

VILLAGE OF CREMONA  
BYLAW NO. 510-24**BEING A BYLAW OF THE VILLAGE OF CREMONA IN THE PROVINCE OF ALBERTA TO PROVIDE GUIDELINES TO REGULATE THE PROCEEDINGS AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS**

**WHEREAS**, pursuant to the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended or replaced from time to time, the Council of the Village of Cremona may pass a bylaw respecting the procedures to be followed by Council;

**AND WHEREAS**, Council of the Village of Cremona deems it necessary to pass a bylaw establishing a procedure bylaw;

**NOW THEREFORE COUNCIL OF THE VILLAGE OF CREMONA, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:**

1.0 This bylaw shall be known as and may be cited as the "Procedural Bylaw".

**2.0 DEFINITIONS**

In this bylaw, unless the context otherwise requires:

- 2.1 '**ACT**' means the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, and can be referred to as the *MGA*.
- 2.2 '**AGENDA**' means the list and order of business items for any meeting of Council, or Committees.
- 2.3 '**BYLAW**' means a bylaw of the Village.
- 2.4 '**CAO**' means the Chief Administrative Officer within the meaning of the *Municipal Government Act*.
- 2.5 '**CHAIRPERSON**' means the Member of a Committee elected by the Members, or appointed by Council, to preside at all meetings of the Committee.
- 2.6 '**CLOSED MEETING OF COUNCIL**' means a part of the meeting closed to the public at which no resolution or bylaw may be passed, except a resolution to revert to a meeting held in public.
- 2.7 '**COUNCIL**' means the Mayor and Councillors of the Village of Cremona.
- 2.8 '**COUNCIL COMMITTEE**' means a committee, board or other body established by council under the *Municipal Government Act*; but does not include an Assessment Review Board established under Section 454 or a Subdivision and Development Appeal Board established under Section 627.
- 2.9 '**COUNCIL MEETING**' means (a) where used in reference to a council, means a meeting under Section 193, or 194 of the *Municipal Government Act*, or (b) where used in reference to a council committee, means a meeting under Section 195 of the *Municipal Government Act*.
- 2.10 '**DELEGATION**' means a person or group of persons wishing to appear before the Council to address a specific matter.
- 2.11 '**DEPUTY MAYOR**' means the Member of Council appointed pursuant to this bylaw to act as Mayor in the absence or incapacity of the Mayor.

- 2.12 **'ELECTRONIC OR OTHER COMMUNICATION FACILITIES'** 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 of technology advances.
- 2.13 **'EX-OFFICIO'** means membership by virtue of one's office.
- 2.14 **'MAYOR'** means the Member of Council duly elected Chief Elected Official and continuing to hold office and is the presiding officer at all meetings of Council.
- 2.15 **'MEMBER'** means a Member of Council duly elected and continuing to hold office.
- 2.16 **'NOTICE OF MOTION'** means by which a Member of Council brings a matter forward for reconsideration or to alter or rescind a motion already passed at a previous meeting.
- 2.17 **'POINT OF INFORMATION'** means a request or statement directed to the Presiding Officer, or through the Chairperson to another Member or to Administration, for or about information relevant to the business at hand, but not related to a Point of Order or Point of Privilege.
- 2.18 **'POINT OF ORDER'** means the raising of a question by a Member 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.
- 2.19 **'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.
- 2.20 **'PUBLIC HEARING'** means a meeting of Council convened to hear matters pursuant to the Act.
- 2.21 **'QUORUM'** means a majority of Members of Council as prescribed in the Act.
- 2.22 **'SPECIAL COUNCIL MEETING'** means a meeting called by the Mayor or a majority of Council pursuant to the Act.
- 2.23 **'VILLAGE'** means the Corporation or the Village of Cremona.

### 3.0 **APPLICATION**

- 3.1 This bylaw applies to all meetings of Council.
- 3.2 The precedence of the rules governing the procedure of Council is:
  - (a) the *Municipal Government Act*,
  - (b) other provincial legislation,
  - (c) this Bylaw,
  - (d) Bourinot's Rules of Order.
- 3.3 The Deputy Mayor shall chair council meeting when the Mayor is absent or is unable to act as Mayor and shall have all of the responsibilities of the Mayor under this Bylaw.

- 3.5 Direction to administration by Council shall be by Council as a whole directing the CAO only.
- 3.6 A resignation of a Councillor must be in writing and given to the CAO; the CAO shall report the resignation at the first Council meeting after receiving the resignation.

4.0 **DEPUTY MAYOR**

- 4.1 Council shall appoint a Deputy Mayor at the annual organizational meeting.

5.0 **ORGANIZATIONAL MEETING**

- 5.1 Council shall hold an Organizational Meeting annually, not later than two weeks after the third Monday in October.
- 5.2 The Mayor and each Councillor shall take the prescribed Oath of Office as the first order of business at the first Organizational Meeting following the date of the general election.
- 5.3 Until the Mayor has taken the Oath of Office, the CAO shall chair the Organizational Meeting.
- 5.4 The CAO shall set the time and place for the Organizational Meeting. The business of the meeting being limited to:
- (a) Oath of Office,
  - (b) Assignment of Seating,
  - (c) Deputy Mayor Appointment,
  - (d) Signing Authority,
  - (e) Schedule of Meetings, and
  - (f) Council Committee Appointments
- 5.5 Appointments of Council Members to Committees shall be for a term of one (1) year. Councillors may be appointed to the same committee at the annual organizational meeting.

6.0 **REGULAR MEETINGS OF COUNCIL**

- 6.1 Regular Meetings of Council shall be held in the Village of Cremona Council Chambers at 106 First Avenue East unless notice is given in accordance with the *Act* that the Regular Meeting will be held elsewhere in the community.
- 6.2 Regular Meetings of Council shall be held every third Tuesday. When the meeting day falls on a Statutory Holiday, the meeting shall be held on the following day which is not a statutory holiday, unless otherwise set by resolution of Council.

 Mayor

- 6.3 Regular Meetings of Council shall commence at 7:00 pm.
- 6.4 If a quorum is not present within thirty (30) minutes after the time fixed for regular or special meetings, the Chief Administrative Officer shall record the names of the members present, and the Council shall stand adjourned until the next regular or special meeting.
- 6.5 A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of the pecuniary interest, abstain from discussing the matter or voting on the matter, and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.
- 6.6 Confidential or items discussed in-camera are not to be disclosed or discussed in the public until the information is discussed in a public meeting.

7.0 **SPECIAL COUNCIL MEETINGS**

- 7.1 Special Council Meetings may be called by the Mayor or a majority of Council, and notice of such Special Meetings shall be given in accordance with the provisions of the *Act*.
- 7.2 The Chief Elected Official:
  - (a) may call a special council meeting whenever the official considers it appropriate to do so, and;
  - (b) must call a special council meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the councillors.

A special council meeting called under subsection 194(1)(b) of the *MGA* must be held within 14 days after the date that the chief elected official receives the request.

The chief elected official may call a special council meeting by giving at least 24 hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held.

A special council meeting may be held with less than 24 hours' notice to all councillors and without notice to the public if at least 2/3 of the whole council agrees to this in writing before the beginning of the meeting.

No matter other than that stated in the notice calling the special council meeting may be transacted at the meeting unless the whole council is present at the meeting, and the council agrees to deal with the matter in question.

8.0 **PUBLIC HEARINGS**

All Public Hearings shall be convened as follows:

- 8.1 "Adjourn" used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting.
- 8.2 "Close" used in relation to a Public Hearing, means to terminate the Public Hearing.
- 8.3 At the commencement of a Public Hearing, the Chairperson shall:
  - 8.3.1 state the matter to be considered at the hearing;
  - 8.3.2 inform those present of the procedure, which shall be followed in hearing the respective submissions;
  - 8.3.3 ask the Chief Administrative Officer if the Public Hearing has been advertised in accordance with the *Act*;

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- 8.3.4 request that administrative staff present a report on the issue at hand;
  - 8.3.5 request that the Development Authority provide their position on the proposed bylaw; and
  - 8.3.6 allow the applicant, and/or their representative(s), up to twenty (20) minutes to present their position, exclusive of the time required to answer questions put to the applicant by a Council member, unless granted a time extension by Council.
- 8.4 Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak in the following order:
- 8.4.1 the Chairperson will call on each person who is in favour of the proposal before Council and has filed a submission in writing;
  - 8.4.2 the Chairperson will call on each person who is in favour of the proposal but has failed to make a written submission, and has indicated to the CAO prior to commencement of the hearing that he or she wishes to make an oral presentation;
  - 8.4.3 the Chairperson will call on each person who is opposed to the proposal before Council and has filed a submission in writing;
  - 8.4.4 the Chairperson will call on each person who is opposed to the proposal and has failed to make a written submission, and has indicated to the CAO prior to the commencement of the hearing that he or she wishes to make an oral presentation.
- 8.5 If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on his or her behalf. The authorization must:
- 8.5.1 be in legible writing;
  - 8.5.2 name the individual authorized to speak;
  - 8.5.3 indicate the proposed bylaw to be spoken to; and
  - 8.5.4 be signed by the person giving the authorization.
- 8.6 The authorized speaker must state the name of the person that the speaker represents and provide written authorization to the Chief Administrative Officer.
- 8.7 No person representing an individual shall address Council for more than five (5) minutes, exclusive of the time required to answer questions put to him/her by a Council Member, unless granted a time extension by the majority of Council.
- 8.8 No person representing a group shall address Council for more than five (5) minutes, exclusive of the time required to answer questions put to him or her by a Council Member, unless granted a time extension by the majority of Council.
- 8.9 The Chairperson will allow staff to make closing comments.
- 8.10 If there is more than one Public Hearing on the Agenda, the Chairperson shall adjourn or close one Public Hearing before opening another Public Hearing.

- 8.11 A Public Hearing may be adjourned if Council requires further information in order to make an informed decision on the bylaw. If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter unless it re-opens the Public Hearing.
- 8.12 If a Public Hearing is closed, Council shall not receive any additional submissions from the public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.

9.0 **CLOSED MEETING OF COUNCIL (In Camera)**

- 9.1 The Act permits Council or Committee to close all or part of the meeting to the public if a matter to be discussed is, of a class prescribed or otherwise described in the regulations.
- 9.2 When a "Closed Meeting" is held, no Motion or Bylaw may be passed except a Motion to revert to a meeting held in public.
- 9.3 For the purposes of the Act, a meeting or part of a meeting is considered to be closed to the public if:
  - 8.3.1 any members of the public are not permitted to attend the entire meeting or part of the meeting,
  - 8.3.2 the council, committee or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct, or
  - 8.3.3 the council, committee or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.
- 9.4 Before closing all or any part of a meeting to the public, a council or council committee must by Motion approve:
  - 8.4.1 the part of the meeting that is to be closed, and
  - 8.4.2 the basis on which, under an exception to disclosure in Division 2 or Part 1 of the *Freedom of Information and Protection of Privacy Act* or under the regulations, the part of the meeting is to be closed.
- 9.5 After the closed meeting discussions are completed, any members of the public, who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.
- 9.6 A Subdivision Authority, Development Authority or Subdivision and Development Appeal Board established under Part 17 of the Act may deliberate and make its decision in a meeting closed to the public.
- 8.7 Where a council or council committee closes all or part of a meeting to the public, the council or council committee may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend.
- 9.8 Members participating in the meeting through Electronic or other Communication Facility are not permitted to participate in Closed Meetings of Council.

## 10.0 **AGENDA**

- 10.1 The Agenda shall list the items and order of business for the meeting,
- 10.2 The CAO shall prepare the Agenda and shall ensure copies of the Agenda are available no later than 4:30 p.m. on the Thursday prior to the Tuesday Council meeting, however, normal practice shall be to ensure copies are available on the Thursday prior to the Tuesday Council meeting.
- 10.3 Copies of the Agenda shall be provided to the following:
  - (a) members of Council,
  - (b) representatives of the local news media,
  - (c) all staff who are entitled to receive copies, and
  - (d) published on the Village website.
- 10.4 All submissions for the Agenda of all Regular Meetings of Council shall be received by the CAO no later than noon on the Thursday prior to the Tuesday on which the meeting is to be held.
- 10.5 Council Members shall present matters for consideration on the Agenda by submitting a Written notice to the CAO no later than noon on the Thursday prior to the Tuesday on which the meeting is to be held. The written notice shall describe the matter to be brought forward and include the proposed motion.
- 10.6 Council Members wishing to make an "Inquiry for Answer" at a Regular Meeting shall submit a written notice to the CAO no later than noon on the Thursday prior to the Tuesday on which the meeting is to be held.
- 10.7 The subject matter of **an inquiry is not debatable until the reply to the inquiry has been made or presented to Council.**
- 10.8 No item shall be added to the agenda at the Regular Meeting unless it is of an urgent nature, and the item shall be:
  - (a) accompanied by a brief explanation from the staff member or Member of Council indicating the reasons for, and the degree of urgency of the item in accordance with section 25;
  - (b) provided to the CAO prior to the commencement of the meeting; and
  - (c) approved by a majority vote of Council.

## 11.0 **COMMUNICATIONS**

- 11.1 A person wishing to have any matter considered by Council, a letter or other communication shall be addressed to the CAO, and/or Mayor and Council, and the letter or communication shall:
  - (a) be printed, typewritten or legibly written,
  - (b) clearly set out the matter at issue and the request made of Council,
  - (c) be signed by the writer, and include the printed name and address of the writer,



- (d) be submitted to the CAO no later than noon on the Thursday prior to the Tuesday on which the meeting is to be held. The CAO will have the discretion to bring forward items submitted late that may be of an emergent nature.
- 11.2 On receipt of a communication for Council the CAO, may:
- (a) include it as an item on the Agenda for the next Regular Meeting of Council, in full or in summary form, as deemed appropriate, or
  - (b) refer the matter to a staff member for response prior to providing the communication or letter to Council, or
  - (c) place a copy of the communication in each members' mailbox.

## 12.0 **DELEGATIONS**

- 12.1 A member wishing to appear before Council, individually or as a group, must make a written submission to the CAO and the Mayor to arrive no later than Noon (12:00 p.m.) on the Thursday immediately prior to the next Council meeting.
- 12.2 Delegations are scheduled at the discretion of the CAO and Mayor, subject to:
- (a) the volume of material on any given agenda;
  - (b) the number of requests for a specific meeting date and urgency of request; or
  - (c) subject matter.
- 12.3 The written submission will indicate the following information:
- (a) complete name of the presenter(s) and contact information (ie. mailing address, email, telephone/fax number) and organization they are representing (if applicable);
  - (b) nature and purpose of the delegation and the material to be covered/presented; and
  - (c) any PowerPoint presentation or other material to be used or presented at the meeting.
- 12.4 Presentations will be directed to the Chair and will be limited to fifteen (15) minutes. Council may extend the time limits as necessary.
- 12.5 Information presented by the delegation will be restricted to one topic per person noted in the written submission and recorded on the meeting agenda. The delegation will be limited to three (3) minutes.
- 12.6 Subsequent deputations from the same individual/group concerning a topic on which they have previously presented or spoken will not be permitted unless there is significant new information to be brought forward.
- 12.7 Delegations will not be heard regarding matters involving current or pending litigation, insurance claims, matters beyond the jurisdiction of Council, or Municipal Freedom of Information and Protection of Privacy issues.
- 12.8 Delegations will not be permitted to speak regarding topics that will be the subject of an upcoming public meeting pursuant to the *Municipal Government Act*, unless exceptional circumstances apply which have been reviewed and approved by Council. Persons wishing to speak about such matters are requested to present their concerns and opinions at the scheduled public meeting where their comments can be considered along with all other submissions.



13.0 **ORDER OF BUSINESS AT MEETINGS**

13.1 The normal order of business for the regular meeting of Council shall be as follows:

- (a) Call to Order,
- (b) Agenda - Amendments and Adoption,
- (d) Adoption of Previous Minutes,
- (e) Delegations
- (f) Public Hearing (If Required),
- (g) Bylaws, Policies
- (g) Old Business,
- (h) New Business,
- (i) Financial
- (j) Administration
- (I) Council Committee Reports
- (m) Correspondence
- (n) Closed Meeting (If Required),
- (o) Adjournment

13.2 When a change in the order of business is desired, Council may do so by resolution but shall not delete any portion of the business that has been set out in the Council Agenda without the approval of the majority of Council.

14.0 **QUORUM**

14.1 When a quorum is present at the time set for commencement of a Council meeting, the Presiding Officer shall call the meeting to order.

14.2 If there is a quorum present at the time set for commencement of a meeting, but the Mayor, and Deputy Mayor are absent, the CAO shall call the meeting to order and shall call for a Presiding Officer to be chosen by resolution.

14.3 If a quorum is not constituted within fifteen minutes from the time set for commencement of a Council meeting, the CAO shall record the names of all the Members present and adjourn the meeting.

14.4 If a Council meeting is adjourned for:

- (a) failure to constitute a quorum, or
- (b) due to loss of quorum as a result of a Member leaving the meeting; the Agenda delivered for that Council meeting shall be considered at the next Regular Meeting of Council unless a Special Meeting is conducted to complete such business.

14.5 Pursuant to the *Municipal Government Act*, Councillors are to attend and participate in Council meetings, Council Committee meetings, and any other workshop or meeting determined by Council.

14.6 If a Councillor is unable to attend a Council meeting, Council Committee meetings, and any other workshop or meeting determined by Council, notice of the absence shall be given to the CAO prior to **the** meeting commencing.

  
Mayor  
CAO

## 15.0 **ADJOURNMENT**

15.1 A Council meeting shall adjourn no later than 9:00 p.m., unless a two-thirds majority of Members present agree to an extension of the meeting beyond 9:00 p.m. by resolution.

15.2 A Member may move a motion to adjourn a Meeting at any time, except when:

- (a) another Member has the floor,
- (b) a call for a vote has been made,
- (c) the Members are voting, or
- (d) a previous motion to adjourn has been defeated and no other intervening proceedings have taken place.

15.3 A motion to adjourn shall be put without comment or debate.

## 16.0 **CANCELLATION OF MEETINGS**

16.1 Council meetings may be cancelled:

- (a) by a majority of Council at a previous meeting, or
- (b) with the written consent of a majority, provided twenty-four (24) hours' notice is provided to Council and the public; or
- (c) with the written notice or oral consent of two thirds 2/3 of Council if 24 hours' notice is not provided to the public.

16.2 Special Council meetings may be cancelled:

- (a) by the Mayor if twenty-four (24) hours written notice is provided to Council and the public
- (b) by the Mayor with the written notice or oral consent of two thirds 2/3 of Council if 24 hours' notice is not provided to the public

## 17.0 **MINUTES OF COUNCIL**

17.1 The chief administrative officer shall ensure that:

17.1.1 minutes of each council meeting:

- (a) are recorded in the English language without note or comment,
- (b) include the names of the Councillors present at the council meeting,
- (c) are given to council for adoption at a subsequent council meeting, and
- (d) are recorded in the manner and to the extent required under section 230(6) of the *Municipal Government Act* when a public hearing is held.

17.2 The Presiding Officer shall present the Minutes to Council with a request for a motion to confirm the Minutes.

17.3 Any Member may make a motion requesting that the Minutes be amended to correct any inaccuracy or omission.

17.4 Minor changes may be made to the Minutes to correct errors in grammar, spelling and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence. No change shall be allowed which would alter the actual decision made by Council.

- 17.5 No Member may introduce any extraneous evidence to support a challenge to the accuracy of the Minutes unless the evidence has been compiled or made under the direction or control of the CAO.
- 17.6 If a Member wishes to challenge the accuracy of the minutes of a previous meeting, the Member must make the challenge known to the CAO before Council has officially confirmed the Minutes.

#### **18.0 CONTROLS AND CONDUCT OF COUNCIL MEETINGS**

- 18.1 Council shall hold its meetings openly and no person shall be excluded, except as prescribed in the *Act*.
- 18.2 Except as specifically provided elsewhere in this Bylaw, every substantive motion shall be debatable by Council.
- 18.3 A motion may be withdrawn at any time before voting, subject to there being no objection from any members of Council.
- 18.4 When a motion has been made and is being considered, no Member may make any other motion except to:
- (a) amend the motion,
  - (b) refer the main motion to some other group for consideration,
  - (c) postpone the main motion to a specified meeting date, or
  - (d) recess the Meeting.
- 18.5 Except as specifically provided elsewhere in this Bylaw, after a motion has been made, a Member may with the consent of Council, change the wording of the motion or agree to a change proposed by another Member if the change does not alter the intention of the motion, and the motion is changed at the same meeting.
- 18.6 The following motions shall not be debatable by Council:
- (a) Adjournment
  - (b) Request for recess
  - (c) Point of Order
  - (d) Referral Motion
  - (e) Table the Matter to Another Meeting
- 18.7 Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately.
- 18.8 A motion shall be worded in a concise, unambiguous and complete form appropriate to its purpose.
- 18.9 Members of the public gallery during a Council meeting:
- (a) shall not address Council unless included on the agenda as a delegation, unless authorized by the Chair,
  - (b) shall maintain order and quiet, and
  - (c) shall not applaud or otherwise interrupt any speech or action of the Members, or any other person addressing Council.

- 18.10 The Presiding Officer may, in accordance with the *Act*, expel and exclude any person who creates a disturbance or acts improperly at which point the Council meeting shall be recessed. The meeting shall be reconvened at the discretion of the chair.
- 18.11 When a Member is addressing the Presiding Officer every other Member shall:
- (a) remain quiet and seated,
  - (b) not interrupt the speaker except on a Point of Order, and
  - (c) not carry on a private conversation.
- 18.12 When a Member is addressing Council the Member shall:
- (a) not speak disrespectfully of other Members,
  - (b) not shout, raise his/her voice or use offensive language, and
  - (c) not reflect on any vote of Council except when moving to rescind it and shall not reflect on the motives of the Members who voted on the motion, or the mover of the motion.
- 18.13 When a Member wishes to leave the Council Chambers while a Meeting of Council is in progress, they shall notify the Chair, and shall rise, and the time of leaving and returning shall be recorded in the minutes.
- 18.14 No member shall, subject to the *Act*, leave the Council Chamber after a question is put to a vote until the vote is taken.
- 18.15 When a Member wishes to challenge the ruling of the Presiding Officer, the motion, "That the decision of the Presiding Officer be overruled" shall be made, and the question shall be put immediately without debate.
- 18.16 The Presiding Officer shall accept the vote of the majority of the Members present, and the names of the Members voting shall be recorded in the Minutes.

#### **19.0 POINT OF INFORMATION, ORDER, AND PROCEDURE**

- 19.1 When any Point of Order, Point of Information or Point of Procedure arises, it shall be immediately taken into consideration by the Presiding Officer.
- 19.2 When a Point of Information is raised, the Presiding Officer shall answer the question or direct the question to the CAO or the Council.
- 19.3 When the Presiding Officer is called upon to decide a Point of Order or to answer a Point of Procedure, the point shall be stated without unnecessary comment, and the Presiding Officer shall state the rule or authority applicable in the case.
- 19.4 When the Presiding Officer is of the opinion that any motion is contrary to the rules of Council, they shall advise the Members immediately and quote the rule or authority applicable and no argument or comment shall be permitted.

#### **20.0 DEBATE ON MOTIONS**

- 20.1 Prior to requesting that a motion be made, the Presiding Officer shall have an opportunity to ask a question, or questions, to clarify any item being presented to Council.

- 20.2 The Presiding Officer shall ask the mover of the motion to speak first.
- 20.3 The Presiding Officer shall ask for those in favor of the motion to speak.
- 20.4 The Presiding Officer shall ask for those opposed to the motion to speak.
- 20.5 The Presiding Officer shall have opportunity to speak to the motion once all members have had opportunity to speak.
- 20.6 When the Presiding Officer has closed debate, the Presiding Officer shall declare the motion and ask for a vote.
- 207 When the motion has been declared, no Member shall debate further on the motion or speak, except to request that the motion be read aloud.

#### **21.0 POSTPONING AND REFERRING MOTIONS**

- 21.1 A motion to postpone any matter shall include in the motion:
  - (a) a specific time to which the matter is postponed, or
  - (b) provision that the matter is to be postponed indefinitely.
- 21.2 A motion to postpone a matter is amendable and debatable.
- 21.3 Any matter that has been postponed to a particular date, or indefinitely, shall not be considered by Council before the date set, except on a majority vote of the Members present.
- 21.4 When dealing with subject matters where a Committee has been appointed for that purpose, or the CAO would normally deal with such matters, Council may, without amendment or debate, refer the question to the appropriate body.
- 21.5 A Member who is moving a referral motion shall be required to include in the motion:
  - (a) the terms on which the motion is being referred,
  - (b) the time when the matter is to be returned, and
  - (c) whatever explanation is necessary as to the purpose of the motion.

#### **22.0 VOTING ON MOTIONS**

- 22.1 When this Bylaw requires that a motion be made, a Bylaw be passed, or any other action be taken by a vote of a simple majority of Council the requirements shall be interpreted as meaning such majority, fraction or total of the Members who are present, provided the *Act*, or some other relevant statute does not specify differently.
- 22.2 A motion shall be declared lost when it:
  - (a) does not receive the required number of votes; or
  - (b) receives an equal division of votes,
- 22.3 Each Member present shall vote on every motion as prescribed by the *Act*, unless the *Act* or other provincial or federal enactment requires or permits the Member to abstain, in which case the Member shall cite the legislative authority for abstaining, and the CAO shall record the abstention and reasons in the minutes.
- 22.4 The CAO shall record the names of those who vote against a motion in the Minutes.

- 22.5 A Member shall not vote on a matter if they are absent from the Council Chambers when the vote is called.
- 22.6 No Member shall change his or her vote on a motion without the unanimous consent of the other Members present.
- 22.7 When this Bylaw or any other Bylaws, regulations or other enactments require a majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required.
- 22.8 It is only necessary for each Member to vote separately on a recorded vote. In every other case, the decision of Council may be expressed by a show of hands.

### **23.0 NOTICE OF MOTION TO RECONSIDER, ALTER, OR RESCIND A MOTION**

- 23.1 A member wishing to reconsider, alter or rescind a motion already passed, or an action taken at a previous meeting that does not appear on the agenda, shall bring the matter forward by notice of motion. The Notice of Motion shall:
  - (a) be considered at the regular council meeting preceding **the meeting at which** the reconsideration of the matter is being requested;
  - (b) specify the meeting proposed to bring the matter for reconsideration;
  - (c) indicate, in the substantive portion of the motion, the action which is proposed to be taken on the matter.
- 23.3 Notwithstanding the other provisions of this section, no motion made, or action taken may be reconsidered unless:
  - (a) it is a motion made or an action taken at a meeting held six months or more before its reconsideration; or
  - (b) approval for reconsideration of a motion made or an action taken less than six (6) months earlier is given by two thirds (2/3) vote of Council prior to reconsideration;
- 23.4 A Member of the prevailing side may move to reconsider a matter considered at the same meeting if a majority of the Members vote for reconsideration.
- 23.5 Where Council has passed a motion which creates a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the original liability or obligation.
- 23.6 All votes on motions to reconsider or rescind shall be recorded.

### **24.0 BYLAWS**

- 24.1 When a Bylaw is presented to Council for enactment, the CAO shall publish the number and title of the Bylaw in the Agenda.
- 24.2 The CAO shall copy the Bylaw in full and forward it with the Agenda.
- 24.3 Every Bylaw shall have three distinct and separate readings. Only the title and identifying number must be read at each reading.

- 24.4 A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
- 24.5 Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- 24.6 A Bylaw shall be introduced for second reading by a motion that it be read a second time.
- 24.7 After a Member has made a motion for second reading of a Bylaw, Council may:
- (a) debate the substance of the Bylaw, and
  - (b) propose and consider amendments to the Bylaw.
- 24.8 A Bylaw shall not be given more than two readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for third reading.
- 24.9 When Council unanimously agrees that a Bylaw may be presented for third reading:
- (a) a motion for third reading of the Bylaw shall be made,
  - (b) Council shall vote on the motion without amendment or debate,
  - (c) the third reading requires no greater majority of affirmative votes than if it had received third reading at a subsequent Meeting.
- 24.10 A Bylaw shall be passed when a majority of the Members voting on third reading vote in favor, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.
- 24.11 In conformance with the *Act*:
- (a) if a Bylaw does not receive third reading within two years from the date of first reading, the previous readings are deemed to have been rescinded, and
  - (b) if a Bylaw is defeated on second or third reading the previous readings are deemed to have been rescinded.

## 25.0 **URGENT BUSINESS**

- 25.1 A motion to bring a matter before Council as urgent business is business which meets the following criteria:
- (a) the matter proposed for discussion must relate to a genuine emergency, and call for immediate and urgent consideration,
  - (b) the matter shall not involve discussion of an item that has been discussed previously in the same meeting, and
  - (c) the matter shall not be one which should be dealt with by giving written notice,

## 26.0 **RECESS**

- 26.1 Any Councillor may move that Council recess for a specific period.
- 26.2 A motion to recess must not be used to interrupt a speaker.
- 26.3 After the recess, business will be resumed at the point when it was interrupted.



**27.0 ATTENDANCE OF MEETINGS THROUGH ELECTRONIC OR OTHER COMMUNICATION FACILITIES**

- 27.1 Pursuant to the *Municipal Government Act* a meeting of Council or Committee may be conducted by means of electronic or other communication facilities if:
- (a) Notice is given to the public of the meeting, including the way in which it is to be conducted;
  - (b) The facilities enable the public to watch and/or listen to the meeting at the place specified in the notice and the CAO is in attendance at that place; and
  - (c) The facilities enable all the meeting's participants to watch and/or hear each other.

This Bylaw shall come into full force and effect upon approval by resolution of Council.

Bylaw No 490-18 and amendments thereto are hereby rescinded.

Read for a first time on this 4<sup>th</sup> day of July 2024 Procedural Bylaw No. 510-24; Motion No.: 24/163

Read for the second time on this 16<sup>th</sup> day July of 2024; Procedural Bylaw No. 510-24

Motion No. :24/178

Read for the third and final time on this 16<sup>th</sup> day of July 2024; Procedural Bylaw No. 510-24

Motion No. :24/179.

  
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Mayor

  
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Chief Administrative Officer