

BYLAW NO. 1857 - 15

BEING A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ORDERLY PROCEEDINGS OF COUNCIL MEETINGS AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF THE CITY OF WETASKIWIN.

WHEREAS pursuant to Section 145 of the *Municipal Government Act* a council may pass bylaws in relation to the following:

- a) the establishment and functions of council committees and other bodies;
- b) the procedure and conduct of council, council committees and other bodies established by the council, the conduct of Councillors and the conduct of members of council committees and other bodies established by the council.

NOW THEREFORE the Council of the City of Wetaskiwin, duly assembled, enacts:

1. TITLE

- 1.1 This bylaw may be cited as “The Council Procedural Bylaw”.

2. DEFINITIONS

- 2.1 In this Bylaw:

- a) “Administrative Inquiry” is a request by a Councillor to the City Manager for the future provision of information;
- b) “Chief Administrative Officer” shall have the same definition and meaning as the *Municipal Government Act*;
- c) “City Manager” means the Chief Administrative Officer of the City of Wetaskiwin or their designate;
- d) “Chair” means the Mayor, Deputy Mayor or other person authorized to preside over a meeting;
- e) “Council” means the municipal Council of the City of Wetaskiwin;
- f) “Councillor” means a member of Council who is duly elected and continues to hold office and includes the Mayor;
- g) “Council Committee” means any committee, board or other body established by Council by bylaw under the *Municipal Government Act*;
- h) “Deputy Mayor” means the Deputy Chief Elected Official of the City of Wetaskiwin, whom shall have the duties and obligations prescribed by the *Municipal Government Act*;
- i) “General Election” means an election held in the City of Wetaskiwin to elect the members of Council as described in the *Local Authorities Election Act*;

- j) "In-Camera" means a portion of a meeting of Council without the presence of the public, except for those invited by Council, where the matter to be discussed falls within one of the exceptions to disclosure in Division 2, of Part 1 of the *Freedom of Information and Protection of Privacy Act*;
- k) "Inaugural Meeting" means the first Organizational Meeting held immediately following the General Municipal Election;
- l) "Majority Vote of Council" means the majority of the Council Members present voting on a motion before Council;
- m) "Member" includes a Councillor and a member of a Council Committee who is not a Councillor;
- n) "Mayor" shall mean the Chief Elected Official of the City of Wetaskiwin;
- o) "Organizational Meeting" means a meeting of Council held pursuant to Section 192 of the *Municipal Government Act*.
- p) "Pecuniary Interest" means a pecuniary interest within the meaning of the *Municipal Government Act*;
- q) "Point of Order" means a demand that the Chair enforce the rules of procedure;
- r) "Public Hearing" is a pre-advertised segment of the Council meeting that Council is required to hold pursuant to the provisions of *Municipal Government Act* or another enactment;
- s) "Question of Privilege" means a request or motion made to the Chair, unrelated to the business on the floor, which affects the comfort, dignity, safety, or reputation of Council or individual Councillors, examples of which include: requests related to heating, lighting, noise or other disturbances in Council Chambers, conduct of members of the public or fellow Councillors;
- t) "Quorum" means the minimum number of Members that must be present at a meeting for business to be legally transacted;
- u) "Table" means any of the following:
 - (i) to postpone making a decision on a matter until a specific date, time or event has occurred, such as, but not limited to, the production of a subsequent report by Administration providing further information;
 - (ii) to postpone the disposal of a motion that is before Council until a specific date, time or event has occurred, such as, but not limited to, the production of a subsequent report by Administration that provides further information;
 - (iii) to delay a matter or motion currently before Council to deal with an urgent matter, with the intention of returning to the tabled matter or motion prior to the end of the meeting.

- v) "Two-Thirds Vote" means a vote by at least two-thirds of Members present at the meeting and who are entitled to vote on the motion.

3. APPLICATION AND INTERPRETATION

General Rules

- 3.1 The procedures contained in this Bylaw shall be observed in Council meetings.
- 3.2 The procedures contained in this Bylaw shall be observed in Council Committee meetings, with the exception of the limit of the number of times for speaking; however, no Member shall speak more than once to any question until every other Member choosing to speak has spoken.
- 3.3 To the extent that a procedural matter is not dealt with in the *Municipal Government Act* or this Bylaw, the matter will be determined by referring to the most recent version of *Robert's Rules of Order Newly Revised*.
- 3.4 Subject to any statutory obligation to the contrary, Council or a Council Committee may temporarily suspend any provision of this Bylaw by passing a motion supported by a Two-Thirds Vote.
- 3.5 A resolution suspending any provision of this Bylaw as provided for in Section 3.4 is only effective for the meeting during which it is passed.

4. MEETINGS

Inaugural Meeting

- 4.1 Council must hold its Inaugural Meeting not later than two weeks after the date of an Alberta General Municipal Election.
- 4.2 At the Inaugural Meeting:
 - a) all Councillors must take the official oath prescribed by the *Oaths of Office Act*,
 - b) Council must confirm the Council Chambers seating arrangements of Councillors; and
 - c) All other matters required by Section 4.4 that must be dealt with.

Organizational Meetings

- 4.3 An Organizational Meeting must be held not later than two weeks after the third Monday in October each year.
- 4.4 At the Organizational Meeting, Council:

- a) must adopt a roster appointing Councillors to the position of Deputy Mayor on a rotating basis for the forthcoming year, commencing November 1, with each Councillor serving for a two (2) month term;
 - b) may appoint Members to Council Committees; any vacant appointments remaining after the Organizational Meeting will be referred to a subsequent Regular or Special Council meeting;
 - c) must establish the frequency, dates, times and locations for the holding of regular Council meetings for the next 12 months and may consider the following in doing so:
 - (i) reducing the number of Council meetings in the months of July, August and December;
 - (ii) scheduling meetings utilizing the same frequency, dates, times and locations as established at previous organizational meetings.
 - d) must conduct any other business as identified within the Organizational Meeting Agenda.
- 4.5 At the Inaugural Meeting, Council may defer the appointment of members to Council Committees but must make Committee appointments at the next scheduled Regular Council Meeting unless Council passes a resolution to defer appointments to a subsequent Regular or Special Council meeting.

Regular Council Meetings

- 4.6 When the date of a regular meeting of Council falls on a holiday, the meeting shall take place on the next business day immediately following the holiday, unless otherwise set by Council by resolution.
- 4.7 Council meetings shall be limited to five (5) hours unless Council by resolution, agrees to extend a meeting past five (5) hours.
- 4.8 Council may, by resolution, establish other regular Council meeting dates as may be required from time to time.
- 4.9 Council may, by resolution, change the date, time or place of a regularly scheduled meeting by passing a motion supported by a Two-Thirds Vote.
- 4.10 Notice of a change in date, time or place, of any meeting of Council will be provided at least 24 hours prior to the meeting to Councillors in accordance with the provisions of the *Municipal Government Act* and to the public by:
- a) posting a notice in City Hall; and
 - b) posting a notice on the City of Wetaskiwin website.
- 4.11 Council may cancel any meeting through resolution if notice is given in accordance with section 4.10.

Special Meetings

- 4.12 Special Council meetings may be called in accordance with the provisions of the *Municipal Government Act*.

Electronic Recording of Proceedings

- 4.13 The recording of a Council meeting or Public Hearing by a member of the public or media, by electronic or other means is allowed unless, at the sole determination of the Chair, the recording of a Council meeting or Public Hearing by electronic or other means is determined to be disruptive to the process or if the recording of a Council meeting or Public Hearing will inhibit or discourage any member of Council or the public from fully participating in the Council meeting, in which case the Chair may prohibit the recording of a Council meeting or Public Hearing by electronic or other means.

Meetings through Electronic Communications

- 4.14 A meeting may be conducted by means of electronic or other communication facilities if:
- a) notice is given to the public of the meeting, including the way in which the meeting is to be conducted;
 - b) the facilities enable the public to watch and listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place; and
 - c) the facilities enable all the meeting's participants to watch and hear each other.
- 4.15 Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

5. PUBLIC HEARINGS

- 5.1 Public Hearings will generally be held during a regular Council meeting; however, a special Council meeting for the purpose of holding a Public Hearing may be called.
- 5.2 A statutorily-required Public Hearing on any proposed bylaw or resolution must be held before the Chair puts:
- a) a motion for second reading of the bylaw, or
 - b) a motion on the resolution for which the Public Hearing is to discuss.
- 5.3 The procedure for a Public Hearing is as follows:
- a) The Chair will outline the purpose of the Public Hearing, the process to be followed in the Public Hearing and any other preliminary matters;
 - b) Administration will introduce the proposed bylaw or resolution, followed by questions by Council;

- c) After identifying themselves in the manner required under Section 5.5, members of the public will be invited to make verbal presentations, followed by questions by Council;
 - d) If written submissions were received, Administration will read aloud the written submissions or, where appropriate, Administration may provide a report on the number of written submissions received and a general overview of the contents of the written submissions;
- 5.4 The use of slides, maps, videos and other similar materials is permitted and these, along with written submissions, become the property of the City of Wetaskiwin as exhibits to the hearing. In order to ensure that all Council Members receive all information and materials within the Agenda package, any party wishing to have their materials included in the Agenda package must submit their materials to Administration no later than one (1) week prior to the Hearing, in a format easily usable by Administrative staff.
- 5.5 Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group, and address the Chair when responding to questions or providing information.
- 5.6 Individuals may speak for a maximum of five (5) minutes.
- 5.7 One spokesperson per petition or group may speak for a maximum of ten (10) minutes.
- 5.8 At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views.
- 5.9 At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time to provide new information may be granted further opportunity to speak.
- 5.10 At the conclusion of the business of the Public Hearing, the Chair shall declare the Public Hearing closed, or call for continuance and establish a date for reconvening the Public Hearing, and then recess the Public Hearing.
- 5.11 The minutes of a Council meeting during which a Public Hearing is held must contain the names of the speakers and a summary of the nature of representations made at the Public Hearing.

6. COUNCIL REVIEW OF ORDERS ISSUED UNDER SECTION 545/546

- 6.1 In this section, the following terms have the following meanings:
- a) “Appellant” means the person who received a written order under Section 545 or 546 of the *Municipal Government Act*;
 - b) “Order to Remedy” means an order issued under section 545 or section 546 of the *Municipal Government Act*;

- c) "Staff" means a designated officer of the City of Wetaskiwin or an employee of the City of Wetaskiwin that has been delegated the responsibility to issue an Order to Remedy.
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- 6.2 Upon receipt of a written request pursuant to Section 547 of the *Municipal Government Act*, the City Manager will schedule a Council Review at a Regular Council Meeting as soon as practicable after ensuring that all parties have sufficient time to prepare for the Council Review.
 - 6.3 Written materials, videos, and slide presentations received as submissions from the Appellant and Staff must be submitted not less than seven (7) calendar days prior to the Council Review and will be distributed as part of the Council Agenda.
 - 6.4 The Appellant is entitled to appear before Council, in person or by an authorized agent, and to be represented by legal counsel.
 - 6.5 The rules of evidence in judicial proceedings do not apply to a Council Review and evidence may be given in any manner Council considers appropriate.
 - 6.6 The procedure in a Council Review is as follows:
 - a) the Chair will open the Council Review, introduce members of Council, Staff and the Appellant or their representative;
 - b) the Chair will describe the Council Review process and deal with any preliminary matters;
 - c) the Appellant will be invited to make opening remarks and presentation (maximum of ten (10) minutes) followed by questions to the appellant by Councillors;
 - d) Staff will be invited to make opening remarks and presentation (maximum of ten (10) minutes) followed by questions to the Staff by Councillors;
 - e) the Appellant will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Appellant by Councillors;
 - f) Staff will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Staff by Councillors; and
 - g) The Appellant will be invited to make closing remarks (maximum of five (5) minutes) followed by questions to the Appellant by Councillors.
 - 6.7 If the Appellant fails to attend the Council Review despite having been given notice, Council may proceed with the Council Review in the absence of the Appellant.
 - 6.8 At the conclusion of the Council Review, Council may confirm, vary, substitute or cancel the Order to Remedy.

7. QUORUM

- 7.1 Quorum for a Council meeting is a majority of Councillors, and for Council Committees is a majority of members of a Council Committee, unless specified otherwise by this or any other bylaw, or the *Municipal Government Act*.

No Quorum

- 7.2 If there is no quorum within fifteen (15) minutes after the time set for the commencement of the meeting, the City Manager will record the names of the Councillors present and the meeting will be adjourned to the time of the next regular Council meeting;
- 7.3 Notwithstanding 7.2, if the Mayor or the City Manager is contacted by one or more members of Council whom indicate that they are in transit, the waiting period for achieving a quorum as noted in 7.2 shall be extended to thirty (30) minutes.

Lost Quorum

- 7.4 If, at any time during a meeting, quorum is lost, the meeting will be recessed and if quorum is not achieved again within fifteen (15) minutes, the meeting will be deemed to be adjourned, unless a resolution was passed prior to losing the quorum, to extend the recess period.

8. COMMENCEMENT OF MEETINGS

- 8.1 As soon as there is a Quorum after the time for commencement of a Council meeting:
- a) the Mayor must take the Chair and begin the meeting; or
 - b) if the Mayor is absent, the Deputy Mayor must take the Chair and begin the meeting;
or
 - c) if the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the time set for the meeting and there is a quorum, the City Manager must begin the meeting by calling for a motion for the appointment of a Chair.

9. DUTIES OF THE CHAIR

- 9.1 The Chair:
- a) opens Council meetings;
 - b) chairs Council meetings;
 - c) preserves order in Council meetings, and may call to order any Councillor, staff member or member of the public who is out of order;
 - d) decides all questions of procedure;

- e) ensures that each Councillor who wishes to speak on a debatable motion is granted the opportunity to do so;
- f) states and puts to a vote all questions that legitimately come before Council as motions and declares the results of all votes;
- g) decides who, aside from Councillors, may address Council; and
- h) declares meetings adjourned when Council so votes or, where applicable, at the time appointed for adjournment, or at any time in the event of an emergency.

10. AGENDA

Preparation of Agenda

- 10.1 The agenda for each Council meeting shall be established by the Mayor in consultation with the City Manager, seven (7) days prior to the meeting.

Agenda Delivery

- 10.2 The City Manager will distribute the Council agenda to the Councillors on three business days prior to the Council meeting.

Late Submissions

- 10.3 Reports and supplementary materials related to items on the agenda and that are received less than seven (7) days prior to the Council meeting will be accepted only if the matter is time critical, otherwise the additional material and the affected item on the agenda will be deferred to the next scheduled meeting. Any additional supplemental materials provided to Council will be made available as soon as reasonably possible in order to allow the greatest opportunity for review prior to the meeting.
- 10.4 Additional agenda items, reports and supplementary materials that are of very high priority, are time sensitive and are received too late to be included on the agenda may be made available for consideration of Council as an additional agenda item and will be delivered to Council members in paper or electronic format as soon as possible. Despite the urgency of any proposed additional item, an item will only be added to the agenda when there is sufficient information available for Council to make a decision.
- 10.5 The City Manager will make the agenda available to the public after distribution to Council, subject to the following:
- a) Agenda items whose subject matter relate to privacy, land, or legal or other related issues as described in the *Freedom of Information and Protection of Privacy Act*, the *Municipal Government Act*, or other applicable legislation may be withheld, in whole or in part as appropriate, from public distribution.
 - b) The full agenda and all supporting documentation, other than those matters described in 10.4a), will be made available to the general public through electronic means including, but not limited to, the City Website;
 - c) Upon request, paper copies of specific agenda items will be provided to members of the general public who do not have electronic access to the agenda; in order to

receive the paper copy of the item(s), the request for same must be received prior to noon on the day of the Council meeting.

Adoption of the Agenda

- 10.6 The agenda must be adopted by Council prior to transacting other business; in adopting the agenda, Council may:
- a) add each new item to the agenda by a Two-Thirds Vote;
 - b) delete any item from the agenda by a Two-Thirds Vote;
 - c) change the order of the agenda.
- 10.6 The motion to adopt the agenda, with or without amendments, requires a majority vote to pass.
- 10.7 Any agenda items that have not been disposed of at the time that a meeting is adjourned will be addressed at the beginning of the next regular meeting unless a special meeting is called to deal with the business of the adjourned meeting.

11. ORDER OF BUSINESS

Order of Business

- 11.1 The order of business for each meeting shall be as follows:
- a) Call to Order;
 - b) Opening Prayer;
 - c) Adoption of Agenda;
 - d) Approval of Minutes;
 - e) Public Hearings;
 - f) Delegations;
 - g) Council Attendance Reports;
 - h) Departmental Reports (2nd meeting of the month);
 - i) Bylaws;
 - j) New and Unfinished Business;
 - k) Council Schedule;
 - l) Council Action Task Summary (2nd meeting of the month);
 - m) Correspondence;

- n) In Camera Items;
- o) Adjournment.

Deviation from Order of Business

- 11.2 The Chair, in his or her sole discretion, may deviate from the Order of Business to accommodate special circumstances or to ensure effective and efficient use of time.

12. MINUTES

- 12.1 The City Manager or designate will prepare minutes for all Council meetings which will include:
- a) the names of Councillors and members of Administration present and participating at Council meetings;
 - b) a brief introductory statement about the subject discussed for each agenda item;
 - c) all decisions and other proceedings;
 - d) the names of staff or members of the public who speak to an item;
 - e) any abstentions made under the *Municipal Government Act* by a Councillor and the reason for the abstention;
 - f) a record of the time when any Member of Council leaves and returns to the Council Chambers during the meeting;
 - g) the signatures of the Chair and the City Manager.

13. PROCEEDINGS

Discussion Directed through Chair

- 13.1 All discussion at a Council meeting must be directed through the Chair who will be addressed as “Your Worship” or “Sir/Madam”.

Absence from Proceedings

- 13.2 When a Councillor has a Pecuniary Interest in a matter before Council or a Council Committee the Councillor must, if present:
- a) disclose the general nature of the Pecuniary Interest prior to any discussion on the matter;
 - b) abstain from voting on any question relating to the matter;

- c) subject to the provisions of the *Municipal Government Act*, abstain from any discussion of the matter; and
- d) leave the Council Chambers until discussion and voting on the matter are concluded.

Speaking to Motions

- 13.3 A Councillor may not speak unless and until recognized by the Chair.
- 13.4 Unless permitted by the Chair, a Councillor may only speak twice on any motion, once in debate and once to ask questions.

Time Limit

- 13.5 Each Councillor may speak for only five (5) minutes, unless otherwise permitted by the Chair.

Interruption of Speaker

- 13.6 A Councillor who is speaking may only be interrupted:
 - a) on a Question of Privilege; or
 - b) on a Point of Order.
- 13.7 A Councillor who is speaking when a Question of Privilege or a Point of Order is raised must cease speaking immediately.
- 13.8 Subject to Section 13.9, a Question of Privilege or Point of Order is not debatable or amendable.
- 13.9 The Chair may grant permission:
 - a) to the Councillor or staff member raising a Question of Privilege or a Point of Order to explain the Question or Point briefly; and
 - b) to the Councillor who was speaking to respond briefly.

Ruling on Proceedings

- 13.10 The Chair will rule on a Question of Privilege or Point of Order.
- 13.11 The Chair may seek advice on a Question of Privilege or Point of Order to determine whether a matter is within the jurisdiction of Council.

Challenging a Ruling

- 13.12 Any ruling of the Chair may be challenged.

- 13.13 A motion to challenge may be made only at the time of the ruling, whether or not another speaker has the floor.
- 13.14 A motion to challenge is debatable unless it is related to decorum, the priority of business, or an undebatable pending motion.
- 13.15 If a motion to challenge is made, the Chair must state the question: "Is the ruling of the Chair upheld?", and may participate in debate on the challenge without leaving the Chair.
- 13.16 If the Chair refuses to put the question on a challenge, the person who would preside if the individual occupying the Chair were absent must put the question to Council.
- 13.17 Council will decide the challenge by a majority vote and the decision of Council is final.

14. MOTIONS

Consideration of Motions

- 14.1 Unless otherwise determined by the Chair, no matter may be debated or voted on by Council unless it is in the form of a motion.
- 14.2 A Councillor may move a motion whether or not the Councillor intends to support it.
- 14.3 Once a motion has been moved and recognized by the Chair, it is in the possession of Council, and may only be withdrawn with the unanimous consent of the Councillors present at the meeting.
- 14.4 All motions shall be presented in a manner that will allow Council to take a positive action. Negative motions are prohibited.
- 14.5 When required to do so by the *Municipal Government Act*, Council will provide reasons why a motion was defeated.
- 14.6 A motion does not require a seconder.

Motions to the Main Motion

- 14.7 When a motion is made and is being considered, no Councillor may make another motion except to:
- a) amend the motion;
 - b) amend any amendment to the motion;
 - c) refer the main motion for consideration;
 - d) table the motion; or
 - e) move a privileged motion.

Privileged Motions

14.8 The following motions are privileged motions:

- a) a motion to recess;
- b) a motion to adjourn;
- c) a motion to set the time for adjournment; and
- d) a Question of Privilege.

Motion to Recess

14.9 The Chair, without a motion, may recess the meeting for a specific period.

14.10 Any Councillor may move that Council recess for a specific period.

14.11 After a recess, business will be resumed at the point where it was interrupted.

Amending Motions

14.12 A Councillor may not propose an amending motion which:

- a) does not relate to the subject matter of the main motion; or
- b) is contrary to the main motion.

14.13 The main motion will not be debated until any proposed amendments to it have been debated and voted on.

14.14 When all proposed amendments have been voted on, the main motion, incorporating any amendments that have been adopted by Council, will be debated and voted on.

Friendly Amendments

14.15 As an alternative to making an amending motion, a Councillor may propose a “friendly amendment” to a motion on the floor. A “friendly amendment”, if accepted, allows for a change to the main motion on the floor without the necessity of passing an amending motion.

14.16 In order for a proposed amendment to be considered a “friendly amendment”, the following must apply:

- a) the proposed “friendly amendment” is one which, in the opinion of the Chair makes minor revisions to the motion on the floor which may:
 - (i) clarify the intention of the main motion;
 - (ii) change a quantity (such as a dollar amount) or date, time or location stated within the motion;

- (iii) other changes within the main motion which do not change the main purpose or intent of the motion.
- b) the mover of the main motion must be in agreement with the proposed “friendly amendment”, otherwise the Councillor proposing the “friendly amendment” is required instead to move an amendment.

Motion to Refer

14.17 A Councillor may move to refer any motion to the appropriate Council Committee and the motion to refer:

- a) precludes all further amendments to the motion;
- b) is debatable only as to the desirability of referring the main motion; and
- c) may be amended only as to the body to which the motion is referred and the instructions on the referral.

Motion to Limit or End Debate

14.18 Any motion to limit or end debate of another motion:

- a) cannot be debated;
- b) must be passed by a Two-Thirds Vote; and
- c) may only be amended as to the limit to be placed on debate.

Motion to Table

14.19 A motion to Table:

- a) must specify the date, time or event that must transpire in order for the motion or matter being tabled to be disposed of;
- b) can only be debated as to the date, time or event that the motion or matter is being tabled until; and
- c) takes precedence over any other motion.

14.20 If the tabling motion involves tabling a motion that is before Council, when the tabled motion is subsequently returned to Council, a motion to “lift the motion from the table” is required and the tabled motion is brought back with all of the motions connected with it, exactly as it was when it was tabled. A motion to “lift the motion from the table” is passed with a majority vote of Council.

Reconsideration of Motions

- 14.21 If a motion is voted on by Council, the same matter dealt with in the motion cannot be reconsidered by Council unless;
- a) a General Election has been held; or
 - b) six months have passed since the date that motion was considered; or
 - c) a motion to reconsider has passed; or
 - d) new and compelling information has come to light which could have an impact on Council's previous decision.
- 14.22 A Councillor may introduce a motion asking Council to reconsider a matter dealt with in a previous motion providing:
- a) the motion is made at the same meeting of Council at which the original matter was considered and is moved by a Councillor who voted with the prevailing side; or
 - b) a Notice of Motion is submitted by a Councillor who voted with the prevailing side, prior to the meeting at which it is to be considered, in which the Councillor sets out what special or exceptional circumstances warrant Council reconsidering the matter; and
 - c) the motion to which it is to apply has not already been acted upon.
- 14.23 If a motion to reconsider is passed, the original motion is on the floor.

15. IN CAMERA

Motion to go In-Camera

- 15.1 Any Councillor may move that Council convene in-camera if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.

Attendance Within the In-Camera Portion of the Meeting

- 15.2 The in-camera portion of the meeting will:
- a) be chaired by the same person chairing the rest of the meeting; and
 - b) be held without the presence of the public unless one or more members of the public are invited by Council to participate in the in-camera portion of the meeting; as well, the Chair will determine which, if any, City staff are to be included in the in-camera session.
- 15.3 No bylaw or resolution will be passed during the in-camera portion of the meeting except for a resolution to revert to a public meeting.

16. NOTICE OF MOTION

- 16.1 A Councillor wishing to introduce a new matter for consideration must submit a notice of motion in writing to the Mayor and the City Manager.
- 16.2 An Councillor may make a motion introducing any new matter only if:
- a) notice is given at a previous Council meeting;
 - b) notice has been submitted to the City Manager a minimum of one week prior to the Council Meeting; or
 - c) Council, by a vote supported by two-thirds of the members present agrees to dispense with notice.

17. VOTES OF COUNCIL

Voting Procedure

- 17.1 Votes on all motions must be taken as follows:
- a) except for a meeting conducted through electronic or other communication facilities, Councillors must be in their designated Council seat when the motion is considered;
 - b) the Chair puts the motion to a vote;
 - c) Councillors vote by a show of hands or other method agreed to by Council; and
 - d) the Chair declares the result of the vote.
- 17.2 Unless otherwise specified in the *Municipal Government Act* or this Bylaw, a motion is carried when a majority of Councillors present at a meeting vote in favor of the motion.

Declaring Results of a Vote

- 17.3 After the Chair declares the result of the vote, Councillors may not change their vote for any reason.
- 17.4 If there is confusion on the outcome of a vote the Chair may ask for a second show of hands to clarify the result of the vote.

Tie Votes

- 17.5 A motion is lost when the vote is tied.

18. BYLAWS

Basic Requirements

- 18.1 All proposed bylaws must have:
- a) a bylaw number assigned by the City Manager or his or her designate; and
 - b) a concise title indicating the purpose of the bylaw.
- 18.2 Councillors will be provided the opportunity to review a copy of the proposed bylaw, in its entirety, prior to any motion for first reading.

Introducing a Bylaw

- 18.3 A proposed bylaw must be introduced at a Council meeting by a motion that the bylaw be read a first time. Council may hear an introduction of the proposed bylaw from Administration prior to first reading.
- 18.4 After first reading has been given, subject to the requirements of the *Municipal Government Act*, any Councillor may move that the bylaw be read a second time.
- 18.5 Council will be given the opportunity to discuss the proposed bylaw between readings of the proposed bylaw.
- 18.6 Council may not give a bylaw more than two readings at a meeting unless all Councillors present at the meeting vote in favor of allowing a third reading at that meeting.

Amendments to Bylaws

- 18.7 Any amendments to be made to a bylaw that has not yet been passed or defeated are to be made after first reading and prior to third reading.
- 18.8 A Council Member may make a motion to amend a bylaw under consideration, consistently with 18.7. An amending motion requires a majority vote to pass.
- 18.9 Once a motion to amend a bylaw under consideration has been passed, the amendment becomes part of the bylaw.

Defeated Bylaws

- 18.10 The previous readings of a proposed bylaw are considered to be rescinded if the proposed bylaw:
- a) does not receive third reading within two years after first reading; or
 - b) is defeated on second or third reading.

Effective Date

18.11 A bylaw is effective from the beginning of the day it is signed unless the bylaw or any applicable statute provides for another effective date.

Bylaws Signed and Sealed

18.12 The Mayor and the City Manager must sign and seal all bylaws, and initial all pages of the bylaws, as soon as reasonably possible after third reading is given.

18.13 Once a bylaw has been passed, it may only be amended or repealed by another bylaw made in the same way as the original bylaw, unless another method is specifically authorized by the *Municipal Government Act* or another enactment.

19. ADMINISTRATIVE INQUIRIES

Verbal or Written Administrative Inquiries

19.1 Any Councillor may make an administrative inquiry through the Chair:

- a) verbally, if the Councillor does not require a written response; or
- b) in writing, if the request requires a written response.

Submission of Administrative Inquiries by Councillors

19.2 Administrative inquiries may be submitted by Councillors:

- a) at any regular meeting of Council; or
- b) for inclusion on the Agenda of a Council meeting; or
- c) outside a regular Council meeting if the response to the inquiry is of a routine nature and is not a substantive task.

Response to Administrative Inquiries

19.3 Administrative inquiries made at a Council meeting will be responded to at the next meeting of Council following the meeting at which the inquiry was submitted, unless:

- a) the financial or other resources required to answer the inquiry are substantial and a decision of Council or the City Manager is required to approve such allocation of resources; or
- b) additional time is required to prepare the response or compile the requested information, in which case Administration will report to Council about the progress of the inquiry and an expected completion date.

- 19.4 Administrative inquiries made outside a Council meeting will be responded to within two (2) weeks from the date the inquiry was submitted, unless:
- a) the financial or other resources to answer the inquiry are substantial and a decision of Council or the City Manager is required to approve such allocation of resources; or
 - b) additional time is required to prepare the response or compile the requested information, in which case Administration will advise the Councillor of the status of the request and provide an expected completion date.
- 19.5 Councillors will be advised as to when the response to an administrative inquiry will be provided.
- 19.6 A Councillor who requested an administrative inquiry may request that the inquiry be abandoned.
- 19.7 All responses to inquiries made by Councillors will be copied to all of Council.

20. COMMUNICATIONS TO COUNCIL

Presentations at Council Meetings

- 20.1 Requests for an appointment to make a presentation to Council must be received by the City Manager and must:
- a) be in writing and received at least 14 days prior to the Council meeting date;
 - b) clearly identify the reason or purpose of the appointment;
 - c) identify the individual or primary contact for a group or organization; and
 - d) include contact information of the individual or organization.
- 20.2 Presentations for the purposes of promoting commercial products or services will not be accepted.
- 20.3 Delegations from the same party or parties, or for the same matter as a previous delegation, held within the previous six months, shall not be allowed to appear before Council unless, in the opinion of the Mayor, new and compelling information comes to light which would warrant the delegation within the six-month period.
- 20.4 The amount of time allocated for delegations is at the sole discretion of the Chair.

Criteria for Written Submissions

- 20.5 Any communication intended for Council must be forwarded to the City Manager in writing and must:
- a) be legible and coherent;

- b) identify the writer and the writer's contact information;
- c) be on paper or in an electronic, printable format; and
- d) not be libelous, impertinent or improper.

Responsibilities of the City Manager

- 20.6 If the City Manager determines the communication or presentation is within the governance authority of Council, the City Manager will:
- a) if it relates to an item already on the Agenda, deliver a copy of the communication or a summary of it to Councillors prior to or at the meeting at which the Agenda is being considered; or
 - b) acquire all information necessary for the matter to be included on a future Council Agenda for consideration by Council.

Decisions on Communications

- 20.7 If the City Manager determines the communication and/or presentation is not within the governance authority of Council, the City Manager will:
- a) refer the communication to Administration for a report or a direct response and provide a copy of the original correspondence and the referral to the Councillors; and
 - b) take any other appropriate action on the communication.
- 20.8 If a Councillor objects to the process determined by the City Manager, a Councillor may introduce a notice of motion requesting the item be included for Council consideration on a Council Agenda.
- 20.9 If the standards set out in section 20.5 are not met, the City Manager may file the communication without any action being taken.
- 20.10 The City Manager will respond to the person sending the communication and advise that person of the process to be followed and any action taken on the subject of the communication.

21. CONDUCT IN COUNCIL MEETINGS

Public Conduct

- 21.1 During a Council meeting members of the public must:
- a) not approach or speak to Council without permission of the Chair;
 - b) not speak on any matter for longer than ten (10) minutes unless permitted by the Chair;

- c) maintain order and quiet; and
- d) not interrupt a speech or action of Council or another person addressing Council.

21.2 The Chair may order a member of the public who creates a disturbance or acts improperly at a meeting to be expelled.

Council Conduct

21.3 During a Council meeting, Councillors must not:

- a) attack or question the motives of another Councillor or staff member, speak disrespectfully, or use offensive words or gestures;
- b) address Councillors without permission of the Chair;
- c) carry on private conversations;
- d) break the rules of Council or disturb the proceedings;
- e) leave their seat or make any noise or disturbance while a vote is being taken or the result declared;
- f) make dilatory motions intended to obstruct the proceedings or thwart the will of Council; or
- g) disobey the decision of the Chair on any question of order, practice or interpretation.

Breach of Conduct

21.4 A Councillor who persists in a breach of subsection 21.3, after having been called to order by the Chair, may, at the discretion of the Chair, be ordered to leave for the duration of the meeting.

21.5 Notwithstanding 21.4, at the discretion of the Chair, a Councillor may resume his or her seat after making an apology for the Councillor's offending conduct.

22. GENERAL

22.1 If any portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion is to be severed and the remainder is to remain valid.

22.2 Bylaw No. 1824-13, *The Council Procedure Bylaw* is hereby repealed.

22.3 This Bylaw will come into force and effect on the final day of passing and signature thereof.

Read for a first time this ____ day of _____, 2015

Read for a second time this ____ day of _____, 2015

Read a third time and passed this ____ day of _____, 2015

(Original Signed)

Mayor

(Original Signed)

City Manager