due to technical difficulties the recording, broadcasting and/or streaming will not be available. If such circumstances occur the Reeve or Chairperson will advise those present that the recording, broadcasting and/or streaming is not available. In the event the technical difficulties are not identified during the meeting, this information will be displayed on the website.
 - e. the recording will be posted to the website within three (3) days of the meeting.
- (4) Copyright to recordings of Council meetings made available on the County's website is owned by Kneehill County. No part of the recorded materials posted on the County's website may be reproduced.

PART FOUR- AGENDA

15. AGENDA PREPARATION & DISBURSEMENT

- (1) The preparation and distribution of a Regular Council Meeting, Special Council Meeting, Organizational Meeting and Committee of the Whole Meeting agendas will be the responsibility of the Chief Administrative Officer (or designate). The Chief Administrative Officer (or designate) will ensure that:
 - a. Copies of the agenda's for meetings listed under Section 15 (1) are supplied electronically to all members of Council on the Thursday prior to the meeting, and
 - b. Agenda's for Meetings listed under Section 15 (1) are made available to members of the media and the public on the Friday prior to the meeting.

16. ORDER OF BUSINESS

- (1) The agenda prepared for each meeting shall be approved as the first order of business.
- (2) If an alteration to the order of business is desired for the convenience of the meeting, the Chair may make such alteration but shall not delete any portion of the business set out in the agenda.

17. ADDITIONS OR DELETIONS

- (1) Once the Council agenda has been published, requests to add an item to the agenda must be approved by Council.
- (2) The addition or deletion of agenda items after the agenda has been adopted requires a unanimous vote of Council.

18. EMERGENT BUSINESS

- (1) Emergent Business is an Agenda item that is not on the Agenda and because of time constraints must be brought before Council. The Emergent Business item:
 - a. shall be considered as an addendum to the Agenda; and
 - b. the County Manager shall provide an explanation indicating the reasons and degree of urgency.

19. MINUTES

- (1) The minutes of the preceding meeting shall be the second order of business, so that any errors or omissions may be corrected by the Council.
- (2) The Recording Secretary will prepare the minutes of each Council Meeting and will distribute a copy of the minutes with a subsequent Council Meeting Agenda.
- (3) Any Councillor may make a Motion requesting that the Minutes be amended to correct any inaccuracy or omission.

20. ADJOURNMENT

- (1) A Motion to adjourn the meeting shall be in order except:
 - a. When a Member of Council is in possession of the floor; or
 - b. When it has been decided that the vote be now taken; or
 - c. During the taking of a vote

21. ADJOURNMENT TIME

- (1) Adjournment time is at the conclusion of the agenda as adopted by Council or when a Motion to adjourn has been passed.

22. PROCEEDINGS

- (1) All discussions during a meeting must be directed through the Chair.

(2) Pecuniary Interest (Conflict)

- a. Members of Council who have a reasonable belief that they have a pecuniary interest (as defined in the *Municipal Government Act*) in a matter before Council, any committee of Council or any board, commission, committee or agency to which they are appointed as a representative of Council, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions or voting on any questions relating to the matter and shall remove themselves from Council Chambers until the matter is concluded. The minutes shall indicate the declaration of disclosure, the time at which the Member of Council left the rooms and the time the Member of Council returned.

(3) Temporary Absence

- a. If a member arrives late, leaves before the Meeting is adjourned, or is temporarily absent from the Meeting, the Meeting Minutes shall reflect such absence and the time of the absence.

(4) Speaking to Motions

- a. All questions or debate must be directed through the Chair.
- b. Members of Council wishing to speak on a matter before the meeting should indicate their intention by raising their hand and being recognized by the Chair and should not speak more than once until every Member of Council has had the opportunity to speak except:
 - i to provide an explanation of the Member's previous remarks if misunderstood;
 - ii in the case of the mover, to answer questions from the floor directed to the Chair; and
 - iii to allow the mover to close debate after the Chair has called for further discussion and all other Members have had an opportunity to be heard.
- c. Any member may require the question or Motion under discussion, or any portion thereof, to be read at any time during debate, but not so as to interrupt a member while speaking.

(5) Interruption of Speaker

- a. A Member who is speaking may only be interrupted by another Member on:
 - i A Point of Privilege; or
 - ii A Point of Order

- b. A Member who is speaking when a Point of Order or Privilege is raised shall immediately cease speaking.
- (6) Ruling on Proceedings
 - a. The Chair shall rule on a Point of Order or Privilege and no vote shall be taken unless there is a challenge by a Member to the ruling.
- (7) Recording of Motions
 - a. The minutes shall state who made the motion and whether the motion was “carried unanimously”, “carried” or “defeated”.
- (8) Recorded Vote
 - a. A Member may request a recorded vote, before any vote is taken, on any Motion. The names of each member present, and whether they vote for or against, must be included in the minutes regardless of whether or not the resolution was passed unanimously.

PART FIVE – MOTIONS

23. GENERAL PROVISION OF MOTIONS

- (1) A Motion that has been moved shall not be required to be seconded.
- (2) A Member may move a Motion whether or not the Member intends to support it.
- (3) The Chair shall not call the question on any Motion until Council or Committee is completely satisfied that it is clear on how the Motion reads.
- (4) A recommendation in a report does not constitute a Motion until it is moved by a Member.
- (5) When a Motion has been made and is being considered, no Member may make another Motion except to:
 - a. Amend the Motion;
 - b. Amend the amendment to the Motion;
 - c. Withdraw the Motion;
 - d. Refer the main Motion;
 - e. Table the main Motion;
 - f. Move a Motion that has privilege that is:
 - i a Motion to recess;
 - ii a Motion to adjourn;
 - iii a Motion to set the time for adjournment;

iv a Motion to extend the time of the Meeting; or

v a Point of Privilege

(6) When a Motion is before the meeting and the mover wishes to withdraw or modify it or substitute a different one in its place, and if no one objects, the Chairman shall grant permission. However, if any objection is made, it is necessary to obtain leave by Motion to withdraw and this Motion cannot be debated or amended. Once a Motion is withdrawn, the effect is the same as if it had never been made.

(7) The mover of a Motion must be present when the vote on the Motion is taken.

24. DEBATE OF MOTIONS

(1) Every main Motion is debatable with the exception of:

- a. A Motion on a point of order
- b. A Motion to adjourn
- c. A Motion to table- time must be given
- d. A Motion to withdraw a Motion , “Lay on the Table”
- e. A notice of Motion

25. CLOSING DEBATE

- (1) A Member who moved the main Motion, may close debate after other Members have been given an opportunity to speak.
- (2) Before the debate is closed and the vote called, a Member may, request that the Motion be read aloud or ask a question that:
 - a. relates directly to the debate;
 - b. contains no argument: and
 - c. introduces no new material on the Motion
- (3) When a Member has closed debate the Chair shall immediately call for a vote on the Motion.
- (4) When the vote has been called for on the Motion, no Member shall debate further on the Motion or speak, except to request that the Motion be read aloud or viewed on the screen.

26. MOTION TO AMEND

- (1) A Member may not amend a Motion or make an amendment which:
 - a. does not relate to the subject matter of the main Motion; or
 - b. is contrary to the main Motion.
- (2) Only one amendment to the main Motion and only one amendment to that

amendment shall be allowed.

- (3) The amendment to the amendment must be voted on before the amendment.
- (4) An amendment to an amendment must be relevant to the amendment.
- (5) The main Motion shall not be debated until all amendments to it have been voted on.
- (6) Amendments shall be put in reverse order to which they have been moved.
- (7) With the exception of a Friendly Amendment, a Member, who moved a Motion, may not move an amendment to it.
- (8) Amendments deemed to be Friendly Amendments by the mover of a Motion shall not be subject to a vote and will not count towards the cap established in clause (2) of this section.

27. SPLITTING MOTIONS

- (1) A Member may request that a Motion be divided if it contains parts that stand as complete propositions. Council and Council Committee(s) must then vote separately on each proposition.

28. WITHDRAWAL OF A MOTION

- (1) After a Motion has been moved and stated by the Chair, it is the property of the Council or Committee and may only be withdrawn by the mover with the unanimous consent of the Members present at the Meeting.
- (2) A Motion withdrawn shall not be recorded in the minutes.

29. MOTION TO RECESS

- (1) The Chair, without a Motion, may recess the meeting for a specific period.
- (2) Any Member may move that Council recess for a specific period.

30. MOTION TO ADJOURN

- (3) A Motion to Adjourn is a Motion to bring a Meeting to an end.

31. MOTION TO REFER

- (1) A Member may move to refer any Motion to the appropriate Committee or Administration for investigation and report.

32. MOTION TO RECEIVE FOR INFORMATION

- (1) A Motion to Receive for Information is made to acknowledge an item, report or recommendation. No additional action is taken.

33. MOTION ARISING

- (1) A Motion Arising must
 - a. be directly related to and arise from an item which has just been considered; and

- b. be made before another item is in front of the meeting.

34. MOTION TO TABLE

- (1) A Motion to Table is made to place a main Motion and all pending amendments to the main Motion aside temporarily, with the intention of bringing them back either later in the same Meeting or at a later date for action.
- (2) A Motion to Table takes precedence over all other Motions connected with the Motion being tabled.
- (3) A Motion to Table must be made with reference to a set time, set date.
- (4) If the tabling Motion does not include the date of the meeting to which the tabled matter is to be brought forward, it will be brought forward to the subsequent meeting.
- (5) A matter tabled to a set date shall not be considered before that date, except by Special Motion.

35. MOTION TO LIFT FROM THE TABLE

- (1) A Tabled item shall be brought back with all of the Motions related to it, exactly as it was when laid on the table.
- (2) An item tabled to a set date shall be added to the agenda at the date without the requirement to lift from the table.

36. MOTION TO RECONSIDER

- (1) Once a motion is voted on by either Council, Council Committee, Commission, Board or other body established by Council, that same Motion, regardless of whether it was “carried” or “defeated”, cannot be reconsidered by Council unless:
 - a. Six months has passed since the date that the Motion was “carried unanimously”, “carried” or “defeated”; or
 - b. A Motion to Reconsider is carried.
- (2) After a Motion has been voted upon, at any time during the remainder of the current meeting or during the next regular meeting, any Member of Council who voted with the prevailing side may make a Motion to Reconsider and shall state the reason for making a Motion to Reconsider.
- (3) Debate on the Motion to Reconsider must be confined to reasons for or against reconsideration.
- (4) If a Motion to Reconsider is carried, the question on which the vote is to be reconsidered become the next order of business.
- (5) Reconsideration of the question shall be open to debate, voted upon and shall require the votes of a majority of the Members of Council present to carry it.

- (6) A Motion that has been approved for reconsideration and passes automatically suspends the previous Motion.

37. NOTICE OF MOTION

- (1) A Member wishing to introduce a new matter for consideration, shall submit the Motion in writing to the CAO the Wednesday at 4:00 p.m. prior to the Council meeting at which the member wishes to introduce his/her Notice of Motion.
- (2) All Notices of Motion received at a Meeting shall;
 - a. Be added to the Agenda of the next Meeting; and
 - b. Include an administration report in response to the proposed Motion.
- (3) A Notice of Motion must give sufficient detail so that the subject of the Motion and any proposed Motion can be determined and it must state the date of the Meeting at which the Motion shall be made.
- (4) A Notice of Motion cannot be made at a Special Council Meeting.

38. MOTION TO MOVE INTO CLOSED SESSION

- (1) A Member may make a Motion to move into closed session which must:
 - a. be in accordance with the *Freedom of Information and Protection of Privacy Act*;
 - b. Include the subject of the matters to be discussed.

39. VOTING ON MOTIONS

- (1) Unless otherwise specified in this Bylaw, a Motion shall be carried when a simple majority of the Members present at a Meeting vote in favour of a Motion.
- (2) If there is an equal number of votes for or against a Motion or Bylaw, the Motion or Bylaw is defeated.
- (3) Each Member present at a Meeting shall vote on every Motion unless the Member is required or permitted to abstain from voting by the *Municipal Government Act* or other legislation.
- (4) Each Member shall vote by the raising of the hand.
- (5) After a Motion has been put to a vote by the Chair, no Member shall speak to the question, nor shall any other Motion be made until after the results of the vote have been declared.

PART SIX- PUBLIC HEARINGS

40. ADVERTISING OF PUBLIC HEARINGS

- (1) The advertised Notice of the Public Hearing must be published at least once a week for 2 consecutive weeks in the local newspaper to which the proposed Bylaw, Motion relates, or in which the meeting or hearing is to be held.

- (2) The deadline for Written Submissions to be included in the Public Hearing Agenda Package shall be included in the advertised notice.

41. WRITTEN SUBMISSIONS

- (1) Written Submissions received in response to the Notice of Public Hearing shall become a public record and shall be made available to the public and will be included in the Public Hearing Agenda Package.
- (2) Written Submissions submitted after the advertised deadline will not be accepted.
- (3) Written Submissions that contain personal attacks or have a derogatory tone shall not be included in the Public Hearing Agenda Package.
- (4) Individuals who have submitted a letter may only address Council at the Public Hearing on new information not contained in the letter.

42. COMMENCEMENT OF PUBLIC HEARINGS

- (1) Public Hearings shall be held during regular or special Council Meetings.
- (2) Council shall hold a public hearing when the MGA or other enactment requires Council to hold a public hearing on a proposed Bylaw or, a Motion or, any other matter at the direction of Council.
- (3) Public Hearings shall be held prior to second reading of the proposed bylaw or before Council votes on a Motion.
- (4) Council shall by Motion set a time, date and location of a public hearing.

43. PUBLIC HEARING AGENDA PACKAGE

- (1) The Public Hearing Agenda Package will be forwarded to Council before the public hearing in order for Council to have enough time to review all submissions before the hearing.
- (2) The public will be provided the public hearing package at the public hearing.

44. PRESENTING TO COUNCIL

- (1) Persons interested in speaking at a Public Hearing should register their name on the Speakers List prior to the Public Hearing.
- (2) Persons addressing Council regarding the proposed Bylaw or Motion shall state:
 - a. their name and legal or municipal address, a person who does not identify him/herself will not be given the opportunity to speak;
 - b. an indication as to whether they are speaking on their own behalf or for another person or for a group;
 - c. an indication as to whether they are speaking in support of or in opposition to the proposed Bylaw or Motion;

- d. how they are affected by the proposed Bylaw or Motion; and
 - e. address the Chair when responding to questions or providing information.
- (3) A person may authorize another individual to speak on their behalf if:
 - a. such authorization is in writing.
 - (4) An individual may speak only once at the public hearing.
 - (5) Presentations by the applicant and the public may be made verbally, in writing or visually.
 - (6) Any person who would like to present using an electronic presentation will bring their USB flash drive to the presenter desk, where a staff member will open the file at the presenter laptop.
 - (7) The use of maps, videos, Power Point presentations and written presentations shall be collected by the Recording Secretary to be included in the Corporate Records for the meeting and may be made available to the public upon request.

45. PUBLIC HEARING PROCESS

- (1) The Chair shall call for a Motion to go into Public Hearing.
- (2) The Chair shall remind everyone who is wanting to speak as a group or an individual and to register their name on the-speakers list.
- (3) The use of audio and video recording devices and cameras by the press or the public is prohibited.
- (4) The Public Hearing Procedure will be included in the Public Hearing Package and a paper copy will be made available at the Recording Secretary's Desk.
- (5) The Chair will then follow the Public Hearing process in the following order:
 - a. Administration will present information about the proposed bylaw(s).
 - b. The applicant will be provided the opportunity to speak following administration's report within a time period of 20 minutes.
 - c. Following that, any person or group wishing to speak to the bylaw will be asked to come forward as they appear on the Speakers List. They will provide their name and address and whether they have previously submitted a written response (i.e., letter/email). If a written submission has been provided and is included with the report to Council, the Chairperson will request presenters to please keep the oral presentation to new information.
 - d. Each public presenter may speak only once at the public hearing and each presentation will be limited to a maximum of 5 minutes. There is an indicator that shows a green light that changes to Yellow when 30 seconds are left, then the light changes to Red when time is up. If the

Red light comes on, the presenter will be requested to wrap up the presentation. Group presentations are allowed a maximum of 10 minutes.

- e. When it appears that there are no more presenters, the Chairman will confirm that there are no other persons wishing to speak to the bylaw.
 - f. Following the public presentations, the Chair will ask the applicant if they wish to offer a rebuttal. They have a maximum of 10 minutes for their rebuttal.
 - g. Members of Council may request members of administration and /or the applicant to address any matters raised during the public hearing.
 - h. Once the process is complete, the Chairperson will declare the public hearing closed.
 - i. Once the Public Hearing is adjourned, the Chair shall advise that no further information on the matter shall be received by Council.
- (6) If a Public Hearing is postponed or recessed, Council shall not receive any additional submissions in relation to the subject matter until it reconvenes the Public Hearing.
- (7) Statutory Public Hearings must be closed before Council votes on the Bylaw.
- (8) After the Public Hearing is closed, Council may debate the proposed Bylaw or Motion and may do one of the following:
- a. amend the Bylaw or Motion;
 - b. pass the Bylaw or Motion; or
 - c. defeat the Bylaw or Motion.
- (9) Members who are absent for the whole Public Hearing must abstain from voting on the matter.
- (10) Members who are absent for a part of the Public Hearing may abstain from voting on the matter.

46. RECORD OF NAMES AT A PUBLIC HEARING

- (1) The Meeting Minutes shall record the names of all persons who:
 - a. Made a verbal submission to Council, and
 - b. Provided written submission in response to the Notice of Public Hearing

PART SEVEN- BYLAWS

47. BASIC REQUIREMENTS

- (1) All proposed bylaws shall:
 - a. have a Bylaw number assigned by the CAO or designate;

- b. have a concise title indicating the purpose of the Bylaw;
- c. be presented in its entirety to all Councillors present at the Meeting prior to any Motion for first reading;
- d. have three (3) separate distinct readings;
- e. be presented in its entirety including any amendments, passed after first reading to all Councillors present at the Meeting prior to any Motion for third reading; and
- f. not be given more than two (2) readings at one (1) meeting, unless the Councillors present at the Meeting unanimously agree to a Motion authorizing third reading.

48. INTRODUCING A BYLAW

- (1) Council shall hear an introduction to the proposed bylaw or Motion from Administration prior to first reading.
- (2) After first reading has been given, any Member may move the bylaw be read a second time.
- (3) When a bylaw is subject to a Statutory Public Hearing, the Public Hearing shall be held prior to second reading.

49. AMENDMENTS TO BYLAWS

- (1) Any amendments to the bylaw that are carried prior to the vote on third reading shall be considered to have been given first and second reading and shall be incorporated in the proposed bylaw.
- (2) 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 this Bylaw or another enactment.

50. DEFEATED BYLAWS

- (1) If a bylaw is defeated on third reading the previous readings shall be rescinded.
- (2) A bylaw shall be rescinded if the bylaw does not receive third reading within two years from the date of the first reading.

51. EFFECTIVE DATE

- (1) A bylaw is effective from the date of third reading unless the bylaw, or any applicable statute provides for another effective date.

52. BYLAWS SIGNED AND SEALED

- (1) The Chief Elected Official and the CAO or designate shall sign and seal the bylaw as soon as reasonably possible after third reading.

PART EIGHT- CONDUCT IN MEETINGS

53. PUBLIC CONDUCT

- (1) The members of the public during a Meeting shall:
 - a. not approach or speak to Council or Committee without permission of the Chair;
 - b. maintain order and quiet; and
 - c. not interrupt a speech or action of Council, Committee or another person addressing the Members.
- (2) The Chair may order a member of the public who creates a disturbance or acts improperly to be expelled from the Meeting.

54. MEMBER CONDUCT

- (1) During a Meeting, Members shall not:
 - a. speak disrespectfully, use offensive words, or un-parliamentary language;
 - b. address Members without permission;
 - c. break the rules of Council or Committee or disturb the proceedings;
 - d. leave their seat or make any noise or disturbance while a vote is being taken or the result declared; or
 - e. disobey the decision of the Chair on any question or order, practice or interruption.

55. BREACH OF CONDUCT

- (1) A Member who persist in a breach of subsection 54 (1), shall follow the disciplinary procedure described in the Councillor Code of Conduct Bylaw.

56. CHALLENGE TO THE RULING OF THE CHAIR

- (1) Any member may challenge the decision of the Chair on a Point of Order or Privilege and if the decision of the Chair is challenged, the Chair shall briefly state the reason for the Chair's decision and then put the question to Council or Committee "Is the ruling of the Chair upheld?"
- (2) Council or Committee shall decide the challenge without debate by voting and the decision of Council or Committee is final.

PART NINE- TRANSITION

57. SEVERABILITY

- (1) If a portion of the Bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the Bylaw remains valid and effective.

58. EFFECTIVE DATE

- (1) This Bylaw comes into effect upon third reading of this Bylaw.

59. BYLAW REPEAL

- (1) Bylaw No. 1821 is hereby repealed.

READ a first time on this 17th day of August 2021.

READ a second time on this 14th day of September 2021.

READ a third and final time on this 14th day of September 2021.



Reeve

Jerry Wittstock



Chief Administrative Officer

Mike Haugen

Sept 24, 2021

Date Signed

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