

# TOWN OF REDWATER

## BYLAW 876

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A BYLAW OF THE TOWN OF REDWATER, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING THE PROCEEDINGS OF THE COUNCIL OF THE TOWN OF REDWATER.

WHEREAS, the *Municipal Government Act* provides that Council may make rules and regulations for calling meetings, governing its proceedings and the conduct of its members, appointing committees and generally for the transaction of business.

WHEREAS the Council of the Town of Redwater deems it necessary and expedient to make and establish rules and regulations according to which proceedings of the Council of the Corporation of the Town of Redwater shall be governed and conducted.

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

This Bylaw shall be cited as the "Procedural Bylaw" of the Town of Redwater

### **1. DEFINITIONS**

- 1.1 "Acting Mayor" is the member of Council who is appointed by resolution of Council to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor;
- 1.2 "Ad Hoc Committee" means a Committee of Council, established for a specific period of time and for a specific purpose.
- 1.3 "Closed Session" is a Council Committee or Board session which is held in private pursuant to the *Municipal Government Act* and *Freedom of Information and Protection of Privacy Act* and may include any person or persons invited to attend by Council, Committee or Board members;
- 1.4 "Committee of the Whole" means a committee comprised of all councillors which conducts itself as a committee of council to discuss emerging issues, with no provision for resolutions of Council except to move in and out of closed session pursuant to the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act*;
- 1.5 "Council" is the members of Council of the Town of Redwater elected pursuant to the provisions of the *Local Authorities Election Act*;
- 1.6 "Council Committee" means any committee, board or other body established by Council by Bylaw under the authority of the *Municipal Government Act*;
- 1.7 "Deputy Mayor" is the member of Council who is appointed pursuant to the *Municipal Government Act* to act as Mayor in the absence or incapacity of the Mayor;
- 1.8 "Mayor" is the Chief Elected Official for the Town of Redwater;
- 1.9 "Member at Large" means a member of the public appointed by Council to a Committee of Council;
- 1.10 "Presiding Officer" means the Mayor or in the absence of the Mayor, the Deputy Mayor, or in the absence of both, the Acting Mayor, or any other person so appointed to chair the meeting proceedings.
- 1.11 "Recording Secretary" means the individual recording the proceedings of the meeting.

- 1.12 “Recorded Vote” is the call, by a member, prior to the vote on a motion, for a record to be kept of the members voting for and against a motion;
- 1.13 “Special Resolution” is a resolution passed by a two-thirds majority of all Council members or two-thirds of all members of a Committee;
- 1.14 “Town” means the municipal corporation of the Town of Redwater;

## **2. APPLICATION**

- 2.1 This Bylaw shall govern the proceedings of Council and Council Committees and Boards and shall be binding upon all Council and Council Committees whether Councillors or Members-at-Large unless otherwise established by Bylaw or statute.
- 2.2 If a question relating to the procedures of Council or Council Committees is not answered by this Bylaw, the answer to the question is to be determined by referring to the most recent revision of Robert’s Rules of Order Newly Revised.
- 2.3 In the absence of any statutory obligation, any provision of the Bylaw may be waived by Special Resolution of Council in favour of dealing with the matter under consideration.
- 2.4 A resolution waiving any portion of this Bylaw as provided for in Section 2.3 shall only be effective for the meeting during which it is passed.

## **3. ORGANIZATIONAL MEETING**

- 3.1 The Council of the Town of Redwater shall hold its Organizational Meeting annually pursuant to the *Municipal Government Act*.
- 3.2 The agenda for the Organizational Meeting shall include the following:
  - 3.2.1 in the case of the first meeting following a general municipal election the Mayor must take the Oath of Office of Mayor and every Councillor must take the Oath of Office of Councillor;
  - 3.2.2 In the case of the first meeting following a general municipal election a Resolution is to be placed before Council for the appointment and election of the Deputy Mayor. This Resolution will establish that the Deputy Mayor serves at the pleasure of Council and can be removed without reason or cause by a majority vote. The selection of Deputy Mayor will be according to a rotational system whereby all Councillors are granted an opportunity to serve in that capacity;
  - 3.2.3 appoint the membership on Council Committees, Boards and Commissions;
  - 3.2.4 establish the signing authority for all banking matters;
  - 3.2.5 any such other business as is required by Council or the *Municipal Government Act* (ie: appointment of auditor, engineer or legal counsel).

#### **4. REGULAR, SPECIAL, COMMITTEE AND OTHER MEETINGS OF COUNCIL**

- 4.1 Regular meetings of Council shall be held on the first and third Tuesdays of each month in the Council Chambers of the Town Office.
- 4.2 Regular council meetings shall commence at 6:30 P.M. and stand adjourn no later than 10:00 P.M. unless Council passes a motion to extend the current meeting by unanimous consent. Such a motion must be passed no later than 9:30 P.M.
- 4.3 Public hearings shall be held on the same day as the regular meeting of Council commencing at 6:30 P.M., unless otherwise set by resolution of council, and the regular meeting of Council will follow immediately thereafter.
- 4.4 Committee of the Whole meetings shall be held on the fourth Tuesday of each month in the Council Chambers of the Town Office.
- 4.5 Committee of the Whole meetings shall commence at 6:00 P.M and stand adjourn no later than 9:00 P.M.
- 4.6 When the date of the regular meeting of Council or the Committee of the Whole meeting falls on a statutory holiday, the date of the meeting shall be on the Wednesday following, unless otherwise set by Council resolution.
- 4.7 Notice of regularly scheduled meetings need not be given.
- 4.8 As soon as there is a quorum of Council after the hour fixed for the meeting, the Presiding Officer must take the chair and begin the meeting.
- 4.9 A quorum is a majority of Council members. Council members available via teleconference or videoconference shall be considered present and part of the quorum. The Recording Secretary shall record by the name/s of the council members present via teleconference or videoconference that they, in fact, are present by telephone or videoconference. However, use of attendance by a Council member through teleconference or videoconference will only be allowed a maximum of three times per calendar year.
- 4.10 Unless a quorum is present within thirty (30) minutes after the time appointed for the meeting, the meeting will stand adjourned until the next regular meeting date or until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting. The Recording Secretary shall record the names of the members of Council present at the expiration of the 30 minutes time limit.
- 4.11 In the event that quorum is lost after the meeting is called to order, the meeting shall be suspended until quorum is obtained. If quorum is not obtained within 30 minutes, the meeting shall stand adjourned.
- 4.12 Council may change the time, date or location of any meeting and any Committees may change the time, date or location of any of its meetings provided that in both cases at least twenty-four (24) hours' notice of the change is given:
  - 4.12.1 in writing or via telephone communication, to all Council members, and
  - 4.12.2 to members of the public by posting a notice of the change at the entrance of the Town office, on the Town's website or any other Town managed media source and in any other manner so directed by resolution of Council.
- 4.13 The Mayor may call a special meeting whenever the Mayor considers it appropriate to do so, and must call a special meeting if the Mayor receives a written request for the meeting, stating its purpose, from a majority of the councillors. The Chief Administrative Officer shall give notice to all members of Council of each special meeting as set out in Section 4.12.



- 4.14 Council may cancel any meeting and a Committee may cancel any of its meetings if notice is given as set out in Section 4.12.
- 4.15 Despite Section 4.12, the Mayor may call a Council meeting on shorter notice and without providing notice to the public provided all Council members are notified of the meeting and two-thirds of Council members give written consent to hold the meeting before the meeting begins. No business other than that stated in the notice shall be considered at any meeting described in this section unless all the members of Council are present, in which case, by unanimous consent, any other business may be transacted.
- 4.16 Members of Council who participate in any Council Committees, Boards and Commissions are required to report to the Council from time to time, all matters connected with the duties imposed on them respectively, and to recommend such action by Council in relation thereto as may be deemed necessary and expedient.
- 4.17 All meetings of Council will be held in public and no person may be excluded except for improper conduct or when Council makes a resolution to go in Closed Session.
- 4.18 Council may pass a resolution to form an Ad Hoc Committee for a specific purpose and timeframe, which may or may not include all members of Council and may include public representation.

## **5. AGENDAS**

- 5.1 The agenda orders the business for a regular Council meeting and will follow the appropriate order of business set out in Schedule "A"
- 5.2 The agenda orders of business for a Committee of the Whole meeting will follow the appropriate order of business set out in Schedule "B".
- 5.3 Notwithstanding the standard order of business, the Presiding Officer may arrange for all items dealing with a particular subject to be grouped together on the agenda of any individual meeting.
- 5.4 Prior to each regular or Committee of the Whole meeting the Chief Administrative Officer shall prepare an agenda of all business to be brought before Council at such meeting. To enable the Chief Administrative Officer to do so, all documents and notices of delegations intended to be submitted to the Council shall be placed in the hands of the Chief Administrative Officer not later than 4:00 P.M. on the Tuesday in the week before the regular Council meeting or Committee of the Whole meeting.
- 5.5 A person or a representative of any delegation or group of persons who wish to bring any matter to the attention of Council, or who wish to have any matter considered by the Council shall address a letter or other written communication to the Council outlining the subject and points they wish to discuss with Council. Such letter or communication shall be in the hands of the Chief Administrative Officer not later than 4:00 P.M. on the Tuesday in the week before the regular meeting. When a communication contains a request for an appearance to address the Council, the Council by resolution may hear the person, refer him to a Committee or, if the Council deems the matter to be urgent, deal with it at once but such person shall not speak for more than fifteen (15) minutes unless the time is extended by a majority vote of the Council. No person or group shall appear as a delegation to Council on the same or on a related subject, unless specifically requested by Council to do so.
- 5.6 When a person, or representative of a delegation or group, wishes to address the Council on a matter which is not on the agenda, the Council will defer the matter to another meeting of Council, unless it is deemed to be of an emergency nature of which council may add the delegation to the agenda, but only by Special Resolution.
- 5.7 Councillors that wish to provide a written report for inclusion in the agenda shall provide the report to the Chief Administrative Officer not later than 4:00 P.M. on the Tuesday in the week before the regular meeting.
- 5.8 The Mayor shall review the agenda with the Chief Administrative Officer prior to distribution to all members of Council.

- 5.9 The Chief Administrative Officer shall make available to each member of Council, a copy of the minutes of the last regular meeting and subsequent special meetings, a copy of the agenda and any material pertinent to the forthcoming regular meeting not later than the Friday before the holding of the said regular meeting. In addition, a statement of the year to date financial position of the Town will be provided once per month.
- 5.10 Any written communication intended for Council or a Committee which reaches the Chief Administrative Officer must:
- 5.10.1 be legible and coherent;
  - 5.10.2 provide a printed name and address and contact information on the communication;
  - 5.10.3 not be libellous, impertinent or improper.
- 5.11 If the requirements of Section 5.10 are met, the Chief Administrative Officer must:
- 5.11.1 refer the communication to the administration for a report or a direct response, and inform the members of Council through the agenda, of the referral;
  - 5.11.2 if it relates to an item already on an agenda, provide a copy of the communication to members of Council with the agenda or at the meeting;
  - 5.11.3 provide a copy of the communication or a summary of it to all members of Council with the agenda or at the meeting as information; or
  - 5.11.4 take any other appropriate action on the communication.
- 5.12 If the requirements of Section 5.10 are not met the Chief Administrative Officer may file the communication unless the Chief Administrative Officer determines the communication to be libellous, impertinent or improper, in which case the Chief Administrative Officer must summarize the communication and inform Council that it is being withheld. Council may direct the communication being withheld, to be forwarded to Council.
- 5.13 The Chief Administrative Officer must make reasonable efforts to respond to the person sending the communication and to advise that person of any action taken on the subject of the communication.

## **6. GENERAL PROCEEDINGS AT MEETINGS**

- 6.1 Council must vote to approve the agenda prior to transacting other business and may prior to the agenda approval:
- 6.1.1 add new items to the agenda but only by Special Resolution; or
  - 6.1.2 delete any matter from the agenda but only by Special Resolution for each deleted item.
- And in the case of additions or deletions to the agenda, after the additions or deletions are approved as required in 6.1.1 and 6.1.2, the agenda must be approved, as amended, prior to transacting other business.
- 6.2 The minutes of each meeting must be circulated to each member of Council prior to the meeting at which they are to be adopted. Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate. If there are errors or omissions, Council must:
- 6.2.1 pass a resolution to amend the minutes; and
  - 6.2.2 adopt the minutes as amended and if there are no errors or omissions, Council must adopt the minutes as circulated.



- 6.3 Delegations appearing before council may be addressed by any member of Council through the Presiding Officer, by asking the delegation or the Chief Administrative Officer relevant questions but may not debate the matter or the answers. The presentations by a delegation may only be:
- 6.3.1 received as information without debate;
  - 6.3.2 referred without debate to a Committee or the Chief Administrative Officer for a report;
  - 6.3.3 debated if a Special Resolution is passed to allow a motion to be made without notice;
  - 6.3.4 limited to 15 minutes unless there is a Special Resolution to extend the allotted time.
- 6.4 An information report from a committee, agency or Administration that does not request Council action other than receipt as information may only be:
- 6.4.1 received as information without debate,
  - 6.4.2 referred to the Committee of the Whole or to the Chief Administrative Officer by majority vote without debate, or
  - 6.4.3 debated if a Special Resolution is passed to allow a motion to be made without notice.
- 6.5 Any Councillor may make a request for information to be provided to Council on any matter within the Town's jurisdiction. The Chief Administrative Officer or other management personnel will provide an answer to the inquiry at the next Council meeting or, if that is not possible will provide a progress report indicating when the answer to the inquiry may be expected.
- 6.6 Any member of Council desiring to speak shall address his remarks to the Presiding Officer, confine themselves to the question and avoid personality. Should more than one member desire to speak at the same time, the Presiding Officer shall determine who is entitled to the floor. Members of Council wishing to speak on a matter during a meeting must indicate their intention by raising their hand and any member of Council present via teleconference or videoconference, shall address the Presiding Officer by stating "I wish to speak on the matter at hand" and be recognized by the Presiding Officer. Each Council member shall not speak more than once until every member of Council has had the opportunity to speak except in the explanation of a material part of the speech which may have been misunderstood or in reply, to close debate, after everyone else wishing to speak has spoken.
- 6.7 Council need not deal with any item on the agenda if no motion is made about it.
- 6.8 Matters to be discussed pursuant to the *Municipal Government Act* and *Freedom of Information and Protection of Privacy Act* or any other statute as being confidential may be considered at a Closed Session meeting or portion of a meeting.
- 6.9 Council and Committees moving into Closed Session may, by resolution, include any person or persons in the meeting.
- 6.10 Council or any Council Committee has no power at a Closed Session to pass any Bylaw or resolution except for the resolution to revert back to an open meeting.
- 6.11 The rules of the Council shall be observed at a Closed Session as far as may be applicable.

## **7. DUTIES OF THE PRESIDING OFFICER**

- 7.1 The Presiding Officer shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order, deciding all questions of order and without argument or comment shall state the rule applicable to any point of practice or order if called upon to do so. The Presiding Officer's decision on a question of order may be appealed to Council.
- 7.2 If the Presiding Officer wishes to leave the chair for any reason, they must call on the next officer as described in Section 1.8, to preside.

## **8. DISCIPLINARY PROCEDURES**

- 8.1 Members of Council and Members at Large, shall not:
- 8.1.1 use offensive words or un-parliamentary language in the meeting or against Council, any Councillor or any other person;
  - 8.1.2 disobey the rules of the meeting or decision of the Presiding Officer or of members of Council or Members at Large on questions of order or practice; or upon the interpretation of the rules of the meeting;
  - 8.1.3 speak disrespectfully of the Sovereign, the Governor General, the Lieutenant Governor, or of Council or any other governing body in Canada;
  - 8.1.4 leave their seat or make any noise or disturbance while a vote is being taken and the result is declared;
  - 8.1.5 interrupt a member of Council or Member at Large while speaking, except to raise a point of order;
  - 8.1.6 discuss a vote of Council or Council Committees after the vote has been taken, unless to rescind;
  - 8.1.7 influence or communicate with any municipal employees except the Chief Administrative Officer or administrative personnel involved with Council Committees of which they are members; any other communication or inquiries must be through the Mayor, Deputy Mayor, Presiding Officer or Chief Administrative Officer.
- 8.2 When a Council member has been warned about breaches of order but continues to engage in them, the Presiding Officer may name the Council member by stating their name and declaring the offence. The Recording Secretary must note the offence in the minutes.
- 8.3 If a Council member who has been named apologizes and withdraws any objectionable statement, then the Council member may remain and continue participating in the meeting and the Presiding Officer may direct that the notation of the offence be removed from the minutes.
- 8.4 If the Council member fails or refuses to apologize, then that Council member must immediately leave the Council chambers and Council must vote on a motion to expel that Council member. A motion to expel must be decided without debate.
- 8.5 If a Council member who has been expelled pursuant to Section 8.4, refuses to leave the Council chambers, the Presiding Officer may request the Royal Canadian Mounted Police to remove the expelled Council member.
- 8.6 Any members of the public are not allowed to approach or to speak to any Council member during a council meeting without the Presiding Officer's permission. The Presiding Officer may order any member of the public who disturbs the proceedings of Council or a Committee meeting by words or actions, to be expelled. If the person refuses to leave voluntarily, the Presiding Officer may request the Royal Canadian Mounted Police to remove the person.

## **9. MOTIONS**

- 9.1 Every motion or resolution shall be stated clearly by the mover and when duly moved shall be open for consideration. After a motion has been stated or read, it shall be deemed to be in the possession of the Council.
- 9.2 When a motion is before the meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no one objects, the Presiding Officer shall grant permission, however, if any objection is made, it is necessary to obtain leave by motion to withdraw and this motion cannot be debated or amended. Once the motion is withdrawn, the effect is the same as if it had never been made.
- 9.3 Any member of Council may require the motion under discussion to be read at any time during the debate, except when a member of Council is speaking.
- 9.4 Each member of Council or Council Committee will be limited to speak on any motion to ten (10) minutes.
- 9.5 The mover of a motion must be present when the vote on the motion is taken. Council members participating via teleconference or videoconference are deemed to be present at the meeting.
- 9.6 A motion is not required to be seconded.
- 9.7 When a motion is under debate, no motion shall be received other than a Motion to, in order of precedence:
  - 9.7.1 Fix the time for adjournment;
  - 9.7.2 Adjourn;
  - 9.7.3 Recess
  - 9.7.4 Raise a question of privilege
  - 9.7.5 Call for the orders of the day
  - 9.7.6 Withdraw;
  - 9.7.7 Table;
    - 9.7.7.1 A motion to table may be made when a member of Council wishes Council to decline to take a position on the main question. The motion is not debatable and, when passed, may be resurrected by a motion to raise from the table.
  - 9.7.8 Call the Question (that the vote must now be taken);
  - 9.7.9 Limit or extend limits of debate
  - 9.7.10 Postpone to a certain time or date;
    - 9.7.10.1 A motion to postpone to a certain time or date is debatable. Debate on the motion must be confined to its merits only, and cannot go into the main question except as necessary for debate of the immediately pending question. A motion to postpone to a certain time and date is generally used if Council would prefer to consider the main motion later in the same meeting or at another meeting.
  - 9.7.11 Refer;
    - 9.7.11.1 A motion to refer shall require direction as to the person or group to which it is being referred and is debatable. A motion to refer is generally used to send a pending question to a committee, department or selected person so that the question may be carefully investigated and put into better condition for Council to consider.



9.7.12 Amend;

- 9.7.12.1 Only one motion to amend at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion as to change the basic intent or meaning of the main motion. The Presiding Officer shall rule on disputes arising from amendments.
- 9.7.12.2 The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
- 9.7.12.3 Nothing in this Section shall prevent other proposed amendments from being read for the information of the members of Council.

9.7.13. Postpone indefinitely;

- 9.7.13.1 A motion to postpone indefinitely must include a reason for postponement and is debatable. Debate can go into the main question. A motion of postpone Indefinitely is generally used as a method to dispose of a question without bringing it to a direct vote.
- 9.7.13.2. A motion to postpone indefinitely may only be brought back after
  - 9.7.13.2.1 more than one year from the date of postponement has passed,
  - 9.7.13.2.2 a general municipal election, or
  - 9.7.13.2.3 Special Resolution is passed allowing the motion to be brought back .

- 9.8 When the motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any member of Council, be taken separately.
- 9.9 No motion shall be offered that is substantially the same as one on which judgment of the meetings has already been expressed during the same meeting.
- 9.10 Whenever the Presiding Officer or any other member of Council is of the opinion that a motion is contrary to the rules and privileges of the Council, they shall appraise the other members of Council thereof immediately, before putting the question, and shall cite the rule or authority applicable to the case without argument or comment. Whenever any matter of privilege arises, it shall be immediately taken into consideration.
- 9.11 Any member of Council may move that Council recess for a specific period. After the recess, business will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker. A motion to recess may be amended only as to length of time, but neither the motion nor the amendment are debatable.
- 9.12 Unless otherwise specifically provided in this Bylaw, the following motions are debatable by the Council:
  - 9.12.1 A motion arising out of any matter or thing included in the agenda for the Council meeting at which it is debated;
  - 9.12.2 A motion to postpone or refer;
  - 9.12.3 A motion for adoption of, rejection of, referral back or further consideration of a report to the Council, or a motion arising out of any matter dealt with in a report to the Council;
  - 9.12.4 A motion for the second reading, or a motion for the third reading of a Bylaw;
  - 9.12.5 A motion for the appointment or dismissal of a Committee member, or referral to a Committee of any matter before the Council;

- 9.12.6 A motion for amendment to any Bylaw properly before the Council, or to any matter arising directly out of any Bylaw properly before the Council;
- 9.12.7 Such other motion made upon routine proceedings of Council as may be necessary for conducting of the business of Council and the observance of its procedures.

## **10. NOTICE OF MOTION**

- 10.1 A member of Council may make a motion introducing a new matter only if:
  - 10.1.1 notice is given at the previous regular Council meeting;
  - 10.1.2 a legible copy of the content of the notice is made available to the Chief Administrative Officer no later than 4:00 P.M. on the Tuesday before the regular meeting; or
  - 10.1.3 Council passes a special resolution dispensing with notice.
- 10.2 A notice of motion must give sufficient detail that the subject of the motion and any proposed action can be determined and it must state the date of the meeting at which the motion will be made.
- 10.3 A notice of motion must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.
- 10.4 When notice has been given, the Chief Administrative Officer will include the proposed motion in the agenda of the meeting for the date indicated in the notice. If a motion is not made at the meeting indicated in the notice, it will be removed from the agenda and may only be made by a new notice of motion.

## **11. VOTING**

- 11.1 A motion shall be carried when a majority of the members of Council present at a meeting vote in favour of the motion, unless otherwise specified in this Bylaw.
- 11.2 A motion is lost when the vote is tied.
- 11.3 If a motion cannot be voted on because there would be no quorum due to any abstention allowed or required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular meeting of Council. If Council is unable to achieve a quorum at any meeting on an issue due to allowable abstentions, then Council must ask the Minister of Municipal Affairs for an order under the *Municipal Government Act*.
- 11.4 After the Presiding Officer finally puts any question to a vote, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared. The decision of the Presiding Officer as to whether the question has been finally put forth shall be conclusive.
- 11.5 Votes on all motions must be taken as follows:
  - 11.5.1 Members of Council must be in their designated Council seat when the motion is put forth;
  - 11.5.2 The Presiding Officer must put forth the motion;
  - 11.5.3 All members of Council, including the Presiding Officer, must vote by a show of hands;
  - 11.5.4 The Presiding Officer must declare the result of the vote as carried or defeated.
- 11.6 Notwithstanding Section 11.5, if a member of Council is present via teleconference or videoconference, the Member of Council shall be considered to be in their designated Council seat and when the motion is put forth shall be recognized as for the motion by stating clearly "in favour" or if against the motion by stating clearly "against."
- 11.7 After the Presiding Officer declares the result of a vote, the members of Council may not change their vote for any reason.

- 11.8 Every member present, including the Presiding Officer, when a vote is called for, shall vote unless they are required or permitted to abstain from the question as provided for in the *Municipal Government Act*. If a Council Member who has heard the question refuses to vote, their name shall be recorded accordingly and they shall be deemed to have infringed this Bylaw and the *Municipal Government Act*, but the decision of the question on the other members' votes shall be valid.
- 11.9 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 question relating to the matter and shall remove themselves from the room until the matter is concluded unless the councillor is entitled to be heard by Council as a tax payer, an elector or an owner of property in accordance with the *Municipal Government Act*. The minutes shall indicate the declaration of disclosure, the time at which the member of Council left the room and the time the member of council returned.
- 11.10 Before Council takes a vote, a member of Council may request that the vote be recorded. When a member of Council requests a recorded vote, all members of Council present, unless required or permitted to abstain from voting, shall vote as the Presiding Officer calls for those in favour and against. The Recording Secretary shall, whenever a recorded vote is requested by a member of Council, record in the minutes the names of each member of Council present and whether the member of Council voted for or against the matter and the Presiding Officer shall announce the results of the vote.

## **12. BYLAWS**

- 12.1 Where a Bylaw is presented to a Council meeting for enactments, the Chief Administrative Officer shall cause the number and short title to appear on the agenda.
- 12.2 The following shall apply to the passage of all Bylaws:
- 12.2.1 A Bylaw shall be introduced for first reading by a motion that it be read a first time specifying the number of the Bylaw;
  - 12.2.2 After a motion for first reading of the Bylaw has been presented, members of Council may debate the substance of the Bylaw and propose and consider amendments to the Bylaw;
  - 12.2.3 Any proposed amendments shall be put to a vote if required, and if carried, shall be considered as having been incorporated into the Bylaw at first reading;
  - 12.2.4 When all amendments have been accepted or rejected, the Presiding Officer shall call for a vote on the motion for first reading of the Bylaw;
  - 12.2.5 When a Bylaw is subject to a statutory public hearing, a public hearing shall be held before second reading of the bylaw.
- 12.3 Three Readings
- 12.3.1 A Bylaw shall not be given more than two readings at one meeting unless the members of Council present at the meeting unanimously agree that the Bylaw may be presented for third reading at the same meeting at which it received two readings;
  - 12.3.2 A Bylaw shall be passed when a majority of the members of Council present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
- 12.4 When a Bylaw has been given three readings and is signed in accordance with the *Municipal Government Act*, it is considered an enactment of the Town and is effective immediately, unless the Bylaw or an applicable provincial statute provides otherwise.



- 12.5 The previous readings of a proposed Bylaw are rescinded if the proposed Bylaw does not receive third reading within two years of first reading or is defeated on second or third reading.
- 12.6 After passage, a Bylaw shall be signed by the Mayor or in the absence of the Mayor, the Deputy Mayor or in the absence of both, the Acting Mayor and the Chief Administrative Officer or in their absence the Corporate Services Manager and shall be impressed with the corporate seal of the Town.

### **13. PUBLIC HEARINGS**

- 13.1 The conduct of any statutory public hearing shall be governed by this Bylaw.
- 13.2 Wherever possible, persons interested in speaking at a public hearing should register with the Chief Administrative Officer prior to the public hearing.
- 13.3 The Presiding Officer shall declare the public hearing in session and shall outline public hearing procedures.
- 13.4 The Chief Administrative Officer or their designate, shall introduce the resolution or Bylaw and shall briefly state the intended purpose. Department presentations shall follow the introduction of the Bylaw or resolution.
- 13.5 The Presiding Officer shall request those who wish to make presentations to identify themselves. The Presiding Officer shall then open the floor to public presentations.
- 13.6 The Presiding Officer 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 themselves will not be given the opportunity to speak.
- 13.7 Presentations by the public may be made verbally. Written submissions, if available, shall be collected by the Chief Administrative Officer and retained for information purposes.
- 13.8 Verbal presentation shall be limited to ten (10) minutes unless there is a majority vote by Council to extend the allotted time.
- 13.9 Following public presentations, the Presiding Officer shall close the public hearing.
- 13.10 If no one is present to speak to a proposed Bylaw or resolution which requires a public hearing, Council may hear an introduction of the matter from the Chief Administrative Officer or their designate, ask relevant questions, and then the Presiding Officer shall close the public hearing.
- 13.11 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, or at the next scheduled meeting if the public hearing is not held during a regular scheduled council meeting, and may:
- 13.11.1 pass the Bylaw or resolution, or
  - 13.11.2 make any necessary amendments to the Bylaw or resolution and pass it without further advertisement or hearing.
- 13.12 When a public hearing on a proposed Bylaw or resolution is held, a member of Council:
- 13.12.1 must abstain from voting on the Bylaw or resolution if the member of Council was absent from all the public hearing, and
  - 13.12.2 may abstain from voting on the Bylaw or resolution if the member of Council was only absent from a part of the public hearing.

## **14. APPEAL RULING**

- 14.1 The decision of the Presiding Officer shall be final, subject to an immediate appeal by a member of Council of the meeting. If the decision is appealed, the Presiding Officer shall give concise reasons for their ruling and the members of Council, shall decide the question. The ruling of the members of Council shall be final.

## **15. RECORD OF PROCEEDINGS**

- 15.1 The Recording Secretary must prepare all Council and Committee minutes which will include:
- 15.1.1 all decisions and other proceedings;
  - 15.1.2 the names of the Council members present at and absent from the meeting;
  - 15.1.3 any abstention pursuant to a declaration of pecuniary interest made under the *Municipal Government Act* by any Council member and any other abstention permitted by statute; and
  - 15.1.4 the signatures of the Presiding Officer and the Chief Administrative Officer or their designate.

## **16. GENERAL**


- 16.1 Bylaw 800 and Bylaw 814 are hereby repealed.
- 16.2 It is the intention of the Town Council that each separate provision of this bylaw shall be deemed independent of all other provisions, and it is further the intention of the Town Council that if any provision of this bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.


This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council.

READ A FIRST TIME this 5<sup>th</sup> day of November, 2019.

READ A SECOND TIME this 7<sup>th</sup> day of January, 2020.

READ A THIRD TIME AND FINALLY PASSED this 7<sup>th</sup> day of January, 2020.

  
MAYOR

  
TOWN MANAGER

# **Schedule A**

## **Council Regular Meeting Agenda**

1. Call to Order
2. Public Hearing
3. Additions/Deletions to the Agenda
4. Approval of Agenda
5. Delegations
6. Adoption of Minutes
7. Business Arising Out of the Minutes and Unfinished Business
8. Bylaws
9. New Business
10. Reports
  - 10.1 Council
  - 10.2 Chief Administrative Officer
  - 10.3 Community Services
  - 10.4 Corporate Services
  - 10.5 Public Works
  - 10.6 Others
11. Correspondence & Information Items
12. Closed Session Items
13. Adjournment



## **Schedule B**

### **Committee of the Whole Meeting Agenda**

1. Call to Order
2. Additions/Deletions to the Agenda
3. Approval of Agenda
4. Unfinished Business
5. New Business
6. Reports
  - 6.1 Chief Administrative Officer
  - 6.2 Community Services
  - 6.3 Corporate Services
  - 6.4 Public Works
7. Closed Session Items
8. Adjournment

