



Town of High Prairie

Bylaw 09-2021

Council Procedure Bylaw



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**BYLAW NO. 09-2021
Council Procedure
Town of High Prairie**

A Bylaw of the Town of High Prairie the Province of Alberta, pursuant to the provisions of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* (MGA) for the purpose of regulating the procedure and conduct of Council and Council Committee meetings.

WHEREAS, the Council of the Town of High Prairie has the authority under section 145 of the *Municipal Government Act, R.S.A. 2000 c.M-26*, and related amendments, to enact bylaws respecting the establishment of Council Committees, Procedure and Conduct of Council, Council Committees, and the Conduct of Councillors and Members of Council Committees;

AND WHEREAS, the Council of the Town of High Prairie considers it expedient and desirable for effective governance to regulate the procedure and conduct of Council, Councillors and others attending Council and Council Committee Meetings in the Town of High Prairie;

NOW THEREFORE, the Council of the Town of High Prairie enacts as follows:

1.0 TITLE

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

2.0 DEFINITIONS

2.1 In this Bylaw:

2.1.1 "Acting Mayor" shall mean the Member of Council who is assigned by Motion of Council from time to time to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor;

2.1.2 "Agenda" shall mean the list of items and order of business for any meeting;

2.1.3 "Amend" shall mean a Motion to add context or details to currently debated Motion;

2.1.4 "Business Day" shall mean a full regularly scheduled working day for the Administration Office.

2.1.5 "Bylaw" shall mean a Bylaw of the Town of High Prairie;

2.1.6 "Call the Question" shall mean where a member of Council can "Call the Question" at which time the chair has to immediately ask those assembled to vote to determine whether or not debate should be cut off or continue regarding the motion of the floor. The motion to "Call the Question" is not debatable;

2.1.7 "CAO" shall mean the Chief Administrative Officer, or duly appointed delegate, for the Town;

2.1.8 "CEO" shall mean the Chief Elected Officer as defined in the MGA, which shall be the Mayor unless otherwise determined by Council;



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- 2.1.9 "Chair" shall mean the person presiding and conducting meetings;
- 2.1.10 "Committee" shall mean a committee created by Council that is either a Standing Committee, Special Committee, or a Council Committee;
- 2.1.11 "Council" shall mean the Mayor and Members of Council of the Town elected pursuant to the provisions of the Local Authorities Election Act;
- 2.1.12 "Councillor" shall mean a Councillor elected to represent the Town;
- 2.1.13 "Delegation" shall mean any person or persons having 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;
- 2.1.14 "Deputy Mayor" shall mean the Member of Council who is appointed pursuant to the MGA to act as Mayor in the absence or incapacity of the Mayor;
- 2.1.15 "Limit Debate" shall mean to shorten the maximum time members, or a single member, may speak in debate, to set the number of times a member may speak, or to limit the scope of what can be debated.
- 2.1.16 "Mayor" shall mean the CEO for the Town;
- 2.1.17 "Member" shall mean a Councillor, or Member at Large, appointed by Council to a Committee of Council;
- 2.1.18 "Member at Large" shall mean a member of the public appointed by Council to a Committee of Council;
- 2.1.19 "Meetings" shall mean meetings of Council and Council Committees;
- 2.1.20 "MGA" shall mean the *Municipal Government Act, R.S.A. 2000 c.M-26*, and related amendments;
- 2.1.21 "Motion" shall mean an action presented by a Councillor or Member of Committee and made to the Chair that requests some consideration of action by Council or Committee. For a Motion to be structurally complete, it requires a who, what, when, where and why;
- 2.1.22 "Person" shall include an individual, partnership, association, body corporate, trustee, executor, administrator, or legal representative;
- 2.1.23 "Point of Information" shall mean a question or request directed through the Chair to another member or to staff for information relevant to the business at hand but not related to the Point of Procedure;
- 2.1.24 "Point of Order" shall mean the raising of question directed to the Chair to call attention to any departure from the Procedure Bylaw;



- 2.1.25 "Point of Procedure" shall mean a question directed to the Chair to obtain information of a matter of the rules of the Town bearing on the business at hand in order to assist a member to make an appropriate Motion, raise a point of order, or understand the situation or the effect of a Motion;
- 2.1.26 "Postpone" shall mean to delay the consideration of any matter either to a definite time when further information is to be obtained or indefinitely;
- 2.1.27 "Question of Privilege" shall mean an urgent motion made at a meeting which seeks an immediate ruling on an alleged violation of the rights or privileges of members as a whole, or in regards to a negative personal remark.
- 2.1.28 "Quorum" is a majority (50% +1) of those members elected and serving on Council, except where Terms of Reference state differently in specific Committee policies;
- 2.1.29 "Raise from the Table" shall mean when a Member wishes to raise an item previously Tabled;
- 2.1.30 "Recess" shall mean a non-debatable Motion for a temporary cessation of Council/Committee business;
- 2.1.31 "Recording Secretary" shall mean the person assigned to recording minutes of the meeting;
- 2.1.32 "Table" shall mean a Motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter. Unless Tabled to a time specific, any item not Raised from the Table before the meeting is adjourned is deemed lost;
- 2.1.33 "Town" shall mean the Town of High Prairie;
- 2.1.34 "Urgency" (In reference to Addendums - Section 20.6). If an item (Addendum) is to be added to a previously distributed Agenda, then the Addendum shall pass a test of 'Urgency'. If the Addendum is time-sensitive or where failure to provide immediate action may cause financial or other distress to the Town, Council or a Committee, then the Chair may authorize the addition of the Addendum to the Agenda.

3.0 GENERAL INTERPRETATION

- 3.1 All schedules attached to this Bylaw form part of this Bylaw.
- 3.2 Headings or subheadings in this Bylaw are inserted for ease of reference and guidance purposes only and do not form part of this Bylaw.
- 3.3 Words in the singular include the plural and words in the plural include the singular.



- 3.4 Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference to the act, regulation, code or other bylaw includes any amendments thereto before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- 3.5 Each provision of this Bylaw is independent of, and severable from, all other provisions and if any provision is declared invalid or unenforceable for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 3.6 Nothing in this Bylaw relieves a Person from complying with any provision of any federal, provincial, or municipal law or regulation or any requirement of any lawful permit, order or license.

4.0 GENERAL

- 4.1 In accordance with Section 204 of the MGA, the municipal office shall be the Town of High Prairie Administration Office located at 4806 - 53rd Avenue, High Prairie, Alberta, T0G 1E0.
- 4.2 Council of the Town shall consist of seven (7) elected officials, one of whom is the CEO.
- 4.2.1 The Six (6) Councillors shall be elected separately from the CEO.
- 4.2.2 The CEO shall be referred to as the Mayor.
- 4.3 General duties of Councillors and the Mayor are established in Division 3, Duties, Titles, and Oaths of Councillors of the MGA.

MEETINGS

5.0 Inaugural Meetings

- 5.1 Council shall hold an Inaugural Meeting on the day of the Organizational Meeting after each General Municipal Election.
- 5.2 At the Inaugural Meeting, members of Council shall take the Oath of Office.

6.0 Organizational Meetings

- 6.1 An Organizational Meeting of Council shall be held annually as required by Section 192 of the MGA.
- 6.2 The Agenda of the Organizational Meeting shall be restricted to:
- 6.2.1 Establishing regular meeting dates and times for Council for the next twelve months;



- 6.2.2 Establishing Council's standing committee structure;
- 6.2.3 Selection of Deputy Mayor by rotation or as designated by the Council;
- 6.2.4 Appointment of Councillors to Council Committees;
- 6.2.5 Appointment of Councillors to external agencies, boards, commissions, and committees;
- 6.2.6 Appointment of Members at Large to any agencies, committees, boards to which Council has the right to appoint members;
- 6.2.7 Any such other business as is required by the MGA;
- 6.2.8 Referring to Section 6.2.5, 6.2.6 and 6.2.7, the Mayor will provide a summary of appointment recommendations to Council by the following process:
 - 6.2.8.1 The CAO shall distribute a blank list of the standing committee assignments to the Councillors, and the Councillors shall mark those assignments that they would prefer.
 - 6.2.8.2 Councillors shall return those lists to the CAO, who shall compile a summary of those requests and forward that list to the Mayor.
 - 6.2.8.3 The Mayor shall, after consulting with each Councillor and by the using the Mayors' best judgment, create a list of appointment recommendations and bring that summary to the Organizational Meeting for ratification.
 - 6.2.8.4 Should a Councillor dispute or disagree with an appointment recommendation, Council as a whole shall debate the appointment and, by majority vote, complete the final determination. If it appears on the calculation of the votes that (2) two or more members of council for any appointment have received the same number of votes and if it is necessary for determining which member of council is appointed, the CAO shall write the names of those members of council separately on blank sheets of paper of equal size and of the same color and texture and after folding the sheets of paper in a uniform manner and so the names are concealed, shall deposit them in a receptacle and direct some person to withdraw one of the sheets, and the CAO shall declare the member of Council whose name appears on the withdrawn sheet to have one more vote than the other member of council or councillors.
- 6.2.9 The election of a Chair to preside at the meetings of Council by the following process:
 - 6.2.9.1 The CAO shall call for nominations for Chair for the meetings of Council from the members of Council. The call for nominations shall close after the CAO

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has received seven nominations or receives no further nominations after a final call for nominations.

- 6.2.9.2 Each Councillor may nominate one Councillor other than himself or herself. The CAO shall ask each nominated Councillor if he or she accepts the nomination. The nomination must be accepted by the Councillor to be valid.
- 6.2.9.3 After the nomination process is complete, the CAO shall read out the names of the nominated Councillors ("Candidates"). After all the names of the Candidates have been read, each Councillor shall be entitled to vote in favour of one Candidate by writing one name on a piece of paper. The CAO shall count the number of votes in favour of each Candidate's election to the position of Chair. After all the votes have been counted, the CAO will read the results. The Councillor with the greatest number of votes in favour of his or her election shall be the Chair. In the case of a tie, the names of the tied Candidates shall be placed in a hat. The CAO will draw a name from the hat and that person shall be appointed Chair.
- 6.2.9.4 If no valid nominations are received, the Chair for the meetings of Council shall be the current presiding Chair.
- 6.2.9.5 Should the position of Chair be vacant prior to the next Organizational Meeting of Council, an election of a Councillor to fill the position of Chair until the next Organization Meeting of Council shall occur at the next regularly scheduled meeting of Council.

7.0 Regular Council Meetings

- 7.1 Notice of regularly scheduled meetings, as per Section 6.2.1, need not be advertised.
- 7.2 If Council changes the date, time or place of a regularly scheduled meeting, the Town shall give at least 24 hours' notice of the change:
 - 7.2.1 To any Member of Council not present at the meeting at which the change was made, and such notice shall be in accordance with Section 196(1) of the MGA; and
 - 7.2.2 To the public, and such notice shall be by means of posting a Notice on the front door of the Municipal Office.

8.0 Special Meetings

- 8.1 Special Meetings shall be held as per Section 194 of the MGA.

9.0 Committee Meetings

- 9.1 The times for the beginning of Council Committee meetings shall be set by Motion by the Committee.



- 9.2.1 Standing Committees of Council shall be established and governed by bylaw specifying the terms of reference of the committee approved by Council.
 - 9.2.2 Council members are only members of Council Committees and Boards, Commissions and other bodies to which they have been specifically appointed by Council.
 - 9.2.3 Town Administration may be asked to participate as advisors to Committees of Council. Unless otherwise specified in the terms of reference of a Committee, advisors are not authorized to participate as voting members.
- 9.2 Committee Chairs:
- 9.3.1 Each Committee shall elect its own Chair.
 - 9.3.2 For Committees of Council, the position of Chair shall be selected by vote of the members appointed by Council, which shall include Members at Large appointments.
 - 9.3.3 Where the Town and Big Lakes County share representation on the Committee or Board, the Members shall elect the Chair.
- 9.3 **Alternates:** The Council may temporarily appoint any Council Member to take the place of any member of the Committee who is unable to attend a meeting of that Committee. Committee Alternates may also be appointed during the Organizational Meeting. In the event the Member's alternate cannot attend a meeting, the Mayor or Deputy Mayor can fill the vacancy.
- 9.4 All Council Members may request to attend any Standing or Special Committee Meeting, and may be allowed to participate in debate, but shall not make Motions or vote unless they have been appointed to that Committee.
- 9.5 Committees shall meet at the call of the Chair, but notice must be provided to Committee Members and the Public pursuant to the requirements of this Bylaw and the MGA.
- 9.6 All Committees are advisory to Council unless authority to exercise or perform any power or duty has been specifically delegated by Council.
- 9.7 The basic responsibilities of a Council Committee are:
- 9.7.1 to analyse all matters placed before them and submit written recommendations to Council on ways and/or means of dealing with these matters;
 - 9.7.2 to receive written reports for information purposes. Written reports received for information may be forwarded to Council at the discretion of the Committee, and must be forwarded to Council if required under any policy, bylaw or statute;



- 9.7.3 to refer matters to Administration, through the CAO, for research;
- 9.7.4 to submit recommendations to Council on any action or decision recommended on any matter within the jurisdiction of the Committee;
- 9.7.5 in appropriate cases, to submit matters to Council without recommendations;
- 9.7.6 not to appropriate, expend, commit, or direct the expenditure of any money not provided for in the budget and authorized in Committee mandate by Council;
- 9.7.7 not to bind its' actions on the Town unless power to take such action has been specifically delegated to the Committee by Council; and
- 9.7.8 to not give direct instructions to any Town employee, except to the CAO or designate authorized in the terms of reference of the Committee.

9.8 Committees must follow the procedural rules of Council as set out in this Bylaw.

10.0 Closed Sessions

- 10.1 Council recognizes that Section 198 of the MGA provides for the public to be present at meetings, and it is the intent and desire of Council to remain open, accountable, and transparent to the public.
- 10.2 Closed sessions shall only be permitted for matters pertaining to receiving legal counsel, for land-related negotiations, or matters pertaining to labour or personnel, as determined in Sections 16, 17, 18, 19, 20, 21, 23, 24, 25, 26 and 27 of *the Freedom of Information and Protection of Privacy Act, RSA 2000, F-25*.
- 10.3 Whenever Council or a Committee meets in closed session the CAO, or designate, shall be present. An exception is provided when Council meets to review the CAO performance.

11.0 Public Hearings

- 11.1 The conduct of any statutory Public Hearing shall be governed by this Bylaw.
- 11.2 Wherever possible, persons interested in speaking at a Public Hearing should register with the Recording Secretary prior to the Public Hearing.
- 11.3 The Chair shall declare the Public Hearing in session and shall outline the Public Hearing Procedures.
- 11.4 The Chair may call upon the CAO to introduce the Motion or Bylaw, and to briefly state the intended purpose.
- 11.5 Where applicable, the CAO shall advise of any third party officially applying for the Bylaw or Motion.

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- 11.6 Immediately following the introduction of the Bylaw or Motion, any Member who has pecuniary interest in the Motion or Bylaw for which the Public Hearing is being held shall declare this interest and shall be excused from the table.
- 11.7 Upon leaving the table, the Member has the same rights as any other person attending the Public Hearing and may stay in attendance at the Public Hearing and make presentations. However, when the matter reviewed at the Public Hearing comes before Council for deliberation, the Member must adhere to all clauses of Section 23 of this Bylaw pertaining to Pecuniary Interest.
- 11.8 Any presentation by Town staff or agents shall follow the introduction of the Bylaw or Motion.
- 11.9 The Chair shall request those who wish to make presentations to identify themselves so that their names can be recorded in the minutes.

MEETING PROCEDURES

12.0 Quorum

- 12.1 As soon as there is a Quorum of Members of Council after the hour fixed for the meeting, the Chair shall call the meeting to order;
- 12.2 Unless a Quorum is present within thirty (30) minutes after the time appointed for the meeting, the meeting shall stand adjourned until the next regular meeting date or until a Special Meeting is called to deal with the matters intended to be dealt with at the adjourned meeting.
- 12.3 The Recording Secretary shall record the names of the Members of Council present at the expiration of the thirty (30) minute time limit and such record shall be appended to the next Agenda.
- 12.4 The only action that can legally be taken in the absence of Quorum is to fix the time in which to adjourn (if more than 30 minutes is being allowed), adjourn, recess, or to take measures to obtain a Quorum.
- 12.5 In the event that Quorum is lost after a meeting is called to order, the meeting shall be suspended until Quorum is obtained. If Quorum is not obtained within thirty (30) minutes, the meeting shall stand adjourned.

13.0 Conduct of Meetings

- 13.1 Each member or delegate, as the case may be, shall address the Chair but shall not speak until recognized by the Chair.
- 13.2 The Chair, with the approval by motion of the members, may authorize a person in the public gallery to address members only on the topic being discussed at that time and within the time limits specified by the Chair.



13.3 The preparation and distribution of minutes of Council and Committees shall be the responsibility of the CAO and may be delegated to a Recording Secretary in accordance with Section 208 and 209 of the MGA.

14.0 Motions

14.1 A Motion shall not require a seconder.

14.2 A Motion may be withdrawn at any time before voting, subject to no objection being raised from any Member.

14.3 Any Member may require the Motion to be read at any time during the debate, except when a Member is speaking.

14.4 A mover of a Motion must be present when the Vote on the Motion is taken. If a Motion cannot be voted before the meeting is adjourned, the Motion shall be deemed as lost.

14.5 When a Motion is under debate, no Motion shall be received other than a Motion to:

14.5.1 **WITHDRAW:** When the mover wishes to withdraw the Motion, or substitute a different one in its place. Note: Once the Motion is withdrawn, the effect is the same as if the Motion had never been made;

14.5.2 **TABLE:** When a Member wishes to decline to take a position on the main question. This Motion is non-debatable and, when passed, may only be resurrected by a Motion to Raise from the Table (Note: The motion remains pending in order to address another urgent matter at that meeting);

14.5.3 **CALL THE QUESTION:** A member of Council must have the floor to make the motion to "Call the Question". It takes majority of the voting members of Council in favour to cut off debate;

14.5.4 **POSTPONE:** A Motion to postpone can be made either to postpone to a time or date certain, or to postpone indefinitely. If the motion is made to postpone indefinitely then said motion should include a reason for postponement and is debatable (Note: Generally used as a method to dispose of a question without bringing it to a direct vote);

14.5.5 REFER: Generally used to send a pending question to a Committee, department or selected persons so that the question may be carefully investigated and put into better context for Council to consider and should include direction as to the Person or Group to which it is being referred;

14.5.6 **AMEND:**

14.5.6.1 Only one amendment at a time shall be presented to the main Motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion

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and shall not so substantially alter the Motion as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendment.

14.5.6.2 The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to Vote, unless a further amendment is proposed.

14.5.6.3 Nothing in this section shall prevent other proposed amendments from being read for the information of the Members.

14.5.6.4 When the Motion under consideration contains distinct propositions, the Vote upon each proposition shall, at the request of any Member, be taken separately.

14.5.6.5 A motion to amend a motion must not propose a direct negative which would be considered out of order.

14.6 **Motion to Rescind** a previous motion of Council may be made by any member of Council; and be offered at any time subsequent to the meeting at which the original motion was passed, and be passed by:

14.6.1 A simple majority of the members of Council by the inclusion of the item on an agenda delivered to the members of Council on a written report and submitted by the proper process (see Section 20.2). A member of Council can only submit one (1) written report in one (1) year on the same motion.

14.6.2 A motion to rescind may be made if the previous motion has not been acted upon to the extent that the Town has undertaken or become subject to any liability or obligation.

14.6.3 A motion may not have the effect of rescinding or contradicting a prior motion or renewing a defeated motion. Unless it is made more than one (1) year after the date of the original motion or after a general election.

14.6.4 No vote of Council shall be reflected upon except for the purpose of moving that such a vote be rescinded.

14.6.5 A motion may be brought back to Council by the CAO, if administration does not have the ability to action a motion, or if substantive new information becomes available.

14.8 The following Motions are non-debatable by Members:

14.8.1 ADJOURNMENT;

14.8.2 CALL THE QUESTION;

14.8.3 LIMIT DEBATE on a matter before Members;

14.8.4 POINT OF ORDER;



- 14.8.5 POSTPONE (to a date/time certain);
- 14.8.6 QUESTION OF PRIVILEGE;
- 14.8.7 RAISE FROM THE TABLE;
- 14.8.8 TABLE;
- 14.8.9 TAKE A RECESS.

14.9 The wording of a Motion shall be POSITIVE (ie: "... *Council shall support...*").

15.0 Rules of Debate

15.1 In Council, a Member of Council wishing to speak on a matter that has been brought before Council shall indicate their intention by raising their hand to be recognized by the Chair, and shall not speak more than once until every Member of Council has had the opportunity to speak except:

15.1.1 in the explanation of the material part of the speech which may have been misunderstood; or

15.1.2 in reply, to close debate, after everyone else wishing to speak has spoken, provided that the Member of Council presented the Motion to the meeting.

15.2 Through the Chair, a Member of Council may ask questions of another Member of Council or staff on a Point of Information relevant to the business at hand.

15.3 All questions or debate shall be directed through the Chair.

15.4 Members shall not:

15.4.1 use offensive words or unparliamentarily language in the meeting;

15.4.2 disobey the rules of the meeting or decision of the Chair or of the Members on questions of order or practice; or upon the interpretation of the rules of the meeting;

15.4.3 leave their seat or make any noise or disturbance while a vote is being taken and the result is declared;

15.4.4 interrupt a Member while speaking, except to raise a Point of Order or Question of Privilege;

15.4.5 pass between a Member who is speaking and the Chair.

15.5 A Member who wishes to leave the meeting prior to the adjournment shall so advise the Chair and the time of the departure shall be noted in the minutes.

16.0 Point of Order

16.1 The Chair shall preserve order and decide upon any Points of Order.



- 16.2 A member who desires to call attention to an infraction of procedure shall raise a Point of Order to the Chair. When the Member has been acknowledged, the Member shall state the Point of Order with a concise explanation and shall accept the decision of the Chair upon the Point of Order.
- 16.3 The speaker in possession of the floor, when the Point of Order was raised, shall retain the right to the floor when debate resumes.
- 16.4 A Member called to order by the Chair shall immediately vacate the floor until the Point of Order is dealt with and shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.
- 16.5 The decision of the Chair shall be final, subject to an immediate appeal by a Member of the meeting, stating reasons for the appeal.
- 16.6 If a decision of the Chair is appealed (Section 16.5), the Chair shall provide concise reasons for the ruling and the Members shall, without debate, decide the question. Decision of the Members shall be final.

17.0 Voting on a Question

- 17.1 Every Member of Council present, including the Mayor, shall vote on every matter at a Council or Committee Meeting at which they are present, unless they are required to abstain from voting under this or any other Bylaw, Act, or legislation as per Section 174(1)(f) of the MGA.
- 17.2 When a Motion that a Vote be taken to determine further debate (Call for Question), it shall be put to a vote debate and, if carried by a majority vote of the Members present to cease debate, the Motion and any amendments thereto shall be submitted to a vote immediately without further debate on the original motion and any amendments thereto.
- 17.3 A Member present at a meeting shall make a request for a recess if, for any reason, the Member may be away from the Meeting during a time when a Vote on a matter is imminent, unless that Member is excused from the voting pursuant to this Section.
- 17.4 Voting shall be completed by raising of the hand after the Chair has called for those 'In Favour' and those 'Opposed' to the Motion.
- 17.5 When a Chair, having ascertained that no further information is required, commences to take a Vote, no Member shall speak to, or present another Motion, until the Vote has been taken on the current Motion or amendment, and the decision announced by the Chair.
- 17.6 Any Member who disagrees with the announcement made concerning the result of a Vote may immediately object to the declaration, and the Chair shall call for the Vote a second and final time. The determination of the Chair shall be final.



- 17.7 Whenever the Chair is of the opinion that a Motion is contrary to the rules and privileges of Council, the Chair shall inform the Member thereof immediately, and shall cite reasons applicable to the case without argument or comment.
- 17.8 In all cases not provided for in the proceedings of the Council, a two-thirds (2/3) majority of Council shall determine to uphold the ruling of the Chair, or not, as the case may be.
- 17.9 With reference to the MGA Section 185, before a vote is taken by council, a Councillor may request that the vote is recorded. When a vote is recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for or against the proposal or abstained. Abstention is allowed only with respect to MGA Section 184 as it relates to Public Hearings.
- 17.10 If there is an equality of votes for and against a Motion or Bylaw, then the Motion or Bylaw is defeated.

18.0 Adjournment of Meeting & Adjournment Time

- 18.1 If all items on the Agenda have been addressed, the Chair shall simply state that the Agenda has been completed, note the time to the Recording Secretary, and Call the Meeting Adjourned, without a Motion from the Members.
- 18.2 Should the Agenda not be completed, a non-debatable Motion to adjourn the meeting can be presented, but it must be supported by two-thirds majority (66%) of the quorum;
- 18.3 Unless otherwise determined pursuant to the provisions of this Bylaw, Adjournment Time is:
 - 18.3.1 at the conclusion of the Agenda as adopted by Council; or
 - 18.3.2 at Eleven o'clock (11:00 PM) if a meeting is in session at that hour.
- 18.4 Notwithstanding the provisions in Section 18.3, Council may, by a Unanimous Motion of Members present, agree to an extension of the meeting time. A vote to extend the time of the meeting beyond Eleven o'clock must be taken not later than eleven o'clock (11:00 PM).
- 18.5 Unless there has been a Unanimous Motion passed within the prescribed time extending the meeting beyond the Eleven o'clock in the evening (11:00 PM), all matters of business which appear on the Agenda for the Meeting, and which have not been dealt with by that time, shall be deemed to be postponed until the next Regular or Special Meeting.



19.0 Duties of the Chair

- 19.1 The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order, replying to Point of Procedure, and deciding on questions relating to the orderly procedure of the meeting, subject to an appeal by any Member from any ruling of the Chair.
- 19.2 It shall be the discretion of the Chair, whether or not upon the request of any Member, to call for a short recess between Agenda items, at any meeting. The Chair shall make reasonable efforts, including calling for a recess, to ensure all members in attendance at a meeting are present while a vote is being taken, unless a member is excused from voting in accordance with the MGA or this Bylaw.
- 19.3 The Chair may invite persons forward from the audience to speak with the permission of the Council or Committee, if it is deemed to be within the best interests of the issue being discussed, the public, and the conduct of good business.
- 19.4 In the absence or inability of the Chair to preside at a meeting of Council, Council shall appoint an Acting Chair to preside for the duration of that meeting.
- 19.5 The Chair shall be expected to participate in debate and vote, without relinquishing the Chair.

20.0 AGENDA AND ORDER OF BUSINESS

- 20.1 The Agenda is a document used by Council or a Committee, therefore although the duty to collate the Agenda may be delegated, Council or the Committee shall have final determination as to what will or will not be included on the Agenda.
- 20.2 Prior to each meeting, the CAO shall cause to be prepared a statement of the order of business to be known as the "Agenda" of all matters to be brought before Council. To enable the CAO to do so, any Council member, Municipal official or any other person shall ensure that all documents and notice of delegation intended to be submitted to the Council shall be received by the CAO no later than 1:00 PM at least five (5) business days before the meeting. The submission shall contain adequate information (background, rationale, and recommended action) to enable Council to consider the matter.
- 20.3 The CAO shall place at the disposal of each Member a copy of the Agenda and all supporting materials no later than 6:30 PM, two (2) business days before the meeting.
- 20.4 The business intended to be dealt with at the Regular Council Meeting shall be stated in the Agenda after the manner as displayed in Schedule "A" attached.
- 20.5 The order of business established in Section 20.4 shall apply unless altered by the Chair 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.



20.6 Addenda:

- 20.6.1 Council may consider the Urgency of any item(s) proposed to be added, or proposed to be deleted, before voting to adopt the Agenda "As Amended".
- 20.6.2 During the course of the meeting, should a member of Council deem that an item be added to the Agenda for Council's consideration, the Member shall propose the Addendum by Motion, after which the Chair shall rule on the urgency:
 - 20.6.2.1 If the Chair rules that the Motion stand, the Chair shall add the item to the end of the Agenda.
 - 20.6.2.2 If the Chair rules that the Motion does not meet the test of Urgency, the item shall be tabled and added to the next Agenda.

20.7 The order of business at a meeting is the order of the items on the Agenda except:

- 20.7.1 When the same subject matter appears in more than one place on the Agenda and Council decides, by Motion, to deal with all items related to the matter at the same time;
- 20.7.2 When Council decides not to deal with an item on the Agenda and tables or postpones the matter to a subsequent meeting.

20.8 Prior to commencing discussions on the first item on the agenda, the Chair must ask Councillors to select the items they wish to debate, and any items with an accompanying written report that are not selected may be voted on by a single motion adopting the recommendations stated in the report.

21.0 DELEGATIONS

- 21.1 A person or a representative of any delegation or group of persons who wish to bring any matter to the attention of Council, or who wish to have any matter considered by Council, shall address a letter (or other written communication) to Council outlining the subject to be discussed. The letter shall be signed in the correct name of the writer; the address of the writer, and delivered (by hand, mail, fax, or email) to the CAO. The letter must arrive at least by 1:00 PM at least five (5) business days immediately preceding the meeting at which it is to be presented. If the person wishes to appear before Council on the matter, it shall be stated in the letter.
- 21.2 Delegates shall be granted a maximum of fifteen (15) minutes to present the matter outlined in the letter. Where the Chair determines that additional time shall be granted to a delegation, the length of the extension shall be specified, and the Chair may limit the time.
- 21.3 Delegations that have not submitted a letter in accordance with Section 21.1 of this Bylaw may be granted a brief opportunity to outline the matter they wish to present to Council.

Handwritten initials "BP" in blue ink, followed by a larger, stylized signature in blue ink.



- 21.4 Matters of confidential nature, as referred to in Section 10 of this Bylaw, shall not be discussed during Public Presentations to Council.
- 21.5 Information presented by a Person or Group shall relate only to the subject matter for which the presentation was originally requested.
- 21.6 Each Person or Group will be given an opportunity to make a public presentation only once in respect to a given issue. Council or the Committee may waive this restriction if it is of the view that there have been significant new developments in respect of the issue or if sufficient time has elapsed such that Council, or the Committee, is prepared to consider the issue again.
- 21.7 Extensions of time limits for any verbal presentations during the Public Presentation to Council or the Committee may be granted by consent of Council or the Committee, based on one or more of the following:
 - 21.7.1 The issue or Bylaw under discussion is deemed by Council or the Committee to be contentious or complex and the allotted time is not sufficient, in the opinion of Council or the Committee, to give the matter due consideration; and
 - 21.7.2 The granting of an extension of time will not prejudice the rights of other presenters to their allotted presentation time as prescribed by this Bylaw.
- 21.8 Where a Delegation requests support from Council, requiring a Motion of Council, Council shall first refer the matter to Administration, who shall bring back more information and a recommendation at a subsequent meeting so that Council can make an informed decision.

22.0 PUBLIC DELEGATIONS

- 22.1 As part of the Council Agenda, the Chair shall also call for and recognize any Public Delegations. Public Delegations may or may not be scheduled, as per Section 21 of this Bylaw, and may request an opportunity to speak to Council or a Committee at a meeting. All persons wishing to address Council will be required to give their names and topic of concern.
- 22.2 A Public Delegation may be recognized by the Chair and granted a maximum of five (5) minutes to present their matter.
- 22.3 Where a Public Delegation requests support from Council, requiring a Motion of Council, Council shall first refer the matter to Administration, who shall bring back more information and a recommendation at a subsequent meeting so that Council can make an informed decision.

23.0 PECUNIARY INTEREST

- 23.1 Members of Council who reasonably believe that they have a pecuniary interest, as defined in the MGA, in any 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 where required by the MGA, remove themselves from the room until the matter is concluded. Note: It is the responsibility of each Member to determine and/or declare whether they have a pecuniary interest, not other members of Council or Administration.

- 23.2 The minutes shall indicate the declaration of disclosure, the time at which the Member of Council left the room, and the time the Member of Council returned.
- 23.3 Prior to the meeting, if a Member of Council is unsure of whether or not they may be in a 'conflict of interest' situation with regard to an upcoming issue or vote, the Member shall be encouraged to discuss the matter with the CAO. Note: Mayor and Council are always advised to 'err on the side of caution' if there is a concern about pecuniary interest.
- 23.4 Prior to the meeting, and after discussing the issue with the CAO (Section 23.3), if the Member of Council wishes to obtain legal advice on whether or not there is a conflict of interest situation with regard to an upcoming issue or vote, the CAO shall arrange for the Town's legal counsel to provide legal advice to the Member of Council concerning the matter in question.

24.0 BYLAW PROCEDURES

- 24.1 Where a Bylaw is presented to a meeting for enactment, the CAO or designate shall cause the number, short title and brief description of the Bylaw to appear on the Agenda. (As per Section 187 of the MGA, all Bylaws shall have three distinct and separate readings. The Motion to move a Bylaw for consideration shall be the First Reading.)
- 24.2 The following shall apply to the passage of a Bylaw:
 - 24.2.1 A Bylaw shall be introduced for First Reading by a Motion that it be Read a First Time specifying the number and short name of the Bylaw;
 - 24.2.2 After a Motion for First Reading of the Bylaw has been presented, Members may debate the substance of the Bylaw, and propose and consider amendments to the Bylaw;
 - 24.2.3 Any proposed amendments shall be put to vote, if required, and, if carried, shall be considered as having been incorporated into the Bylaw at First Reading.
 - 24.2.4 When all amendments have been accepted or rejected, the Chair shall Call the Question on the Motion for First Reading of the Bylaw.
 - 24.2.5 When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established following First Reading.



24.2.6 All aspects of the passage of a Bylaw at First Reading shall apply to Second or Third Reading of any Bylaw.

25.0 REPEALING

25.1 This Bylaw shall replace Bylaw 11-2020 and Bylaw 11-2020 is hereby repealed.

26.0 COMING INTO FORCE

26.1 This Bylaw shall come into force and effect upon third reading.

First Reading given on this 14th day of December 2021.


Second Reading given on this 14th day of December 2021.

GIVEN Unanimous Consent to proceed to third and final Reading of the Council Procedure Bylaw 09-2021 this 14th day of December, 2021.

Third and Final Reading given on this 14th day of December 2021.



Mayor Brian Panasiuk



CAO Rod Risling



**Schedule "A"
Agenda Format**

- 1 Call to Order**
- 1.1 Land Acknowledgement**
- 1.2 Adoption of Agenda**
- 2 Delegations**
- 2.1 Scheduled Delegations**
- 2.2 Public Delegations**
- 3 Protective Services**
- 4 Public Works**
- 5 Minutes**
- 5.1 Confirmation of Minutes**
- 6 Business Arising**
- 7 Public Hearing(s)**
- 8 New Business**
- 9 Finance**
- 10 Administration**
- 11 Planning**
- 12 Community Services**
- 13 Staff and CAO Written Reports**
- 14 Council Information (including correspondence)**
- 15 Notice of Upcoming Meetings**
- 16 Written/Verbal Reports**
- 17 Confidential Items**