

BYLAW NO 2017-22

OF THE

CITY OF WETASKIWIN

IN THE PROVINCE OF ALBERTA

A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA, TO ESTABLISH COUNCIL CONDUCT IN MEETINGS.

WHEREAS Section 145 of the Municipal Government Act, RSA 2000, Chapter M26, provides that Council shall by bylaw make rules for calling meetings and governing its proceedings, the conduct of its members, the appointment of committees, and for the transaction of its business; and

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

WHEREAS Council has deemed it necessary to regulate the procedures and conduct at meetings of Council;

NOW THEREFORE under the authority of the Municipal Government Act, the Council of the City of Wetaskiwin, in the Province of Alberta, enacts as follows:

1. TITLE

1.1 This bylaw may be cited as "The Council Meeting Procedural Bylaw".

2. DEFINITIONS

2.1 In this Bylaw:

- a) "Act" means the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended;
- b) "Action List" means the compilation of Council requests to Administration in the form of a resolution;
- c) "Administration" means the organization known as the City of Wetaskiwin

led by the CAO;

- d) "Agenda" means the list and order of business items for any meeting of Council;
- e) "Administrative Inquiry" is a request by a Councillor to the City Manager for the future provision of information;
- f) "City Manager" means the Chief Administrative Officer of the City of Wetaskiwin or their designate;
- g) "Consent Agenda" means the portion of the Agenda containing items that are being presented for information only;
- h) "Council" means the municipal Council of the City of Wetaskiwin;
- i) "Councillor" means a member of Council who is duly elected and continues to hold office and includes the Mayor;
- j) "Council Committee" means any committee, board or other body established by Council; in which Council Members are members themselves;
- k) "Committee of the Whole", or COW, means a Committee comprised of all Council Members;
- l) "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*;
- m) "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*;
- n) "Majority Vote of Council" means the majority of the Council Members present voting on a motion before Council;
- o) "Member" means a Member of Council or Committee within context;
- p) "Mayor" shall mean the Chief Elected Official of the City of Wetaskiwin;
- q) "Minutes" mean the formal record of decisions of a meeting;

- r) "Motion" means a formal suggestion that is put to a vote;
- s) "Motion to Defer" means a motion to delay consideration of a matter by postponing consideration:
 - (i) Indefinitely;
 - (ii) Until a specified time;
 - (iii) Until a specified event happens; or
 - (iv) Until a report or communication is presented.
- t) "Motion to Receive" means a motion to acknowledge an item, report or recommendation under consideration with no additional action required;
- u) "Motion to Refer" means a motion to direct a matter to staff or a committee of Council for additional information and/or recommendation, including a specified date at which the information is to be brought back to Council;
- v) "Notice of Motion" means a notice given by a Member of Council advising that the matter described therein will be brought forward at a subsequent meeting;
- w) "Oaths of Office Act" means the Oaths of Office Act, R.S.A 2000, Chapter O-1, as amended;
- x) "Pecuniary Interest" means a matter that could monetarily affect a Member of Council, a member of their family or their employer within the meaning of the *Municipal Government Act*;
- y) "Point of Order" means the raising of a question by a Member or Administration with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business;
- z) "Point of Privilege" means a request to the Chair to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of a Member of Council or of Council as a whole, despite other pending business currently before Council;
- aa) "Presiding Officer", means the Chair of Meetings of Council, typically the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence

- of the Deputy Mayor, any other Member of Council;
- bb) "Public Hearing" means a meeting of Council that is convened to hear matters pursuant to the *Municipal Government Act* or another enactment;
 - cc) "Quorum" means a majority of Members present at a meeting;
 - dd) "Recess" means an intermission or break within a meeting, after which the proceedings are immediately resumed at the point where the recess was called;
 - ee) "Recording Officer" means any person directed or appointed by the CAO to record the Minutes of the meeting;
 - ff) "Repeal" means to render a Bylaw, policy or Motion no longer in effect;
 - gg) "Resolution" means a formal decision made by Council or Committee of the Whole and can also be referred to as a Motion;
 - hh) "Special Meeting" means a meeting called by the Mayor pursuant to the Act;
 - ii) "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;
 - (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.

3. APPLICATION AND GOVERNANCE

General Rules

- 3.1 The procedures contained in this Bylaw shall be observed in Council meetings and Committee of the Whole.
- 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*.

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 establish a process for determining which Councillors will serve as Deputy Mayor throughout the year and to do so, Council may 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) must establish the frequency, dates, times and locations for the holding of regular Council and Committee of the Whole 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.

- c) must conduct any other business as identified within the Organizational Meeting Agenda.
 - d) In an election year, consider stopping meetings once the declaration date has passed.
- 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.
- 4.6 All Council members are authorized to sign cheques, agreements and other negotiable instruments on behalf of the Mayor and Deputy Mayor, as well as fulfill other roles such as chairing meetings, when the Mayor and Deputy Mayor are unable to fulfill these duties.
- 4.7 Council will review all Council Bylaws and approve any amendments as deemed necessary.
- 4.8 Each member of Council shall sign the code of conduct once approved.

Committee of the Whole

- 4.9 There shall be a Committee of the Whole comprising of all Council Members.
- 4.10 The Committee of the Whole enables Committee members to:
- a) Review upcoming and important issues and opportunities with members of Administration where deemed appropriated, where the focus is on understanding the broader policy implications of the items being considered. The purpose of the Committee of the Whole is to:
 - (i) Receive updates on emerging and ongoing projects and initiatives
 - (ii) Meet principally as a forum for discussion rather than a decision-making arena, enabling all Committee members to discuss key items without the requirement to make a decision.
 - b) The key for the Committee is to keep the focus on the broader and more strategic items. The operation so the Committee is purposely kept informal to encourage deliberation of information and ideas. The Committee has no

power to commit funds. Matters requiring further direction will be forward as a recommendation to Council.

- c) The Committee may:
 - (i) Conduct non-statutory public hearings (for information);
 - (ii) Meet in Closed Session pursuant to the Municipal Government Act and the Freedom of Information and Protection Act, approved by motion including the related section of the FOIP Act;
 - (iii) Receive information from Administration on emerging items; and
 - (iv) Discuss and debate policy matters to formulate recommendations to Council.

- d) The Committee may make the following motions:
 - (i) To receive agenda reports as information;
 - (ii) To refer matters to Administration or a Committee for review;
 - (iii) To make recommendations to Council; and
 - (iv) To move into a Closed Session meeting or revert to an open meeting.

- e) The CAO and other required administrative staff will be in attendance at Committee meetings to make presentations and answer questions.

- f) The Mayor is the Chair for all meetings, unless this responsibility is delegated by the Mayor to another Committee member or Deputy Mayor.

- g) Every person wishing to speak during the Committee of the Whole meeting shall address their comments through the Chair, no person shall be permitted to speak unless the Chair has grant that person permission.

4.11 Meetings shall be held in the public forum unless discussion falls under Division 2, Part 1 of the Freedom of Information and Protective of Privacy Act.

Preparing for Meetings

4.12 Collecting Items

- a) All Agenda submissions for Regular Meetings of Council Meetings including Public Hearings and Committee of the Whole Meetings must be received by Administration no later than 4:30 p.m. two weeks prior to the meeting, unless otherwise specified.

- b) Administration and members of the public wishing to appear or have correspondence brought before Council or Committee of the Whole must ensure that their correspondence or request is legible and appropriate to be brought before Council or Committee of the Whole and is delivered in the time prescribed above.
- c) Members of the public granted an audience with the Committee of the Whole must submit a summary of the information that is to be presented. Upon receipt of the request or correspondence, Administration may refer the matter to a staff member or include it as an item on a future Agenda.

4.13 Late Submissions

- a) Reports and supplementary materials related to items on the agenda and that are received less than ten (10) 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 to allow the greatest opportunity for review prior to the meeting.
- b) 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.

4.14 The Mayor and Deputy Mayor will attend one agenda review committee meeting with Administration. The agenda for each Council meeting shall be established by the Mayor and Deputy Mayor in consultation with the City Manager, at the bimonthly meetings.

4.15 Distributing the Agenda

- a) Administration shall ensure that Regular Council Meeting and Committee of the Whole Agendas are prepared and distributed to

Council at least six (6) working days prior to the meeting.

- b) Administration shall ensure that Regular Council Meeting and Committee of the Whole Agendas are available on the City's website and copies of the Agenda cover are available in paper form at City Hall at least two working days prior to the meeting.

4.16 Advertising for Meetings

Once Council determines their regular meeting schedule at the Organizational Meeting, the schedule shall be advertised as prescribed in the Act. If the meeting dates, times, or locations change, the public must be notified in accordance with the provisions set out in the Act.

4.17 Last Minute Additions

Council may, through Resolution, add last minute items to the Agenda during the adoption of the Agenda under circumstances where urgent matters that were not scheduled need to be addressed. Items may also be added under New Business as prescribed in this Bylaw.

Special Meetings

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

Electronic Recording of Proceedings

- 4.19 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.
- 4.20 The meetings are recorded by the Clerk and will be made available on the City webpage as reasonably possible but due to unforeseen circumstances may be delayed until the issues are resolved.

Meeting Participation through Electronic Means

- 4.21 A member of Council may participate in any Council meeting through electronic means and, when they do so, they are deemed to be present at the meeting.
- 4.22 A member of Council may participate in a regular Council meeting, or a portion of a regular Council meeting, through electronic communication if:
- a) There are extenuating circumstances, such as illness or injury to the member or an immediate family member, that prevents the member from personally attending the meeting;
 - b) The member is out of the City and unable to personally attend the meeting;
 - c) There is need to create quorum at the meeting. If this is the circumstance, the member participating through electronic communication must attend the entire meeting.
 - d) A member of Council who wishes to participate via electronic communication in regular Council meeting must provide notice of the intent as soon as possible to the City Manager and Legislative Executive Assistant.
 - e) The member of Council participating via electronic communication can request to speak verbally or through the electronic Request to Speak in iCompass to indicate to the Chair that they wish to speak to the matter. Their name will be added to the speaking list.
 - f) When a vote is called, the member of Council participating via electronic communication must verbally vote, if they cannot be seen, or through electronic vote in iCompass.

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 two (2) weeks 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.

No Quorum

- 5.12 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;
- 5.13 Notwithstanding 5.12, 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 5.12 shall be extended to thirty (30) minutes.

Lost Quorum

- 5.14 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.

6. COMMENCEMENT OF MEETINGS

- 6.1 This section applied to all Council meetings and Committee of the Whole meetings.
- 6.2 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.
- 6.3 Council Meetings shall be held in the Council Chambers at City Hall located at 4705 50 Avenue, Wetaskiwin Alberta, T9A 2E9, and a change of venue shall be advertised as prescribed in the Act.

7. DUTIES OF THE CHAIR

7.1 The Chair:

- a) chairs meetings;
- b) preserves order in Council meetings, and may call to order any Councillor, staff member or member of the public who is out of order;
- c) decides all questions of procedure and Points of Privilege;
- d) ensures that each Councillor who wishes to speak on a debatable motion is granted the opportunity to do so;
- e) states and puts to a vote all questions that legitimately come before Council as motions and declares the results of all votes;
- f) decides who, aside from Councillors, may address Council; and
- g) 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.

8. ORDER OF BUSINESS

Order of Business

8.1 The order of business for each meeting shall be as follows:

a) Call to Order;

(i) Once Quorum has been established, the Chair shall call the meeting to order.

b) Open Microphone;

(i) If a citizen wishes to make a public address to Council that is not a topic on the agenda they may do so as follows;

- by attending the public meeting and registering their name, topic of discussion and provide any handouts they may have to the Legislative Executive Assistant prior to the meeting start time, and
- Identify themselves as a resident or local business with an address.

(ii) Presentations will be in the order they registered in.

(iii) The Chair will call participants to the Chamber's presentation podium, on an individual basis. When they are called, please restate the information including the persons name and address into the microphone before proceeding with the presentation.

(iv) The presenter must limit their presentation time to five minutes during the open microphone session, and the microphone will be muted after this time allotment.

(v) Council will direct Administration on how and when to address matters arising in an open microphone session that require a response.

(vi) Requests for an appointment to make a presentation to Council must be received by the City Manager and must:

- be in writing and received at least 14 days prior to the Council meeting date;
- clearly identify the reason or purpose of the appointment;
- identify the individual or primary contact for a group or organization; and

- include contact information of the individual or organization.
- (vii) Presentations for the purposes of promoting commercial products or services will not be accepted.
- (viii) 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.
- (ix) The amount of time allotted for each presentation is ten (10) minutes unless the Chair allows for the time to be extended.
- c) Reading of Proclamations;
- d) Adoption of Agenda;
- (i) Adoption of the Agenda
- (ii) The agenda must be adopted by Council prior to transacting other business; in adopting the agenda, Council may:
- add each new item to the agenda by a Two-Thirds Vote;
 - delete any item from the agenda by a Two-Thirds Vote;
 - change the order of the agenda.
- (iii) The motion to adopt the agenda, with or without amendments, requires a majority vote to pass.
- (iv) 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.
- (v) Following the adoption of the Agenda, Council may modify the order of items should circumstances arise where it is appropriate to do so, through general consent.

e) Approval of Minutes;

- (i) Minutes from all previous meetings are to be reviewed and adopted under this section.
- (ii) Any Member may request that the Minutes be amended to correct any inaccuracy or omission.

f) Business Arising Out of the Minutes

Council has the opportunity to discuss and inquire on any item on the Action List. Administration frequently updates the Action List which tracks the progression of formal requests, in the form of Resolutions, from Council.

- (i) Before an item may be added to the Action List, Council will direct Administration to conduct preliminary investigative work and provide a report that outlines how pursuing the matter will impact the organization. The report should include an approximate timeline for completion, any monetary and staff resources associated, and any other pertinent information pertaining to the matter. Once this report is presented, Council may choose to have the item added to the Action List by directing Administration to further pursue the matter through Resolution.

g) Consent Agenda

- (i) Members may move items off the Consent Agenda and on to the regular business Agenda for robust discussion under its appropriate section, or may be addressed immediately following the adoption of the Consent Agenda, at Council's discretion.
- (ii) Removing items from the Consent Agenda and adding them under their appropriate section on the regular meeting Agenda is done through Resolution.
- (iii) Council shall receive the Consent Agenda, including all remaining items, if any, as information by Resolution.
- (iv) Items of correspondence, committee/board Minutes and other information brought forward to Council on a regular basis may be

included in this section.

(v) Consent Agenda items:

- Must be submitted by the deadline outlined in this Bylaw;
- May be referred to Administration without being circulated to Council, when appropriate.

h) Public Hearings;

(i) At the commencement of a Public Hearing, the Presiding Officer shall:

- state the matter to be considered at the hearing;
- request that Administration present a report on the issue at hand; and
- allow the applicant and/or their representative up to five (5) minutes to present their position. This time does not include the time necessary for them to answer questions from Council. This time may be extended by Council.

(ii) Following the presentations, Council shall allow time for anyone who wishes to speak in favour or against the proposed Bylaw or Resolution. Persons speaking must state their name, address and if they are speaking for themselves or on behalf of a group or organization which will be recorded in the Minutes. Those wishing to speak in favour may have the opportunity to speak first followed by those who are opposed to the Bylaw or Resolution.

(iii) If a person is unable to attend a Public Hearing, they may authorize another individual to speak on their behalf. Council may accept written submissions in lieu of a verbal presentation as long as the document is signed, dated and shows the legal address of the person making the submission.

(iv) Individuals or groups wishing to make representation at a Public hearing must register with Legislative Services by 12:00pm the Friday before the scheduled Public Hearing and provide their name, contact information, address, and whether they plan to speak in favour or

opposed. Non-registered individuals may be heard only at Council's discretion.

- (v) Organizations and business entities are only permitted to make representation once during a Public Hearing. Multiple representatives from the same organization are not permitted to make representation at different times during a Public Hearing. This representation may be done at once as a group, but the time restrictions outlined in this Bylaw will still apply.
 - (vi) No person other than Administration or the applicant may speak longer than five minutes exclusive of the time required to answer questions of Council. This time limit may be extended by Council.
 - (vii) Following the time allowed for all persons to speak, Council may close the Public Hearing. In accordance with the Act, Council may:
 - make such amendments as it considers necessary and proceed to pass the proposed Bylaw or Resolution;
 - defeat the proposed Bylaw or Resolution; or
 - postpone the proposed Bylaw or Resolution.
 - (viii) Once a Public Hearing is closed, it cannot be reopened, and no further submissions may be received by Council.
 - (ix) Any Council Member who is not present at a Public Hearing is not permitted to vote on the Bylaw for which the Public Hearing took place as per the Act.
- i) Delegations;
 - j) Staff Reports for Information;
 - (i) Administration may provide Council with reports or updates on projects and departmental progression, accepted as information by Resolution. A resolution to receive for information requires no further action be taken by Administration unless specified by Council.
 - (ii) Administration shall not make recommendations within their Staff

Report, nor shall Council make approvals.

k) Committee of the Whole;

l) Staff Reports for Decision

Administration will bring policies, Requests for Decisions and other items for consideration to Council under this section. Decisions of Council shall be made through Resolution as prescribed in this Bylaw.

m) Bylaws;

(i) In accordance with the Act, every Bylaw must have three readings. Only the title or identifying number must be read at each reading.

(ii) In accordance with the Act, a Bylaw shall not be given more than

(iii) two readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for a third reading. Bylaws that must be heard at a Public Hearing may only be given first reading before going to the Public Hearing.

(iv) A Bylaw is determined to be defeated if:

- It does not receive the majority of Council's support at any reading; or
- It does not receive third reading within two years from the date of first reading; or

(v) Administration is designated to consolidate one or more Bylaws as deemed convenient and in doing so must:

- incorporate all amendments to the Bylaw into one Bylaw; and
- omit a provision that has been repealed or that has expired.

n) Council Schedule, Attendance, Committees, and Boards;

(i) Council can speak to the events they have attended and report to the rest of Council the boards and committees in which they sit on to keep all of Council apprised.

(ii) Council will be provided a list of all known events until the next

reporting period.

o) Correspondence;

(i) When addressing items of Correspondence and Information, Council may:

- accept the correspondence or information as information by Resolution;
- refer any communication to Administration or a committee to review; or
 - act upon the correspondence or information by Resolution under New Business or a future agenda.

p) In-Camera;

(i) In accordance with the Act, Council may close their meeting to the public if a matter to be discussed is within one of the exceptions to disclose in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.

(ii) Before moving into an In-Camera session, a Member must state the authority that gives them the power to move In-Camera and provide a brief description of the issue to be discussed without revealing private or confidential information.

(iii) In accordance with the Act, when a meeting is closed to the public, no Resolution or Bylaw may be passed at the meeting, except a Resolution to revert to a meeting held in public.

(iv) In accordance with the Act, members of the public who are present outside of the meeting room must be notified after the In-Camera portion of the meeting is complete and must be given a reasonable amount of time to return to the meeting before it continues.

q) New Business

At this point, Council may address any items that were brought up after the Agenda was adopted. Any items that reside outside of regularly scheduled business may be addressed here. Council may direct Administration to complete a task, through a Resolution, which will be put onto the Action List, or provide a brief Council report to be accepted as information. Under this

section of the Regular Council Meeting Agenda, Council may also make formal decisions through Resolution and are not limited to only directing Administration.

- r) Adjournment
 - (i) Council shall adjourn when all the items on the Agenda have been addressed or when Council approves a unanimous Motion to adjourn.
 - (ii) When all the items on an Agenda have been addressed, the Presiding Officer will call for a Motion to adjourn the meeting.

Deviation from Order of Business

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

9. MINUTES

- 9.1 In accordance with the Act, Administration shall ensure that all Minutes of Council and Committee of the Whole meetings are recorded in English and are without note or comment.
- 9.2 The Recording Officer shall record the times when Council and Committee of the Whole:
 - (i) Commence
 - (ii) Recess
 - (iii) Move in and out of camera
 - (iv) Excuse themselves from the meeting and returned due to pecuniary interest or any other reason
 - (v) When Members arrive at the meeting after the call to order; and
 - (vi) Adjourn.
- b) In accordance with the Act, Administration shall record the names of the Members present at a meeting;

- 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.

10. PROCEEDINGS

Discussion Directed through Chair

- 10.1 All discussion at a Council meeting must be directed through the Chair.
 - a) The Chair is to be addressed as Ms./Mr. Chair, or otherwise as directed by the Chair.

Speaking to Motions

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

Time Limit

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

Interruption of Speaker

- 10.5 A Councillor who is speaking may only be interrupted:
 - a) on a Question of Privilege; or
 - b) on a Point of Order.
- 10.6 A Councillor who is speaking when a Question of Privilege or a Point of Order is raised must cease speaking immediately.

- 10.7 Subject to Section 13.9, a Question of Privilege or Point of Order is not debatable or amendable.
- 10.8 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

- 10.9 The Chair will rule on a Question of Privilege or Point of Order.
- 10.10 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

- 10.11 Any ruling of the Chair may be challenged.
- 10.12 A motion to challenge may be made only at the time of the ruling, whether or not another speaker has the floor.
- 10.13 A motion to challenge is debatable unless it is related to decorum, the priority of business, or an undebatable pending motion.
- 10.14 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.
- 10.15 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.
- 10.16 Council will decide the challenge by a majority vote and the decision of Council is final.

11. MOTIONS

Consideration of Motions

- 11.1 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.

- 11.2 A Councillor may move a motion whether or not the Councillor intends to support it.
- 11.3 The Member who made the Motion may withdraw or amend the Motion at any time prior to the vote on the Motion.
- 11.4 All motions shall be presented in a manner that will allow Council to take a positive action. Negative motions are prohibited.
- 11.5 When required to do so by the *Municipal Government Act*, Council will provide reasons why a motion was defeated.
- 11.6 A motion does not require a seconder.
- 11.7 A Motion that contains several propositions may be voted on as a single Motion or may be separated into separate Motions if any Member requires it.

Motions to the Main Motion

- 11.8 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

- 11.9 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

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

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

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

Amending Motions

11.13 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.

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

11.15 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

11.16 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.

11.17 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

11.18 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

11.19 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

11.20 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.

11.21 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

- 11.22 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.
- 11.23 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.
- 11.24 If a motion to reconsider is passed, the original motion is on the floor.

12. CLOSED SESSIONS

Motion to proceed with a closed session

- 12.1 Any Councillor may move that Council proceed with the meeting in a closed session 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 Closed Session

- 12.2 The closed session 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 closed session; as well, the Chair will determine which, if any, City staff are to be included in the closed session; and
- 12.3 The minutes shall note the names of any person, other than a member of Council that is in attendance at the closed session and the reason for that person's attendance in the closed session.
- 12.4 No bylaws or resolutions are allowed to be passed during the closed session except for a resolution to revert to an open session.

13. NOTICE OF MOTION

- 13.1 A Council Member wishing to introduce a new matter for consideration may do so either by providing all of Council and the City Manager, or their designate, with written notice no less than two (2) weeks prior to the meeting they wish to have the matter dealt with or by making a verbal request during the Council Attendance Report section of a meeting, in which case the matter will be brought forward at the next Regular Council meeting.
- 13.2 Any Council Member advancing a matter in this manner must meet with Administration to draft the item.

14. VOTES OF COUNCIL

Voting Procedure

- 14.1 Votes on all motions must be taken as follows:
- a) except for Council members participating remotely through electronic means, all Councillor must be in their designated Council seat when a motion is being 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.
- 14.2 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

- 14.3 After the Chair declares the result of the vote, Councillors may not change their vote for any reason.
- 14.4 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

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

15. BYLAWS

Basic Requirements

- 15.1 All proposed bylaws must have:
- a) a bylaw number assigned by the City Manager or their designate; and
 - b) a concise title indicating the purpose of the bylaw.
- 15.2 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

- 15.3 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.
- 15.4 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.

- 15.5 Council will be given the opportunity to discuss the proposed bylaw between readings of the proposed bylaw.
- 15.6 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

- 15.7 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.
- 15.8 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.
- 15.9 Once a motion to amend a bylaw under consideration has been passed, the amendment becomes part of the bylaw.

Defeated Bylaws

- 15.10 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

- 15.11 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

- 15.12 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.
- 15.13 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.

16. ADMINISTRATIVE INQUIRIES

Verbal or Written Administrative Inquiries

16.1 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.

Response to Administrative Inquiries

16.2 Administrative inquiries will be made at a Council meeting and will be responded to withing the following timelines:

- a) For a formal information request within 2 weeks;
- b) For budget information requests withing 2

days; unless:

- (i) 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
- (ii) 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.

16.3 Councillors will be advised as to when the response to an administrative inquiry will be provided.

16.4 A Councillor who requested an administrative inquiry may request that the inquiry be abandoned.

16.5 All responses to inquiries made by Councillors will be copied to all of Council.

17. COMMUNICATIONS TO COUNCIL

Criteria for Written Submissions

17.1 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

- 17.2 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

- 17.3 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.
- 17.4 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.
- 17.5 If the standards set out are not met, the City Manager may file the communication without any action being taken.
- 17.6 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.

18. CONDUCT IN COUNCIL MEETINGS

Public Conduct

18.1 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 five (5) 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.

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

Council Conduct

18.3 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 or practice.

19. GENERAL

19.1 If a court of competent jurisdiction should declare any Section or Subsection of this bylaw to be invalid, such Section or Subsection shall not be construed as having persuaded or influenced Council to pass the remainder of the bylaw, and it is hereby declared that the remainder of the bylaw shall be valid and remain in force.

19.2 Bylaw No. 2003-21 is hereby repealed.

19.3 This Bylaw will come into force and effect upon third and final reading of this bylaw.

READ a First time this 9th day of May, 2022.

READ a Second time this 9th day of May, 2022.

READ a Third time this 9th day of May, 2022.

ORIGINAL SIGNED

TYLER GANDAM, MAYOR

ORIGINAL SIGNED

SUE HOWARD, CITY MANAGER