

CONSOLIDATION OF A BYLAW OF THE TOWN OF VULCAN TO REGULATE THE PROCEEDINGS OF TOWN COUNCIL AND ITS COMMITTEES AND TO DEFINE CERTAIN DUTIES OF TOWN COUNCIL, ITS COMMITTEES AND CERTAIN OFFICERS

TOWN OF VULCAN BYLAW NO. 1428-14

WHEREAS, pursuant to the Municipal Government Act, Town Council may pass Bylaws in relation to the establishment and functions of Council Committees, and the procedure and conduct of Council and Council Committees.

AND WHEREAS, pursuant the Municipal Government Act, Town Council may by Bylaw delegate its powers, duties or functions to a Town Council Committee.

AND WHEREAS the Municipal Government Act governs the conduct of Town Council, Councillors, Council Committees; municipal organization and administration; public participation; and the powers of a municipality.

The Town Council of the Town of Vulcan enacts as follows:

- 1. This Bylaw may be cited as The Procedure Bylaw.
2. From the date this Bylaw is passed, the following rules and regulations shall be observed for the order and dispatch of business in Town Council and in all Committees thereof and all motions, rules or regulations existing and inconsistent with this Bylaw are hereby repealed.
3. If not covered in this Bylaw, Robert's Rules of Order Newly Revised shall be followed for governing the proceedings of the Town Council and the conduct of its members.
4. This Bylaw may not be repealed, amended or suspended by the Town Council when in session unless:
(i) by a Bylaw unanimously passed at a subsequent Regular Meeting or Special Meeting of the Town Council at which all the members are present and vote
(ii) by a Bylaw passed at a Regular Meeting of the Town Council in pursuance of a notice of motion in writing given at the next Regular Meeting of Town Council and setting forth the terms or substantial effect of the proposed Bylaw.

DEFINITIONS AND INTERPRETATION

5. In this Bylaw words meaning male persons include female persons.
- (a) "ACTING MAYOR" is the Member selected by Town Council to preside at any Meeting of Town Council in the absence or incapacity of both the Mayor and the Deputy Mayor.
 - (b) "ADMINISTRATIVE INQUIRY" is an inquiry made by a member of Town Council to the CAO relating to Town business.
 - (c) "AGENDA" is the list of items and order of business for any Regular or Special Meeting of Town Council or its Committees prepared by the Town CAO.
 - (d) "BYLAW" is a Bylaw of the Town.
 - (e) "CHAIR" is the person presiding at the Meeting of Town Council or a Committee.
 - (f) "CHALLENGE" is an appeal of a ruling of the Chair.
 - (g) "TOWN" is the Corporation of the Town of Vulcan and, where the context so requires, means the area included within the boundaries of the Town.
 - (h) "LEGISLATIVE COORDINATOR" is the designated employee appointed to that position by the CAO.
 - (i) "TOWN COUNCIL" is the Mayor and Council Members, elected pursuant to the provisions of the Municipal Government Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Municipal Government Act.
 - (j) "CAO" is the Chief Administrative Officer within the meaning of the Municipal Government Act.
 - (k) "IN-CAMERA" is a closed meeting of the members of Town Council without the presence of the public and media.
 - (l) "COMMITTEE" is a Committee, Board, Commission, Authority or other body to which Town Council may appoint members.
 - (m) "DEPUTY MAYOR" is the Member who is appointed by Town Council to act as Mayor in the absence or incapacity of the Mayor.
 - (n) "EX-OFFICIO" is membership by virtue of one's office and/or where appointed by Town Council (has the rights of membership including attending meetings, discussing issues, making motions and voting).
 - (o) "FINANCE COMMITTEE" is a Committee established to review budget and financial matters and make recommendations to Town Council.
 - (p) "MAYOR" is the Member duly elected as Mayor and continuing to hold office, and is the presiding officer at all Meetings of Council.

DEFINITIONS AND INTERPRETATION – CONT'D.

- (q) "MEETING" is any meeting of Town Council or a Committee, including a Regular Meeting or a Special Meeting.
- (r) "MEMBER" is a Member of Town Council duly elected and continuing to hold office, or a Member of a Committee of Town Council duly appointed to that Committee.
- (s) "PERSON" includes an individual, partnership, association, corporation, trustee, executor, administrator, or legal representative.
- (t) "POINT OF ORDER" means a demand that the Chair enforce the rules of procedure and takes precedence over any other motion.
- (u) "NOTICE OF MOTION" is a written notice, including the name of the mover advising Town Council that a motion described therein will be brought at a subsequent meeting.
- (v) "POINT OF INFORMATION" is a request to the Chair to ask a question.
- (w) "POSTPONE" is to delay the consideration of any matter either:
 - (i) to a definite time when further information is likely to be obtained, or
 - (ii) indefinitely.
- (x) "PRIORITIES AND AGENDA COMMITTEE" is a committee comprising the Mayor, or Acting Mayor, the CAO and the Legislative Coordinator to consider agenda preparation.
- (y) "PRIVILEGE" means a request made to the Chair or Town Council on any matter related to the rights and privileges of Town Council or individual Town Councillors and includes the:
 - (i) organizing or existence of Town Council
 - (ii) comfort of Town Councillors
 - (iii) conduct of Town employees or members of the public in attendance at the meeting
 - (iv) accuracy of the reports of Town Council's proceedings
 - (v) reputation of Town Councillors or Town Council
- (z) "PUBLIC HEARING" is a Town Council meeting held for statutory hearings.
- (aa) "PUBLIC MEETING" is a non-statutory meeting of Council to obtain citizen input.
- (bb) "QUORUM" is, in the case of:
 - (i) Town Council, the majority of Members, as established by the Municipal Government Act
 - (ii) All other committees, a majority of the appointed members unless the Bylaw or Resolution establishing such body specifies a different quorum.

DEFINITIONS AND INTERPRETATION – CONT'D.

- (cc) "REQUEST FOR DECISION (RFD)" is the format used for Administrative submissions to Town Council in order to clarify and provide the information required by Town Council to deliberate and make decisions.
- (dd) "TABLE" is a motion to delay consideration of any matter until later in the meeting or a specified meeting date. If a motion is not taken from the table within twelve months after the date that it was tabled the motion dies.
- (ee) "TWO-THIRDS" is a vote by at least two thirds of Town Council present at the meeting and entitled to vote.

MAJORITY

6. Wherever this Bylaw requires that a motion be made, a Bylaw be passed, or any other action be taken by a vote of:
- (a) a simple majority of the Town Council
 - (b) two-thirds or any other stipulated fraction of Town Council Members
 - (c) all Members of Town Council

the requirement shall be interpreted as meaning such majority, fraction or total of the Members of Town Council who are present and permitted to vote on the matter.

APPLICATION OF BYLAW

7. (1) This Bylaw applies to:
- (a) all Regular and Special Meetings of the Town Council
 - (b) the conduct of the Meetings of all Committees of Town Council.
- (2) Notwithstanding subsection (1), the rules governing the procedure of Town Council shall be observed in Committee insofar as applicable except that:
- (a) no motion shall be required to be seconded
 - (b) the number of times of speaking on a question shall not be limited
 - (c) a Member shall not be restricted to asking questions only of the previous speaker but the questions must relate directly to the matter under discussion.

APPLICATION OF BYLAW - CONT'D.

- (3) Town Council may suspend any provision of this Bylaw, for a defined period of time, by Special Resolution except:
 - (a) the provisions about statutory hearings
 - (b) the provisions for amending or repealing this Bylaw.

ORGANIZATIONAL MEETINGS OF TOWN COUNCIL

8.
 - (1) The CAO shall fix the time and place for the first Meeting of Town Council.
 - (2) The Organizational Meeting of Town Council shall be held annually in accordance with the Municipal Government Act.
 - (3) Written notice of the Organizational Meeting of Town Council stating the time and place at which it is to be held, and the nature of the business to be transacted thereafter, shall be delivered to each Town Council member at his residence or place of business no less than 24 hours (twenty-four hours) prior to the Meeting.

OATH OF OFFICE

9.
 - (1) Every member of Town Council shall make and subscribe the official oath prescribed by the Oath of Office Act before entering upon the duties and shall deposit the oath with the CAO.
 - (2) Unless the Mayor has been elected at the last municipal election immediately preceding the Organizational Meeting, he shall take the chair and call the Meeting to order.
 - (3) If the Mayor has been elected at the last municipal election immediately preceding the Meeting, the CAO shall call the Meeting to order and shall preside over the Meeting until every member of Town Council present has made and subscribed the official oath prescribed by the Oath of Office Act.
 - (4) Immediately upon completion by every Member of Town Council present and making and subscribing of the Official Oath, the CAO shall retire from the Chair, and the Mayor shall take the Chair.

DEPUTY MAYOR AND ACTING MAYOR

- 10. (1) Town Council, at its Organizational Meeting, shall adopt a roster of Deputy Mayors and Acting Mayors for the following four years.
- (2) When the Mayor, through illness, absence, or other cause, is unable to perform the duties of his office, or when the office is vacant, the Deputy Mayor shall perform all the duties of the Mayor during his inability or absence and shall preside at all such meetings of Town Council.
- (3) When both the Mayor and the Deputy Mayor, through illness, absence, or other cause, are unable or unwilling to perform the duties of the office, the Acting Mayor shall preside.
- (4) While in the capacity of Deputy or Acting Mayor, such Town Councillors shall have all the powers and shall perform all the duties of the Mayor during such time.
- (5) In the absence, or inability, of the Mayor, Deputy Mayor or Acting Mayor to act Town Council may appoint any other Member as Acting Mayor.

COMMITTEE APPOINTMENTS – MEMBERS OF TOWN COUNCIL

- 11. (1) All appointments of Town Council Members to act on Committees, Commissions, Boards and other bodies on which Town Council is entitled to representation, shall be made yearly at the Organizational Meeting.
- (2) Appointments to Committees, Commissions, Boards, and Town Council's representatives on other organizations desiring the same, shall be nominated either by the Mayor or members of council and are then voted upon together, except where more nominations are made than the number the committee requires, shall then be voted upon singly.

PLACES, DATES AND TIMES OF MEETINGS

- 12. (1) All Regular Meetings of Town Council shall be held in the Town Council Chambers or a designated site on every second and fourth Monday of each month.
- (2) Notwithstanding anything contained in subsection (1) and (3), Town Council may if all of Town Council is present at any Regular Meeting of Town Council, by Resolution direct:
 - (a) the next Town Council Meeting will be held on a day other than the Monday on which it would fall due
 - (b) the Meeting of Town Council will commence at any time other than seven o'clock in the evening
 - (c) that no notice of any such Meeting is necessary.

Initials T.P.K. K.F.

PLACES, DATES AND TIMES OF MEETINGS - CONT'D

- (3) Regular Meetings of Council shall commence at 7:00 p.m. and adjourn at 11:00 p.m. if in session at that hour, unless otherwise determined by a unanimous vote of the members present. Such a motion, passed either while in Council or in Committee, may extend the time of adjournment to not later than 12:00 o'clock midnight.
- (4) Meetings may be conducted by means of electronic communications in accordance with the Municipal Government Act.
 - (a) if a designated officer is in attendance
 - (b) if the public is given notice of the meeting and the manner in which it will be conducted
 - (c) if the facilities accommodate public attendance and enable the meeting's participants to interact with one another.

SPECIAL MEETING

- 13. (1) The Mayor may whenever he considers it expedient to do so, summon a Special Meeting at such time as he deems fit by a notice in writing given at least twenty-four hours prior to the Meeting and indicating in general terms the business to be transacted at the meeting.
- (2) When requested by a majority of Town Council in writing, the Mayor shall summon a Special Meeting at such time as the request of Town Council shall indicate and shall notify all the members of Town Council at least twenty-four hours prior to the meeting, by a notice which shall indicate:
 - (a) that the Meeting has been called at the request of the members
 - (b) the business to be transacted at the meeting.
- (3) Notwithstanding the provisions of subsections (1) and (2), the Mayor may call a Special Meeting of Town Council upon such shorter notice, either oral or written, as he considers sufficient if at least two-thirds of all the members of Town Council give their consent in writing to such notice before the commencement of the Meeting.

LEGAL HOLIDAYS

- 14. When the day fixed for a Meeting of the Town Council falls upon a declared holiday such Meeting of Town Council shall be held upon the next day following which is not a legal holiday.

POSTPONING MEETINGS

15. (1) The Mayor may whenever he considers it expedient to do so, upon giving each Member of Town Council at least two clear days' written notice, postpone any Regular Meeting of Town Council.
- (2) Each notice postponing a Regular Meeting shall give the reasons and name the new time, day and place the postponed Regular Meeting shall be held.
- (3) Any delegation named in the Agenda as planning to appear before Town Council at the postponed Regular Meeting shall be given a notice of the postponed Regular Meeting and the new time and day the postponed Regular Meeting shall be held.
- (4) All proceedings at the postponed Regular Meeting shall be considered in the same manner as if it had been the Regular Meeting.

CAO SUMMONS SPECIAL MEETING

16. When the Mayor, Deputy Mayor and Acting Mayor through illness, absence or other cause, are unable or unwilling to perform the duties of the office, upon receiving a written request from and signed by the majority of the members of Town Council, the Town CAO shall summons a Special Meeting of Town Council.

AGENDA FOR TOWN COUNCIL MEETINGS

17. (1) A Priorities and Agenda Committee is hereby constituted and shall be composed of the Mayor or Deputy Mayor, the CAO and the Legislative Coordinator.
- (2) The Priorities and Agenda Committee may hold a Meeting at 1:30 p.m. (one-thirty o'clock) on each Wednesday afternoon preceding a Regular Meeting of Town Council and shall prepare an Agenda for every Regular Meeting of Town Council, which shall set forth all matters of business to come before the Town Council at its Meeting.
- (3) The Priorities and Agenda Committee may exercise its discretion in:
- (a) directing inquiries and requests directly to an administrative officer when, in the opinion of the Committee, to do so would result in more speedy and efficient disposition of such matters without infringing upon the rights of any citizen
- (b) providing guidance to the Town CAO with regard to Agenda materials which should be distributed in confidence to Town Council members and administrative officers
- (c) ensuring that all matters requiring Town Council action, and that all important information pertinent to decisions Town Council must make, are provided to Town Council and that all citizens with legitimate requests or recommendations regarding Town business find ready access to Town Council.

AGENDA FOR TOWN COUNCIL MEETINGS – CONT'D

- (4) Should any Member or Members of the Agenda Committee be unable to attend a Meeting of the Committee, the remaining Member or Members shall constitute a sufficient quorum to conduct the business of the Committee.
- (5) The business of the Town Council intended to be taken up will be stated in the Agenda together with all communications. The format for the Agenda shall be included in Appendix A.
- (6) All material for inclusion in the Agenda shall be in the hands of the Town CAO not later than 1:00 p.m. (one o'clock) in the afternoon of the Wednesday immediately preceding the Monday on which the Town Council Meeting is held for which the Agenda is prepared.
- (7) Subject to Subsection (6), no matter or business shall be placed on the Agenda for Town Council considerations at a Regular Meeting by any delegation, written communication, inquiry or otherwise, unless written notice giving details of the nature of such matter or business is delivered to and received by the Town CAO prior to 1:00 p.m., (one o'clock) in the afternoon of the Wednesday immediately preceding such Regular Meeting of the Town Council.
- (8) Unless Town Council shall unanimously direct otherwise, material which has not been received by the Town CAO in time for the Agenda may not be considered at the Meeting for which the Agenda is prepared.
- (9) The Town CAO shall ensure copies of the Agenda are:
 - (a) electronically mailed or hand delivered to each Member of Town Council and the Town CAO at his residence or place of business on the Friday immediately preceding the Monday on which the Town Council Meeting is held for which the Agenda is prepared
 - (b) be distributed to all Town officials who are entitled to receive copies
 - (c) be made available to all members of the news media on the Friday immediately preceding the Town Council Meeting.

COMMENCEMENT OF A TOWN COUNCIL MEETING

18. (1) If there are not sufficient Members assembled at any Meeting to constitute a quorum within half an hour from the time of commencement of the Meeting, the Town CAO shall record the names of all the members present at that time and unless a Special Meeting be duly called in the meantime, Town Council shall be deemed to be adjourned until the next Regular Meeting.
- (2) When Town Council is unable to meet for lack of a quorum the Agenda delivered for the proposed Meeting shall be considered at the next Regular Meeting prior to the consideration of the Agenda for the subsequent Meeting or at a Special Meeting called for that purpose.
- (3) If there is a quorum present at the time the Meeting should be called to order and the Mayor, Deputy Mayor and Acting Mayor are absent, the Town CAO shall call the Meeting to Order and shall call for an Acting Mayor to be chosen by a Resolution of the Meeting.
- (4) If there are sufficient Members present to constitute a quorum at the time set for the commencement of the Meeting or as soon thereafter as a quorum is present the Mayor or in the absence of the Mayor, the Deputy Mayor, or in the absence of both of them, an Acting Mayor shall take the chair and call the Meeting to order.
- (5) The Mayor shall preside at all Meetings of Town Council whenever he is present.

CONTROL AND CONDUCT OF TOWN COUNCIL MEETINGS

19. (1) Subject to being overruled by a majority vote of Members of Town Council which vote shall be taken without debate, the Mayor (Chair) shall preside over the conduct of the Meeting and:
- (a) shall maintain order and preserve decorum of the Meeting
- (b) shall decide points of order without debate or comment other than to state the rule governing
- (c) shall determine which Member has a right to speak
- (d) shall ascertain that all Members who wish to speak on a motion have spoken thereon and that the Members are ready to vote by asking "Are you ready for the question?"
- (e) shall rule when a motion is out of order
- (f) may call a member to order.

CONTROL AND CONDUCT OF TOWN COUNCIL MEETINGS – CONT'D.

- (2) When the Chair is called upon to decide a point of order or practice, the point shall be stated succinctly and without unnecessary comment, except to cite the rule or authority applicable to the case.
- (3) The Chair shall treat such question in a judicial spirit, but shall not take part in the debate of Town Council.
- (4) The Chair may, at his discretion, give explanations and recommendations or information within his knowledge from the Chair in respect to the business being discussed at the Meeting that he considers will better the finances, health, security, well-being, cleanliness, comfort, ornamentation and prosperity of the Town.
- (5) The Mayor or other presiding Chair may, at his discretion step down from the Chair for the purpose of taking part in the debate, in which case the Deputy Mayor, the Acting Mayor, or other Town Council Member may be called by him to take the Chair.
- (6) Subject to the *Municipal Government Act* or any other statute of Alberta as may be relevant, all questions before the Town Council shall be decided by a majority of Town Council Members present.
- (7) Any Bylaw or Resolution upon which there is an equality of votes shall be deemed to be decided in the negative.

ADDRESSING TOWN COUNCIL

20. (1) Every Member wishing to speak at Town Council shall address the Chair and be recognized by the Chair before commencing to speak.
- (2) The Chair shall determine the order of speakers subject to appeal by a Member of Town Council.

CONDUCT OF MEMBERS

21. (1) When a Member of Town Council is addressing the Chair, every other Member shall remain quiet, shall not interrupt the speaker except on a point of order, and shall not carry on a private conversation.
- (2) When a Member of Town Council is addressing Town Council he shall:
 - (a) not shout or immoderately raise his voice, or use profane, vulgar or offensive language
 - (b) speak on matters other than the matter then before Town Council
 - (c) obey the rules of procedure of Town Council
 - (d) not comment on the person of any Member of Town Council
 - (e) not speak disrespectfully of the Sovereign or any of the Royal Family, or of the Governor General or of the Lieutenant Governor, or of any member of any other governing body in Canada.

CONDUCT OF MEMBERS – CONT'D.

- (3) If any Member of Town Council acts contrary to subsection (2), he shall be immediately admonished by the Chair.
- (4) When a Member of Town Council has been admonished by the Chair, the Town CAO shall record the same in the Minutes of the Meeting of Town Council.
- (5) If any Member of Town Council acts contrary to subsection (2) for a second or more times in a Meeting of Town Council, he shall, on the order of the Chair, be excluded from the Town Council Meeting and Town Council Chambers.
- (6) Town Council may then proceed to a *In-Camera* meeting to consider the excluded Town Council Member.
- (7) If the excluded Town Council Member should adequately apologize to Town Council, he may, by a majority vote of the remaining Members of Town Council, be permitted to take his seat.
- (8) No exclusion of a Town Council Member shall be for more than the Meeting then in progress.
- (9) A Town Council Member called to order by the Chair shall immediately cease speaking, but may afterward explain his position in making the remark for which he was called to order.
- (10) The decision of the Chair shall be final, unless the Member called to order appeals to Town Council.
- (11) Upon a matter of order being appealed in Town Council, Town Council shall vote on the matter without debate.
- (12) Where a Member wishes to leave the Town Council Chambers while a Meeting of Town Council is in progress, he shall rise and await the silent acknowledgment of the Chair before leaving his place.
- (13) No member shall leave Town Council Chambers after a question is put to vote, until the vote is taken.

MEMBERS OF PUBLIC

22. (1) Until he obtains permission from the Chair, no person, not a Member or Officer of Town Council shall address Town Council.
- (2) Members of the public who constitute the audience in Town Council Chambers during a Town Council Meeting shall maintain order and quiet and shall not applaud or otherwise interrupt any speech or action of members of Town Council.
- (3) The Chair may direct that any person in the audience who creates a disturbance during a Meeting leave Town Council Chambers immediately, and if that person does not leave, may have him removed.

MATTERS OF PRIVILEGE

- 23. The following motions are privileged motions and may, if the Chair determines that they are of overriding importance, interrupt the debate on another motion:
 - (a) a call to follow the order of the Agenda
 - (b) a point of privilege
 - (c) a motion to recess
 - (d) a motion to adjourn
 - (e) a motion to fix the time to adjourn.

POINT OF ORDER

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

APPEAL/CHALLENGE TO THE RULING OF THE CHAIR

- 25. (1) The decision of the Mayor (Chair) may be appealed to Town Council by the Member of Town Council raising the point of order stating that he is appealing the decision of the Mayor (Chair).
- (2) Upon the decision of the Mayor (Chair) being appealed, the Chair shall give the terms of this decision and the point of appeal, and put the question to Town Council stating, "Is the ruling of the Chair upheld?".
- (3) The question shall be decided by majority vote of Town Council Members present without debate.
- (4) A Member of Town Council may rise to a question of order or privilege at any time but shall not move on adjournment of the Meeting or of the debate.

ORDER OF BUSINESS

- 26. (1) Subject to the provisions of this section, the order of business for the Meeting shall be as contained in the Agenda for the Meeting.
- (2) If an alteration of the order of business is desired for the convenience of the meeting, the Mayor (Chair) may make any such alteration of the order of the business but shall not in so doing delete any portion of the business which is set out in the Agenda.
- (3) Town Council or Priorities and Agenda Committee may establish a specific time for debate on any matter and that matter will be a special order of the day.

INQUIRY

- 27.
- (1) A Member wishing to make an inquiry shall submit the request, in writing, to the Town CAO for response.
 - (2) On receipt of the inquiry and the request, the Town CAO may:
 - (a) refer the inquiry to an appropriate Committee
 - (b) refer the inquiry to the appropriate department of the Town for a report to be made either
 - (i) to an appropriate committee
 - (ii) to Town Council
 - (iii) directly to the Member, who made the inquiry, with copies provided to all members, Town CAO, and Administration attending Town Council Meetings.

MINUTES OF THE PREVIOUS MEETING

- 28.
- (1) The Town CAO shall oversee the preparation of the Minutes of each Town Council Meeting and shall distribute a copy to each Member of Town Council with a subsequent Town Council Agenda.
 - (2) The Mayor (Chair) shall present the Minutes to Town Council with a request for a motion to adopt the Minutes.
 - (3) Any Member may make a motion requesting that the Minutes be amended to correct any inaccuracy or omission; however, the Town CAO should be advised of the change to the Minutes before they are officially adopted by Town Council.
 - (4) Only minor changes may be made to correct errors in grammar, spelling, and punctuation, or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change shall be allowed which would alter or affect, in a material way, the actual decision made by Town Council.

COMMUNICATIONS AND PETITIONS

29. (1) In addition to the provisions of the *Municipal Government Act* regarding petitions, when a person wishes to have any matter considered by Town Council or a committee, a letter, petition or other communication shall be addressed to the Mayor and Town Council, and the letter, petition or communication shall:
- (a) be printed, typewritten or legibly written by hand
 - (b) include the correct name of the writer
 - (c) contain the mailing address of the writer
 - (d) indicate if the writer wishes to address Town Council
 - (e) in the case of a petition adhere to the requirements of the *Municipal Government Act*.
- (2) On receipt of communication intended for Town Council, the Town CAO will include it as an item for consideration by the Priorities and Agenda Committee for:
- (a) inclusion as an item on the Agenda for the next Regular Meeting of Town Council
 - (b) inclusion in the Information Package provided to Town Council with the Agenda for the next Regular Meeting of Town Council
 - (c) refer it to the Administration for reply.
- (3) Unless the communication indicates that the writer wishes to be on Town Council Agenda it need not be included in the Town Council Agenda.

PERSONS WISHING TO ADDRESS TOWN COUNCIL

30. (1) If a representative of any group of persons wishes to address Town Council on a general matter which is not on the Agenda, Town Council may on a majority affirmative vote, allow the representative or any other person to address the matter.
- (2) Unless:
- (a) an applicable statute or other overriding law in force in the Province of Alberta requires a time longer than fifteen minutes be allowed; or
 - (b) the time is extended by a majority vote of Town Council.
- no person shall address Town Council for more than fifteen minutes, exclusive of the time required to answer questions put to him by the Town Council.

PUBLIC HEARINGS

- 31.
- (1) Public Hearings on any matter to be heard by Town Council require notice in accordance with The Municipal Government Act.
 - (2) Any person who claims that he will be affected by the subject matter of the Public Hearing shall be afforded an opportunity for himself or his agent to be heard by Town Council. If an agent represents more than one person he will be allowed only five minutes to speak, unless the Chair rules otherwise.
 - (3) Any person who desires to be heard at a General Public Hearing may file a written submission with the Town CAO prior to noon on the Wednesday preceding the date of the Public Hearing.
 - (4) At the time called for the Public Hearing, the Chair must state the matter to be considered at the Hearing and the rules of procedures as outlined in paragraph (5).
 - (5) All Public Hearings must be conducted in the following manner:
 - (a) The Administration introduces the proposed Bylaw or resolution and may speak as long as is required to do so.
 - (b) The applicant or his agent will be allowed fifteen minutes to speak to the proposal.
 - (c) Any person or persons desiring to make a verbal presentation to the Public Hearing will stand, and upon being recognized by the Chair, must state their name. Upon being recognized, that person will be allowed five minutes to speak.
 - (d) The Chair must ask three times if there are any persons present who wish to make a verbal submission to Town Council pertaining to the matter of the Public Hearing.
 - (e) Any Member of Town Council may ask speakers relevant questions after all persons who wish to speak have been heard.
 - (f) The Chair, at his discretion, may allow any person making a presentation a three minute rebuttal period.
 - (g) Town Council must file all written communications.
 - (h) At the conclusion of the Public Hearing, the Chair must declare the Public Hearing closed.
 - (6) When a Public Hearing has been scheduled and the Town CAO or designate advises that the application has been withdrawn, no Public Hearing may commence.

PUBLIC MEETINGS

32. Public Meetings follow the same rules of procedure as Public Hearings.

MOTIONS IN TOWN COUNCIL

33. (1) All motions shall be in writing and or recorded before being debated or put from the chair, except motions to adjourn, adopt reports, or go into "In-Camera" which may be oral, it shall be read or, if oral, stated by the Mayor or other presiding officer before debate.

After a motion is read or stated by the Mayor or other presiding officer, it shall be deemed to be in the possession of the Council, but may be withdrawn at any time before debate or decision with the permission of the Council.

A motion to refer until it is decided, shall preclude all amendments to the main question.

- (2) Town Council shall not require a motion to be seconded.
- (3) After a motion has been properly presented it is the property of Town Council and may not be withdrawn without the consent of the majority of Town Council.
- (4) Before the motion has been put and voted on Town Council may give permission to withdraw the motion.
- (5) Except as elsewhere specifically provided in this Bylaw, the following motions are debatable by Town Council:
- (a) a motion arising out of any matter included in the Agenda for the Town Council Meeting at which it is debated
 - (b) a motion concerning any question, matter or subject tabled indefinitely from a previous Meeting of Town Council or tabled for a Meeting at which it is discussed
 - (c) a motion for concurrence in or rejection of a motion arising out of any matter dealt with in a report to Town Council
 - (d) a motion for the second reading of a Bylaw
 - (e) a motion for the third reading of a Bylaw
 - (f) a motion for appointment of a Committee or dismissal of a Committee
 - (g) a motion for the Town Council to go into an In-Camera Meeting
 - (h) a motion of referral of a matter may be debated by all members only as it relates to the appropriateness of referral, not to the original issue.
 - (i) a motion for amendment to any Bylaw properly before Town Council or any matter arising directly out of any Bylaw properly before Town Council;

MOTIONS IN COUNCIL – CONT'D.

- (j) such other motion made upon routine proceedings as may be required for the observance of the proprieties of Town Council, the maintenance of its authority, the appointment or conduct of its officers, the management of its business, the arrangements of its proceedings, the correctness of its records, the fixing of its sittings or the days and times of its sittings or the time of the Meeting or adjournment.
- (6) When a motion has been properly presented and is being considered by Town Council, no Member may make any other motion except:
- (a) a motion to refer the main question to some other person or group for consideration
 - (b) a motion to amend the main question or an amendment to it
 - (c) a motion to table the main question
 - (d) a motion to postpone the main question until some future time
 - (e) a motion to adjourn the Meeting.
- (7) A member of Town Council who moves to table a motion shall include in the motion:
- (a) the terms on which the motion is being tabled
 - (b) the time when the tabled motion is returnable
 - (c) whatever explanation is necessary as to the purpose of the motion either in writing, verbally or both.
- If a motion is not taken from the table within twelve months after the date that it was tabled the motion dies.
- (8) When there is a Committee appointed for a specific purpose, a Town department normally dealing with the subject matter of a motion or a Town official who would normally deal with such matters, shall have the appropriate Committee, department or official deal with the matter.
- (9) When a referral motion has been made no Member may make an amendment to the main motion or enter into any debate on the main motion unless the referral motion has been decided in the negative.
- (10) A member of Town Council who is moving a referral motion shall include in the motion:
- (a) the terms on which the motion is being referred
 - (b) the time when the referred motion is returnable
 - (c) whatever explanation is necessary as to the purpose of the motion either in writing, verbally or both.

MOTIONS CONTAINING DISTINCT RECOMMENDATIONS/DIVISIONS

34. (1) A motion containing several distinct recommendations or divisions is not out of order for that reason alone.
- (2) Where a motion contains two or more recommendations or divisions, Town Council shall vote on each recommendation or division separately:
- (a) if a majority of Town Council so require
 - (b) if the Chair or other officer presiding so orders

AMENDMENTS

35. (1) Notwithstanding anything elsewhere in this Bylaw, no amendment shall be made to a motion:
- (a) to refer a question to some other person or body for consideration
 - (b) to table a question except as to time
 - (c) to postpone discussion on a matter to a stated time
 - (d) to adjourn a Meeting
 - (e) for the first reading of a Bylaw.
- (2) While a motion is under discussion by Town Council a member may not move an amendment which;
- (a) does not relate to the subject matter of the principal motion
 - (b) is directly contrary to the principle motion
 - (c) enlarges the scope of the amendment or sub amendment (amendment to the amendment)
- (3) The Chair shall allow only one amendment at a time to the main motion and only one amendment to that amendment may be allowed at a time.
- (4) A member who moved a motion may not move an amendment to it.
- (5) The Chair shall not put the main motion under debate until all amendments to it have been put and voted upon.
- (6) The Chair shall put amendments in the reverse order to which they have been moved.
- (7) When all amendments are voted upon the Chair shall put the main motion incorporating therein any amendments already adopted.

MOTION OUT OF ORDER

36. (1) When a motion is out of order the Chair shall so advise Town Council and shall cite the applicable rule or authority.
- (2) Any Member of Town Council may raise the question of whether or not a motion is in order.

DEBATE ON MOTION

37. (1) No Member shall speak more than once on any motion, except under the following circumstances:
- (a) in clarification of the motion
 - (b) if he presented the motion to Town Council, a Member may reply after everyone else wishing to speak has spoken. A Member shall not be allowed to speak to his motion if a Member has moved the following:
 - (i) to extend the time of the Meeting
 - (ii) to refer
 - (iii) to amend
 - (iv) to lay on the table
 - (v) to postpone
 - (vi) to adjourn
- (2) A Member may speak to the same motion for longer than five minutes if permitted by the Chair.
- (3) A Member may ask a question stated concisely of the previous speaker to explain any part of the previous speaker's remarks.
- (4) A Member may ask questions of the Town CAO to obtain information relating to items presented to Town Council prior to the commencement of the debate on the report or on the clause.
- (5) When it is a Member's turn to speak, before speaking he may ask questions of the Town CAO or Administration. With the consent of the Speaker, other Members of Town Council may ask a question of the same member of the Administration
- (6) A Member's question shall follow the rules of conduct as outlined in Section 21(2).
- (7) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- (8) When a Member has moved the main motion; he may close the debate after all Members have been given an opportunity to speak, the Chair shall then put the motion to a vote.

DEBATE ON MOTION – CONT'D.

- (9) When the motion has been declared, put to a vote, no Member shall debate further on the question or speak except to request that the motion be read aloud.
- (10) Unless the Chair is overruled by a majority vote of the Members present at the Town Council Meeting he shall determine when a motion is to be put and his decision shall be final.
- (11) A Member may move to cease debate on a motion if seconded and if two-thirds of the Members present vote in favour.

RECONSIDERING AND RESCINDING A MOTION

- 38.
- (1) When a Member wishes Town Council to reconsider, alter or rescind any motion already passed or action taken at a previous Meeting, within the last six months and when such matter does not appear on the Agenda, he shall bring the matter before Town Council by a notice of motion which shall:
 - (a) be given at a Regular Meeting preceding the Meeting at which he wishes Town Council to reconsider the matter
 - (b) specify the Meeting at which he proposes to bring the matter to Town Council
 - (c) indicate either in the preamble or in the substantive portion of the motion, the action which he wishes to propose that Town Council shall take on the matter
 - (d) this section does not apply to Finance Meetings.
 - (2) No Member shall make a motion on any matter which does not appear in the Agenda for the Meeting then in session and on which Town Council passed a motion at a previous meeting unless:
 - (a) a notice of motion was given at a previous Meeting that the matter would be raised at the Meeting at which the Member wishes to raise it.
 - (b) Town Council by a vote of two-thirds of the Members present and voting thereon waives the requirement for the notice.
 - (3) When Town Council wishes to reconsider any action taken or the subject matter of any motion passed at the same Meeting, a Member may move to reconsider the matter and if a majority of the Members of Town Council vote for the reconsideration the matter may again be dealt with at the same Meeting.

RECONSIDERING AND RESCINDING A MOTION – CONT'D

- (4) Where a matter on which Town Council has made a previous motion or taken a previous action is properly before Town Council as provided in this section, Town Council may by a two-thirds vote pass a motion which alters, rescinds or conflicts with any previous action taken or motion made without specifying that the previous motion or action is being altered or rescinded and the provisions of such motion shall override the provision of any previous motion with which they conflict.
- (5) Notwithstanding anything provided in this section where pursuant to any motion duly passed by Town Council, the Town has a contractual liability or obligation, Town Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the liability or obligation.

VOTING ON MOTION

- 39.
- (1) Unless a member of Town Council is disqualified from voting by reason of a direct or indirect pecuniary interest or is otherwise precluded by law from voting, the Mayor, when present, and each Member present shall vote on every division of every motion before Town Council.
 - (2) If notwithstanding the provisions of subsection (1), a Member refuses or fails to vote on an issue he shall be deemed to have voted in the negative on the matter and shall be so recorded.
 - (3) Once the result of a vote has been announced on a motion, no Member shall without the unanimous consent of the other Members present, change his vote.
 - (4) Whenever a statute of the Province of Alberta, a regulation made there under, or this or another Bylaw of the Town requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation or Bylaw.
 - (5) Where:
 - (a) a member requires for the record that a vote be taken on division
 - (b) the Chair of the Meeting directs that a vote to be taken on division the Town CAO shall record each member voting for or against the matter.

MOTION TO ADJOURN

40. (1) A Member may move a motion to adjourn a Meeting at any time, except, when:
- (a) another Member has the floor;
 - (b) call for the vote has been made;
 - (c) the Members are voting;
 - (d) Town Council is in an In-Camera Meeting; and a previous motion to adjourn has been defeated and no further discussion has occurred.
- (2) A motion to adjourn shall be put without comment or debate.

ORDER OF PROCEEDINGS IN AN IN-CAMERA MEETING

41. (1) Town Council may go into an In-Camera Meeting to discuss any matter that is within one of the exceptions outlined in the Freedom of Information and Protection of Privacy Act, Part 1, Division 2.
- (2) The rules of order for the conduct of a Meeting of Town Council shall apply to an In-Camera Meeting except that a Member may speak more than once to any question

BYLAWS

42. (1) The Town CAO must approve the form of every proposed Bylaw prior to its submission to Town Council
- (2) Where a Bylaw is presented to Town Council for enactment, the Town CAO shall publish the number and the short title of the Bylaw to appear in the Agenda.
- (3) The Town CAO shall forward a copy of the Bylaw in full to Town Council with the Agenda.
- (4) Every Bylaw shall have three readings. The title and identifying number must be read at each reading.
- (5) Unless the Municipal Government Act, some other provincial statute or a Town Bylaw requires a greater majority, a Bylaw shall be passed when a majority of the members present and voting on the third reading, vote in favour of the Bylaw.
- (6) Town Council shall vote on the motion for the first reading of the Bylaw without amendment or debate.
- (7) If a Member does not elaborate on the subject matter of the Bylaw or phrase his question so as to set out his opinion for or against the Bylaw, notwithstanding the provisions of sub-section (6), he may ask a question or questions concerning the Bylaw.

BYLAWS – CONT'D.

- (8) After a Member has made the motion for the second reading of the Bylaw, Town Council may:
 - (a) propose and consider amendments to the Bylaw
 - (b) debate the substance of the Bylaw.
- (9) A proposed amendment shall be put to a vote and if carried shall be considered as having been read a first time and incorporated in the Bylaw.
- (10) The Town CAO shall be responsible for keeping a record of any amendments to the Bylaw passed by Town Council;
- (11) When all amendments have been accepted or rejected, the motion for second reading of the Bylaw as amended shall be voted on.
- (12) Unless the Members present at the Meeting unanimously agree that a Bylaw may be presented to Town Council for a third reading at the same Meeting at which it has received two readings, the Bylaw shall not be given more than two readings at one Meeting.
- (13) If Town Council unanimously agrees that a Bylaw may be presented for a third reading at a Meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the Bylaw than if it had received a third reading at a subsequent Meeting.
- (14) A motion for the third reading of a Bylaw shall give the number the short title of the Bylaw.
- (15) After Town Council votes affirmatively for a third reading of a Bylaw, it:
 - (a) becomes a municipal enactment of the Town
 - (b) is effective immediately unless the Bylaw provides otherwise.
- (16) Following each reading, a Bylaw shall be signed by the Mayor or by the Member presiding at the Meeting at which the Bylaw was given the reading and by the Town CAO, or designate present at that Meeting, and upon third reading shall be impressed with the Corporate Seal of the Town.
- (17) Once a Bylaw has been passed, it may only be amended or repealed by another Bylaw.
- (18) The Town CAO is designated to consolidate one or more Bylaws as deemed convenient and in doing so, must:
 - (a) incorporate all amendments to the Bylaw into one Bylaw
 - (b) omit any provision that has been repealed or that has expired.

COMMITTEE APPOINTMENTS - PUBLIC

43. (1) Town Council may appoint any Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the Town and may establish generally or in detail the:
- (a) duties and responsibilities
 - (b) composition
 - (c) duration of a Committee.

As required by the Municipal Government Act, notice of Committee Meetings is given through annual publication of a calendar by the CAO's office.

In accordance with the Municipal Government Act, special meetings of committees may be held only after giving 24 hours notice.

- (2) Other than Committees appointed annually, a Committee may at any time be appointed by Town Council by Resolution, specifying the business to be dealt with by the Committee so appointed.
- (3) All Committee appointments by Town Council shall be subject to the following requirements:
 - (a) a member is disqualified from the Committee if the member has three unexcused absences annually from regular meetings
 - (b) a written confirmation of interest and willingness to continue serving be received from current appointees prior to expiration of their appointed term and that performance reviews be conducted prior to any reappointment. All vacant appointments will be advertised.
 - (c) a 6 year maximum term
 - (d) staggering of terms is encouraged
 - (e) when a vacancy is created by a resignation mid-term, Town Council may appoint a new member to fill the remaining term
- (4) Of the number of Members appointed to compose any Committee of Town Council a majority shall constitute a quorum, unless the Bylaw or resolution establishing such body specifies differently.
- (5) The Mayor, as ex-officio, may attend the Meeting of any Committee of Town Council but shall not be required to do so. When in attendance at any such Committee Meeting, he shall have all the rights of a Member of the Committee.
- (6) Meetings of Committees may be called by the Chair whenever he considers it necessary to do so.

COMMITTEE APPOINTMENTS – CONT'D.

- (7) A majority of the Members of the Committee may by written request require the Chair to call a Meeting and it shall be the duty of the Chair, or in his absence from the Town, the duty of the Town CAO or any CAO specially appointed to the Committee, to call such Meeting.
- (8) Members of the Town Council may attend Meetings of Committees of which they are not Members, but shall not take any part in any discussion or debate in such Committee Meeting, except by permission of a majority of the Members of the Committee present.
- (9) If at the time appointed for a Meeting of a Committee and for the ensuing half hour no quorum is present, then the Town CAO or designate shall take down the names of the Members present for the purpose of attending the Meeting and such Meeting shall then be deemed cancelled.
- (10) Any Committee appointed by Town Council shall conduct its business under the following rules of procedure:
 - (a) a notice of every Meeting shall be sent by the Town CAO or designate to the Mayor and to each of the Members, at his residence or ordinary place of business, at least the day previous to such Meeting being held;
 - (b) when a vote is taken on any question, the names of those who voted for or against the question shall be entered in the Minutes if any Member requests a recorded vote;
 - (c) the Chair shall preside at every Meeting and shall vote on all questions submitted, and in case of a tie vote, the question shall be decided in the negative;
 - (d) in the absence of the Chair, one of the Members shall be elected to preside who shall discharge all the duties of the Chair for the Meeting, or until the arrival of the Chair;
 - (e) the Town CAO and/or designate shall attend all Meetings of the Committee and record the Minutes and reports thereof;
 - (f) the Minutes of all the transactions of every Committee shall be accurately recorded, shall be circulated to the Members of the Committee prior to the next Meeting and after they have received approval of a majority of the Members shall be signed by the Chair and the Town CAO or designate.
 - (g) any Committee Member shall have the right to submit a minority report.
- (11) The Committee shall consider and report respectively on any and every matter referred to it by Town Council.

COMMITTEE APPOINTMENTS – CONT'D.

- (12) No action of any Committee, unless power to take such action is expressly conferred on the Committee, shall be binding on the Town unless and until the same has been reported to Town Council by such Committee, and such report has been adopted by Town Council.

- (13) (i) All meetings of the Finance Committee shall be chaired by the Deputy Mayor.

- (ii) The six month rule regarding reconsidering and rescinding a motion does not apply.

GENERAL RESPONSIBILITY OF ALL COMMITTEES

- 44. The general responsibility of any Committee shall be to analyze any and all matters placed before it and indicate to Town Council by recommendation the ways and means of dealing with the said matters before it and to advise the course of action which in its considered opinion is necessary and expedient and shall include without limiting the said general responsibilities, any specific matters or responsibilities directed to it by Town Council.

REPEAL OF PREVIOUS BYLAWS

- 45. Bylaw No.1196 and all amendments thereto are hereby repealed.

READ a first time this 27th day of January 2014.



Tom Grant, Mayor



Kim Fath Interim CAO

READ a second time this 24th day of February 2014.



Tom Grant, Mayor



Kim Fath Interim CAO

READ a third time, by unanimous consent of the Councillors present, and finally passed this 24th day of February 2014



Tom Grant, Mayor



Kim Fath Interim CAO

APPENDIX A

Order of Business:

1. Call to Order
2. Public Hearings
3. Delegations
4. Adoption of Agenda
5. Adoption of Previous Minutes
6. Unfinished Business
7. Financial Statements
8. Correspondence and Information Items
9. Committee and Administrative Reports
10. Bylaws
11. New Business
12. Notice of Motion
13. Management Reports
14. In-Camera
15. Adjournment

