

**TOWN OF LEGAL
BYLAW #15-2021
PROCEDURAL BYLAW**

A BYLAW OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, TO REGULATE THE PROCEEDINGS OF COUNCIL MEETINGS AND THE TRANSACTING OF BUSINESS BY COUNCIL FOR THE MUNICIPALITY.

WHEREAS, it is Council's desire to establish and follow a process and procedure of municipal governance that reflects an open, transparent government where decisions are made after all information has been provided; and

WHEREAS, pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*, and amendments thereto, Council may pass bylaws in relation to the procedures of Council and Council Committees, and the conduct of elected officials and members of Council Committees; and

WHEREAS, Council hereby establishes the following rules and regulations for the order and conduct in which all Council and committee meetings shall transact its business.

NOW THEREFORE, the Council of the Town of Legal duly assembled enacts as follows:

1. TITLE

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

2. DEFINITIONS

- a. "Act" means the *Municipal Government Act (MGA), R.S.A. 2000, c.M-26*, any regulations thereunder and any amendments or successor legislation thereto.
- b. "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all Town staff who operate under the leadership and supervision of the Chief Administrative Officer.
- c. "Agenda" means the agenda for regular or special meetings of Council prepared pursuant to Section 9 of this Bylaw.
- d. "Chief Administrative Officer (CAO)" means the Chief Administrative Officer of the Town of Legal, or their designate.
- e. "Closed Session (In Camera)" means a confidential portion of a council or committee meeting that is closed to the public in accordance with the *Freedom of Information and Protection of Privacy Act*, and at which only members of Council and other persons designated by Council may attend.
- f. "Committee" means any committee, board or other body established by Council under the *Municipal Government Act*.
- g. "Council" means the Council of the Town of Legal.
- h. "Councillor" means a member of Council including the Mayor elected pursuant to the provisions of the *Local Authorities Act*.
- i. "Delegation" means any person, or group of persons, firm or organization that is neither a member of the committee or council, wishing to address a committee or council upon a request to the Chief Administrative Officer.
- j. "Deputy Mayor" means the member who is appointed by Council pursuant to the *Municipal Government Act* to act as Mayor in the absence or incapacity of the Mayor.
- k. "Electronic Communications" means that members of Council may attend a Council or committee meeting through electronic communications. This can include using a telephone with the use of the speaker; via personal computer, or other means as technology advances.
- l. "Emergency" means a situation or the threat of an impending situation adversely affecting property and/or the health, safety and welfare of the Town of Legal, which by its nature and magnitude requires a timely, coordinated, and controlled response.
- m. "Emergent Resolution" means a resolution that is deemed to be necessary to take an expedient action for the benefit of the municipality that should happen before the next regularly scheduled Council meeting.
- n. "Governance and Priorities Committee" means the members of Council and administrative leadership team.
- o. "Mayor" means the Chief Elected Official of the Town of Legal, pursuant to the *Municipal Government Act*, and appointed by Council.
- p. "Meeting" means any regular, special or other meeting of Council or of a committee, as the context requires.

- q. "Member" means a member of Council duly elected and continuing to hold office, or where the context requires, a member of a Council Committee appointed by Council.
- r. "Member at Large" means a member of the public appointed by Council to a Committee of Council.
- s. "Municipality" means the Municipal Corporation of the Town of Legal.
- t. "Notice of Motion" is the means by which a member of Council brings business before Council that is not on the approved agenda.
- u. "Point of Order" is the raising of a question by a member to call attention to any departure from the Procedural Bylaw.
- v. "Point of Privilege" means that an interruption may occur only if necessary.
- w. "Presiding Officer" means 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 chosen to preside at the meeting.
- x. "Public Hearing" means a meeting of Council convened to hear matters pursuant to the *Municipal Government Act*.
- y. "Quorum" means the majority of all members of Council, being fifty percent (50%) plus one (1) unless Council provides otherwise in this Bylaw.
- z. "Recess" means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting.
- aa. "Recorded Vote" means the making of a written record of the name and vote of each member who votes on a question and each member present who does not vote.
- bb. "Special Meeting" means a meeting called by the Mayor pursuant to the *Municipal Government Act*.
- cc. "Special Resolution" means a resolution passed by a two-thirds (2/3) majority of all Council members or two-thirds (2/3) of all members of a Committee.

3. APPLICATION

- 3.1 Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice-versa.
- 3.2 Words importing the singular shall include the plural or vice-versa whenever the context so requires.
- 3.3 This Bylaw shall govern the proceedings of Council, Governance and Priorities Committee, and Council Committees established by Council and shall be binding upon all Committee members whether Council or Members at Large.
- 3.4 Any matter of meeting conduct, which is not herein provided for, shall be determined in accordance with the *Municipal Government Act*; and then, "*Roberts Rules of Order*", in that order.
- 3.5 In the absence of statutory obligation, any provision of this Bylaw may be temporarily altered or suspended by an affirmative vote of two-thirds (2/3) of all members present. A motion to temporarily alter or suspend this Bylaw is not debatable or amendable.
- 3.6 This Bylaw shall not be repealed, amended or suspended, unless it is repealed, amended or suspended, pursuant to the special provisions for procedural bylaw amendment contained in the *Municipal Government Act*.

4. ORGANIZATIONAL MEETING

- 4.1 Council shall hold an Organizational Meeting not later than two (2) weeks after the third Monday in October each year.
- 4.2 The Chief Administrative Officer shall set the time and place for the Organizational Meeting, the business of the meeting shall be limited to:
 - 4.2.1 Election of Mayor and Deputy Mayor:
 - a. The Chief Elected Official, who shall be referred to as the Mayor, unless the Council directs that another title appropriate to the office be used, shall be appointed by Council, pursuant to the *Local Authorities Election Act, Statutes of Alberta 2000, c. L-21*, and amendments thereto.

- b. The Deputy Mayor shall be appointed by Council, pursuant to the *Local Authorities Election Act, Statutes of Alberta 2000, c. L-21*, and amendments thereto.
- c. The Mayor and Deputy Mayor shall take the prescribed oath of office.
- d. Until the Mayor has taken the oath of office, the Chief Administrative Officer shall chair the Organizational Meeting.

4.2.2 Setting the date and location of Regular Meetings:

- a. The date and time of regular Council meetings will be determined at the annual Council Organizational meeting.
- b. Regular meetings of Council shall be located in the Council Chambers of the Town of Legal Municipal Office.

4.2.3 The appointments of members to Committees which Council is entitled to make:

- a. Appointments of Council members to Committees shall be for a term of one (1) year, unless otherwise specified and reviewed at the Organizational Meeting.

4.2.4 Any other business required by the *Municipal Government Act*, or which Council or the Chief Administrative Officer may direct.

4.2.5 Additional items following an election year:

- a. Oath of Office – every member of Council must take the official oath of office prescribed by the *Oaths of Office Act*. The *Municipal Government Act* states that members of Council may not carry out any power, duty or function until they have taken the official oath.
- b. Councillor Code of Conduct Bylaw – every member of Council must review as per the Council orientation process.
- c. Procedural Bylaw – every member of Council must review as per the Council orientation process.

5. REGULAR AND SPECIAL MEETINGS

5.1 All Council meetings will be advertised in accordance with the *Municipal Government Act*.

5.2 If there are changes to the date and time of a regular meeting, the municipality must give at least twenty-four (24) hours' notice of the change to all members and post the notice in a public office. Posting a public notice in the front foyer of the Town of Legal's Municipal Office is sufficient notice to the public if administration is unable to advertise the change in the local newspaper.

5.3 All meetings will be open to members of the public, except for Closed Session portions of the meeting.

5.4 Council has the authority to move into "Closed Sessions" pursuant to the *Municipal Government Act* for the purposes of:

- a. Protecting the Municipality, its operations, economic interests and delivery of its mandate from harm that could result from the release of certain information;
- b. To comply with Division Two of Part One of the *Freedom of Information and Protection of Privacy Act*.

5.5 Matters which may be discussed in a Closed Session include the following:

- a. Wages, salary and other personnel matters;
- b. Any information regarding contract negotiations;
- c. The acquisition, sale, lease or exchange of land;
- d. Matters involving litigation, or the discussion of legal advice provided to the Town of Legal;
- e. Matters concerning RCMP investigations or confidential reporting; and
- f. Information pertaining to the Town's accounting practices.

5.6 Council or Committee has no power at a Closed Session to pass any Bylaw or resolution apart from the resolution necessary to revert back to an open meeting.

6. QUORUM

- 6.1 As soon after the hour of the meeting as there is a quorum present, the Mayor shall take the Chair and call the meeting to order. A quorum is three (3) members who are eligible to vote.
- 6.2 In case the Mayor or Deputy Mayor is not in attendance within fifteen (15) minutes after the hour appointed for a meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a Chairman shall be chosen by the Councillors present who shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.
- 6.3 If there is no quorum present within thirty (30) minutes after the time appointed for a regular meeting of Council, the Chief Administrative Officer shall record the names of the members of Council who are present and the meeting shall be absolutely adjourned until the next regular meeting, unless a special meeting has been duly called in the meantime. Notice of adjournment shall be posted on the outside door of access to the Council Chambers.
- 6.4 Whenever a vote on a motion before Council cannot be taken because of a loss of quorum resulting from:
 - a. The declaration of pecuniary interest or conflict of interest; or
 - b. From a Councillor or Mayor not being present for all or part of a Public Hearing;then the motion shall be the first order of business to be proceeded with and disposed of at the meeting of Council under that particular order of business.
- 6.5 If a quorum is lost for any other reason than those aforementioned in Section 6.4, the meeting is adjourned.

7. MEETING THROUGH ELECTRONIC COMMUNICATIONS

- 7.1 Council members may attend a Council meeting by means of electronic communication. Acceptable alternatives include: through the use of a telephone (with the speaker on), ensuring that dialogue is available for both parties; through the use of a personal computer; or other means as technology advances.
- 7.2 A Council member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, unless otherwise approved by Council.
- 7.3 A Council member shall be permitted to attend a meeting using electronic communication if that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
- 7.4 A Council member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remain active.
- 7.5 The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic communications.
- 7.6 When a vote is called, Council members attending the meeting by means electronic communications shall be asked to state their vote only after all other Council members present at the meeting have cast their votes by a show of hands.
- 7.7 When a Council member attends a Closed Session by means of electronic communication, they will be required to confirm that they have attended the Closed Session alone in keeping with the definition in this Bylaw of "Closed Session" by providing a statutory declaration or affidavit sworn or declared before the Chief Administrative Officer or Commissioner for Oaths prior to the next regular Council meeting.

8. CANCELLATION OF MEETINGS

- 8.1 A regular meeting may be cancelled:



- a. By a vote of the majority of members at a previously held meeting; or
- b. With the written consent of a majority of members, providing twenty-four (24) hours' notice is provided to members and the public; or
- c. With the written consent of two-thirds (2/3) of the members of Council if twenty-four (24) hours' notice is not provided to the public.

8.2 A special meeting of Council may be cancelled:

- a. By the Mayor if twenty-four (24) hours written notice is provided to all members and the public; or
- b. By the Mayor, with the written consent of two-thirds (2/3) of the members, if less than twenty-four (24) hours' notice is provided to all members.

8.3 Notice of a cancelled or rescheduled regular Council meeting will be posted on the Town of Legal website, and if time permits, advertised in the local newspaper.

9. AGENDAS FOR COUNCIL MEETINGS

9.1 The agenda for each regular meeting shall be prepared by the Chief Administrative Officer or designate and provided together with copies of all pertinent correspondence, statements and reports to each member of Council by circulating them by electronic or other means as directed by the Chief Administrative Officer 4:30 P.M. on the Wednesday prior to the meeting.

9.2 If past the deadline, items may be brought forth for placement on the revised agenda. The revised agenda will be submitted to each member of Council by 4:30 P.M. prior to the meeting on Monday afternoon.

9.3 Any member of Council, a Town Official, or any other person wishing to have an item of business placed on the agenda for a regular Council meeting, shall make the submissions to the Chief Administrative Officer not later than 12:00 noon on the Wednesday of the week prior to the meeting, and/or at the Chief Administrative Officer's discretion. The submission shall contain adequate information to the satisfaction of the Chief Administrative Officer to enable Council to consider the matter.

9.4 No item of business shall be considered by the Council if the item has not been placed on the agenda. The agenda of the Council as distributed may be amended if the members of Council present, by a two-thirds (2/3) majority vote, agree to add the item to the agenda. The Mayor, any Councillor, and/or the Chief Administrative Officer shall be given an opportunity to state why an item shall receive consideration on the agenda because of its nature before the motion is put to a vote.

9.5 When a communication intended for Council is received by the Chief Administrative Officer, they shall place it on the agenda of Council, unless the Chief Administrative Officer considers the matter contained in the communication to be impertinent, improper, libellous or administrative in nature; in which case the Chief Administrative Officer shall advise the originator that the communication is not being sent to the Council.

9.6 The order of business as established in this Bylaw shall apply for all regular Council meetings unless the members of Council present, by a two-thirds (2/3) majority vote, agree to any change.

9.7 The order of business on the agenda shall be as follows:

1. Call to order with acknowledgement of meeting on Treaty 6 Territory
2. Additions and/or Deletions to Agenda
3. Adoption of Agenda
4. Public Hearing (if applicable)
5. Adoption of Previous Minutes
6. Delegations, Petitions or Presentations
7. Unfinished Business
8. Reports
9. Correspondence
10. New Business
11. Closed Session
12. Adjournment

9.8 Closed Session:

9.8.1 In a Closed Session items shall be distributed as follows:

- a. Confidential material, stamped or watermarked "Confidential" on each page, is to be distributed to each Council member after Council has passed a resolution to move into a Closed Session and all documents are to be returned to the Chief Administrative Officer or their designate at the conclusion of the Closed Session portion of the meeting;
- b. Confidential material, stamped or watermarked "Confidential" on each page, greater than ten (10) pages be distributed to each Council member electronically (packages to be digitized as "Read Only") uploaded to a secure server separate from the main agenda with password protection that limits access to Council members only by 4:30 P.M. the Friday prior to the meeting.

10. MINUTES

- 10.1 The Chief Administrative Officer may delegate any duties relating to Council to other administrative personnel, but shall accept all responsibilities of the duties.
- 10.2 If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.
- 10.3 The Chief Administrative Officer shall record in the minutes each time a member of Council is absent, and each time a member of Council refrains from discussion and voting by reason of absence or pecuniary interest as well as the general nature of the pecuniary.
- 10.4 The Chief Administrative Officer shall, whenever a recorded vote is requested by a member of Council, record in the minutes the name of each member of Council present and whether each member voted for or against the matter.
- 10.5 An administrative personnel shall record the motion to proceed to a Closed Session where Council shall state the section of the enabling *Freedom of Information and Protection of Privacy Act*.
- 10.6 An administrative personnel shall record the names of one or more persons attending the Closed Session along with stating the reason for their attendance in the minutes of the Council meeting.

11. DELEGATIONS, PETITIONS OR PRESENTATIONS

- 11.1 Delegations shall be received at regular Council meetings or Governance and Priorities Committee meetings.
- 11.2 When a person wishes to appear before the Council to present a petition or speak on behalf of a delegation the information will be submitted in accordance with Section 9.3 of this Bylaw and the presentation to Council shall be limited to fifteen (15) minutes, followed by questions from Council members. When individuals wish to appear before the Council during a Public Hearing, their appearance shall be limited to five (5) minutes.
- 11.3 The Delegations portion of Council meetings shall provide:
 - a. An opportunity for individuals to appear as a formal delegation (i.e., they have submitted information in accordance with Section 9.3 of this Bylaw and their submission has been included in the agenda package distributed to Council); and
- 11.4 All persons wishing to address Council will be required to give their name, topic of concern and whether there has been any previous contact with a member of Council or Administration regarding the matter.
- 11.5 In the event that all persons who expressed an interest to speak at a Council meeting cannot be heard within the allotted amount of time for presentations, they will be invited to attend and appear before the next regular Council meeting, otherwise a time extension beyond the fifteen (15) minutes is subject to the discretion of the Presiding Officer.
- 11.6 Council will not entertain submissions from the public on issues that are before the Subdivision and Development Appeal Board, the courts, or require a statutory Public Hearing.

11.7 A response to each speaker's comments/concerns will be provided through one (1) or more of the following:

11.7.1 A resolution of Council at the regular Council meeting; or

11.7.2 Referral of the matter to the Chief Administrative Officer for review and recommendation at a subsequent time, depending on the significance of the issue and the time required to adequately research the matter.

11.8 Council shall hear no more than four (4) delegations at any one (1) meeting of Council unless Council allows otherwise. All rules of Council in this Procedural Bylaw shall apply to each and every member of the delegation.

12. GENERAL RULES OF COUNCIL

12.1 Meetings of Council shall adjourn at 11:00 P.M. if in session at that hour, unless the members of Council present, by a two-thirds (2/3) majority vote, agree to extend the time.

12.2 Every person wishing to speak during a Council meeting shall address the Mayor or Presiding Officer. The address to the Mayor or Presiding Officer shall be "Your Worship" and no person shall be permitted to speak unless and until, that person has been recognized by the Presiding Officer; and then, only so long as all remarks are addressed to the Presiding Officer.

12.3 Council or Council Committee meetings may be filmed or recorded by accredited media upon written permission of Council.

12.4 Personal smartphones, tablets, recording devices and other electronic devices must be turned off or set in the silent mode prior to entering Council Chambers by members of the gallery, unless otherwise authorized by Council. Use of Smartphones, tablets, recording devices and other electronic devices by Council is prohibited. Signs advising members of the gallery are to be posted on restrictions on use of electronic devices in Council Chambers. The Mayor is to make note of Council Chamber restrictions at the start of each meeting.

12.5 A meeting may be adjourned by a motion or the declaration of the Presiding Officer. A declaration by the Mayor to adjourn a meeting may be appealed through a motion decided by a majority of members.

13. MOTIONS

13.1 The time limit for speaking shall be set at three (3) minutes and the number of times that a member may speak on the same motion or matter will be twice (2).

13.2 After a motion is made, it may be withdrawn by the mover at any time before a vote is taken or an amendment is made.

13.3 The Chief Administrative Officer shall record all motions in writing before the motion is debated or put to a vote.

13.4 All motions shall be stated by the Presiding Officer or Chief Administrative Officer before being debated or voted upon.

13.5 When speaking to a motion a member shall, before entering upon the substance of his remarks, state whether he is for or against the motion.

13.6 No motion shall be offered that is substantially the same as one that has already been expressed during the same meeting.

13.7 Where a matter under consideration contains several distinct propositions, a member may request, or the Mayor may direct, that each proposition be made as a separate motion.

13.8 After the vote has been called for by the Mayor or Presiding Officer, no member shall speak to the motion, nor shall any other motion be made until after the result of the vote has been declared.

- 13.9 Voting on all motions shall be done by clearly raising one (1) hand in such a clear manner that they may be easily counted by the Presiding Officer. When using electronic communications, the Mayor or Presiding Officer will ask whether the member is voting for or against the motion. After the Mayor or Presiding Officer has counted the vote, the Mayor or Presiding Officer shall declare whether it was "carried", "carried unanimously", or "defeated". Except where provided for in this Bylaw or by the applicable legislation, a majority vote of the members present who are eligible to vote, shall decide a question or motion before the Council. If the vote results in a tie, the motion will be considered defeated.

14. MOTIONS BEFORE COUNCIL

- 14.1 No motion will be made while a delegate is present.
- 14.2 All relevant parties must be notified in writing of the decision of Council.
- 14.3 When a motion has been made and is being considered by the Council, no other actions may be considered except:
- a. A motion to refer the motion to some other party for consideration, or to withdraw the motion;
 - b. A motion to amend the motion;
 - c. A motion to table the motion (the motion remains pending in order to address another urgent matter at that meeting);
 - d. A motion to postpone the motion to a future date (not beyond the third month from when it was presented);
 - e. A motion to adjourn the meeting, and any necessary resultant motion to postpone shall not be debated except as to the time when the matter will again be considered; or,
 - f. A motion of privilege, an incidental or a subsidiary motion.
 - g. When the Mayor or Presiding Officer is called on to decide a Point of order or practice, the point shall be stated clearly and without unnecessary comment, except to cite the specific departure from the Procedural Bylaw.
 - h. The Mayor or Presiding Officer shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council by resolution; and the decision of the Presiding Officer shall be final unless reversed by a majority vote of members present.
 - i. A motion to appeal the decision of the Mayor is an appeal which Council must decide, and must be made before other business is resumed. If the decision of the Mayor is appealed, the Mayor shall give concise reasons for such ruling and Council, without debate, shall decide the question. The ruling of Council shall be final.
- 14.4 A motion to refer, adjourn, postpone or to table, until it is voted upon, shall preclude all amendments to the main motion. A motion to refer or postpone is debatable, while a motion to table is not. A motion to adjourn is not debatable except as allowed in Section 14.3(e) above.
- 14.5 Each motion to amend or motion to amend an amendment to a motion:
- a. Must be relevant to the motion on which it is proposed. Any amendment that raises a new question can only be considered as a new distinct motion;
 - b. Must not propose a direct negative which would be considered out of order;
 - c. Shall be put to the Council in the reverse order to that in which they are moved, and must be decided upon or withdrawn before the main question is put to a vote. Only one amendment at a time to the main motion shall be allowed; and, only one (1) amendment to an amendment shall be allowed at one (1) time;
 - d. Shall not be moved by the original mover of the motion or the amendment;
 - e. Must not enlarge the scope of the amendment (an amendment to an amendment), but should only deal with matters not covered by the original amendment;
 - f. Shall only be sub-amended one (1) time. A request for a second amendment to an amendment would require the current motion to be defeated and a new motion to be moved.
- 14.6 A motion to reconsider a motion shall:
- a. only be made at the same meeting the motion was decided;
 - b. only be made by a member who voted with the prevailing side of the motion involved;
 - c. not be proposed more than once for a specific motion at any one (1) meeting of Council;

- d. be decided by a majority of the members of Council present; and,
- e. not be allowed on a motion of adjournment.

14.7 A motion to rescind a previous motion of Council may:

- a. Be made by any member of the Council; and
 - i. be offered at any time subsequent to the meeting at which the original motion was passed;
 - ii. be passed by:
 - 1. a vote of two-thirds (2/3) of the members of Council (who hold office at the time) when the motion is without notice; and
 - 2. a simple majority of the members of Council present when notice has been given. Notice shall be through a Notice of Motion or the inclusion of the item on an agenda delivered to the members of council before the meeting.

14.8 A motion to rescind a previous motion of Council as per Section 14.7 shall not be made:

- a. if the previous motion has not been acted upon to the extent that the Municipality has undertaken or become subject to any liability or obligation; or
- b. was not a motion for a reading of a bylaw.

14.9 A motion that will address a bylaw for first reading shall be decided without amendment or debate, but motions for subsequent readings are debatable. Each bylaw shall be read a first, second and third and final time before being signed by the Mayor and Chief Administrative Officer. Unanimous agreement is required to have the third and final reading at the same meeting. A motion cannot amend or change a bylaw; only an amending bylaw can make the change.

15. NOTICE OF MOTION

15.1 Council members may bring forward notices of motion as an item on the agenda of a regular Council meeting. Once the Notice of Motion is stated, it will be recorded in the meeting's minutes.

15.2 A written copy of the Notice of Motion shall be provided to the Chief Administrative Officer prior to the meeting's adjournment.

15.3 The Notice of Motion will be placed on the next regular Council Meeting agenda that the elected official who made the Notice of Motion is present, to vote whether the matter will proceed.

15.4 Once approved by Council, a Notice of Motion given at a regular Council meeting will be addressed in a time frame not beyond the end of the third month from when it was presented, unless Council directs differently.

15.5 A Notice of Motion cannot be made at a Special Council meeting.

15.6 A Notice of Motion is not debatable until a Council member moves the motion.

16. VOTING – PECUNIARY INTEREST

16.1 Members of Council who have a reasonable belief that they have a pecuniary interest (as defined in the *Municipal Government Act*) in any matter before Council, any Committee of Council or any Board, Commission, Committee or agency to which they are appointed as a representative of Council, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions or voting on any questions relating to the matter and shall remove themselves from the room until the matter is concluded.

16.2 Where the member of Council has left the meeting under Section 16.1:

- a. The reason for and time of the member of Council's departure, and return, if any, shall be recorded in the minutes;
- b. If Council amends the motion before it, Council shall recess to allow the Chief Administrative Officer to endeavour to advise the member of Council who has left the meeting of the amendment so that the Councillor may determine whether they remain in a conflict of interest; and

- c. Council shall not consider any other agenda item until the Chief Administrative Officer has endeavoured to advise the member of Council who left the meeting because of a conflict that there is a new agenda item before the meeting.

17. PETITIONS

- 17.1 Statutory petitions will be submitted to the Chief Administrative Officer and will be processed in accordance with the *Municipal Government Act*.
- 17.2 On receipt of a non-statutory petition, the Chief Administrative Officer may do the following:
 - a. Include it as an item on the agenda for the next regular meeting of Council in full or summary form;
 - b. Refer it to administration for a report to Council or appropriate Council Committee;
 - c. Circulate it to the members of Council individually as information if it does not require any further action by Council.

18. COMMITTEES AND BOARDS

- 18.1 The Council shall appoint representatives to such Committees, Boards and Commissions as required by legislation, agreement or bylaw and as they deem necessary. Unless an immediate appointment is required mid-term, these appointments shall be made on an annual basis at the Organizational Meeting.
- 18.2 The Council may make appointments to a Committee at any time, providing that the Council has adopted a bylaw or resolution specifying the terms of reference of the Committee. Terms of reference will be adopted by bylaw if the Committee is being delegated budgetary responsibilities; whereas adoption through resolution may be used for other Committee's terms of reference.
- 18.3 A special Committee may be appointed at any time by the Council or by the Mayor acting upon the instructions of the Council, providing that a motion has been adopted specifying the matters to be dealt with by the Committee.
- 18.4 The business of standing and special Committees including Council Committee meetings in Closed Session, shall be conducted in accordance with the rules governing procedure in the Council, except that no motion need be recorded, no member shall be limited as to the number of times allowed to speak to the questions under consideration and no member may move the previous question.
- 18.5 It shall be the duty of the Chairman of each Board or Committee (or their designee) to summon members for meetings.
- 18.6 The Mayor shall be ex-officio member of all Council Committees and bodies which Council has a right to appoint members under the *Municipal Government Act* (does not apply to certain Committees, e.g. Subdivision Development Appeal Board, Assessment Review Board, etc.); and should they so desire, may direct another Councillor to attend a meeting in their place.
- 18.7 Appointed Council members shall keep the rest of the Council informed of the actions of Committees or Boards to which they are appointed by Council, by providing regular activity highlights through their written Councillors' reports.

19. BYLAWS

- 19.1 Bylaws shall be passed in accordance with the *Municipal Government Act*.
- 19.2 Every proposed bylaw must have three (3) distinct and separate readings.
- 19.3 If a bylaw fails to receive third reading, it shall remain on the agenda to be dealt with at the next regular meeting of Council.
- 19.4 A proposed bylaw must not have more than two (2) readings at a Council meeting unless the Councillors present unanimously agree to consider third reading at that meeting.
- 19.5 Every bylaw which has been passed by Council shall immediately after being signed be securely filed.



19.6 The Presiding Officer shall initial each page of the passed bylaw.

20. PUBLIC HEARINGS

20.1 The conduct of any Public Hearing shall be governed by the *Municipal Government Act* and this Bylaw.

20.2 Public Hearings shall be advertised to the public in accordance with the *Municipal Government Act*.

20.3 Wherever possible, persons interested in speaking at a Public Hearing should register with the Chief Administrative Officer prior to the Public Hearing.

20.4 The Mayor shall declare the Public Hearing in session and shall outline the Public Hearing Procedures.

20.5 The Chief Administrative Officer shall introduce the resolution or bylaw and shall briefly state the intended purpose. Department presentations shall follow the introduction of the bylaw or resolution.

20.6 The Mayor shall request those who wish to make presentations to identify themselves. The Mayor shall then open the floor to public presentations.

20.7 The Mayor shall call upon those persons who have registered with the Chief Administrative Officer to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. A person who does not identify himself or herself will not be given the opportunity to speak.

20.8 Presentations by the public may be made verbally, in writing, or both. Written submissions shall be collected by the Chief Administrative Officer and retained for information purposes.

20.9 Verbal presentations shall be limited to five (5) minutes unless there is consent by Council to extend the allotted time.

20.10 Following public presentations, the Mayor shall close the Public Hearing.

20.11 If no one is present to speak to a proposed bylaw which requires a Public Hearing, Council may hear an introduction of the matter from administration, ask relevant questions, and then must vote to close the Public Hearing.

20.12 After the close of the Public Hearing, Council may debate matters raised at the Public Hearing during the regular Council meeting following the Public Hearing and may;

- a. pass the bylaw or resolution; or
- b. make any necessary amendments to the bylaw or resolution and pass it without further advertisement or hearing.

20.13 When a Public hearing on a proposed bylaw or resolution is held, a Member:

- a. must abstain from voting on the bylaw or resolution if the member was absent from all of the Public Hearing; and
- b. may abstain from voting on the bylaw or resolution if the member was only absent from a part of the Public Hearing.

21. GOVERNANCE AND PRIORITIES COMMITTEE

21.1 There shall be a Governance and Priorities Committee comprising all Councillors.

21.2 The general responsibility of the Governance and Priorities Committee shall be to analyze any and all matters placed before it, as set out in the *Municipal Government Act*, and indicate to Council by recommendation the ways and means of dealing with the said matters before it and to advise the course of action.

21.3 Subject to the Act, the Governance and Priorities Committee may consider any matter that Council may consider, including but not limited to discussion and debate of the following matters:

- a. Budget;
- b. Audit;
- c. Transportation issues;
- d. Development issues;
- e. Strategic planning;
- f. Legislative reform;
- g. Policing matters;
- h. Policy formulation; and
- i. Corporate planning.

21.4 The Governance and Priorities Committee may:

- a. Conduct non-statutory public hearings;
- b. Receive delegations and submissions;
- c. Meet with other municipalities and other levels of government; and
- d. Recommend appointments of members of the public to Council Committees, or other Committees and other bodies on which the Town is entitled to have representation.

21.5 Council may receive briefings in Governance and Priorities Committee meetings.

21.6 In addition to the restrictions contained in the *Municipal Government Act*, the Governance and Priorities Committee shall not hold statutory public hearings.

21.7 The Governance and Priorities Committee may make the following motions:

- a. To receive agenda reports as information
- b. To refer matters to administration or a Committee for further review.
- c. To direct that the matter be brought to Council for consideration.

21.8 A quorum of the Governance and Priorities Committee is a majority of Councillors.

21.9 At a Governance and Priorities Committee meeting, the procedures of Council shall be relaxed as follows:

- a. A Councillor may speak even though there is no motion on the floor, but if there is a motion on the floor a Councillor shall only address that motion;
- b. A Councillor may speak more than once, on a matter provided that each Councillor who wishes to speak to the matter has already been permitted to do so;
- c. No notice need be given of any motion to be made.

21.10 The Governance and Priorities Committee may consider a matter in Closed Session, in accordance with the *Municipal Government Act* and *Freedom of Information and Protection of Privacy Act, R.S.A., 2000, c-F-25*.

21.11 No motions may be made when the Governance and Priorities Committee is sitting in Closed Session in accordance with the *Freedom of Information and Protection of Privacy Act, R.S.A., 2000, c-F-25* except motions to reconvene the Governance and Priorities Committee meeting.

22. MISCELLANEOUS

22.1 No member shall:

- a. use offensive words in or against the Council;
- b. speak to a subject except upon the question in debate;
- c. reflect upon any vote of Council except for the purpose of moving that such a vote be rescinded or reconsidered; or
- d. resist the rules of the Council or disobey the decision of the Mayor or of the Council on any question of order or practice or upon the interpretation of the rules of the Council. If any member shall so resist or disobey, they may be ordered by a majority vote of the Council to leave their seat for that meeting and should they refuse to do so, the Mayor, Deputy Mayor

or other Presiding Officer may request that they be removed by law enforcement. Should the offender provide an ample apology they may, by majority vote of the Council, (without debate), be permitted to return to their seat.

22.2 Council may adjourn from time to time to a fixed future date, any regular or special meeting of Council which has been duly convened but not terminated. The object of adjourning is to finish the business which the meeting was called, but which has not been completed.

22.3 No member of the Council shall have the power to direct or interfere with the performance of any work of the Corporation. Council members may seek information through the office of the Chief Administrative Officer.

23. SEVERABILITY

23.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the Bylaw is deemed valid.

24. REPEAL

24.1 Bylaw No. 05-2020 is hereby repealed.

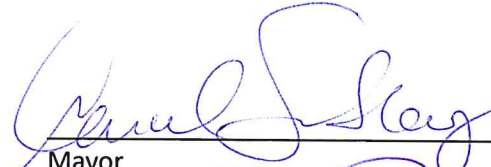
25. EFFECTIVE DATE

25.1 This by law shall come into full force and effect on the date of its final passing.

Read a first time this 4th day of October, 2021.

Read a second time this 4th day of October, 2021.

Read a third and final time this 4th day of October, 2021.



Mayor



Chief Administrative Officer

