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**BYLAW 1301/13 CONSOLIDATED WITH BYLAW 1469/20, BYLAW 1497/20 AND BYLAW 1501/20  
A BYLAW OF STURGEON COUNTY TO REGULATE THE  
PROCEEDINGS OF COUNCIL AND ITS COMMITTEES**

**STURGEON COUNTY, MORINVILLE, ALBERTA**

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BEING A BYLAW OF STURGEON COUNTY IN THE PROVINCE OF ALBERTA TO REGULATE MEETING PROCEEDINGS.

**WHEREAS**, it is necessary to establish rules and provisions to regulate the conduct of business in Council and Council Committee Meetings;

**AND WHEREAS**, pursuant to Section 203 of the *Municipal Government Act*, Council may by bylaw delegate its powers, duties or functions to a Council Committee;

**NOW, THEREFORE**, THE COUNCIL OF STURGEON COUNTY ENACTS AS FOLLOWS:

**PART ONE**

**INTERPRETATION**

1. This Bylaw is called "The Procedure Bylaw" and governs all meeting of Council.

**DEFINITIONS**

2. In this Bylaw:
  - 2.1 "Act" means the Municipal Government Act;
  - 2.2 "Agenda" is the order of business for a Meeting and the associated reports, bylaws or other documents;
  - 2.3 "Bylaw" is a Bylaw of the County;
  - 2.4 "Chair" means a person who has authority to preside over a Meeting;
  - 2.5 "Committee of the Whole" means a committee comprised of all Members which conducts itself as a Committee of Council;
  - 2.6 <sup>1</sup>"Consent Agenda" means a single item on a Council Meeting Agenda in which the recommended action is to approve, without discussion, questions, or debate, Administration's recommendations in each of the reports referenced in the Consent Agenda report;
  - 2.7 "Council" is the Mayor and Councillors duly elected in the County and who continue to hold office;
  - 2.8 "Council Meeting" means an Organizational Meeting, Regular Meeting and Special Meeting of Council;
  - 2.9 "County" is Sturgeon County;
  - 2.10 "County Commissioner" is the person appointed by Council as the Chief Administrative Officer (CAO) pursuant to the Act;

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- 2.11 "Day Meeting" is a duly constituted Meeting of Council which is scheduled to commence before 4:00p.m;
- 2.12 "Deputy Mayor" is a Member, appointed by resolution, to act as Mayor in the absence of the Mayor;
- 2.13 "Electronic Recording" is a recording that contains machine generated and readable, as opposed to human-generated and readable, information. This includes audio and/or video recordings.
- 2.14 "Evening Meeting" is a duly constituted Meeting of Council which is scheduled to commence at 4:00 p.m. or later;
- 2.15 "General Election" means an election held for all the Members of Council to fill vacancies caused by the passage of time, in accordance with the Local Authorities Election Act;
- 2.16 "In Camera" means in the absence of the public when authorized by section 197 of the Act when the matter being discussed is within one of the exceptions to disclosure in Division 2 of Part 1 the FOIP Act;
- 2.17 "Mayor" is the Member duly elected in the County as the Chief Elected Official under the Municipal Government Act who continues to hold office;
- 2.18 "Meeting" means a Meeting of Council or Committee;
- 2.19 "Member" is a Member of Council duly elected who continues to hold office, pursuant to the provisions of the Local Authorities Election Act;
- 2.20 "Minutes" are the record of decisions of a Meeting recorded in the English language without note or comment;
- 2.21 "Municipal Secretary" shall mean the Legislative Officer of Sturgeon County and/or their designate;
- 2.22 "Notice of Motion" is the means by which a Member of Council brings business before Council;
- 2.23 "Organizational Meeting" is a Meeting of Council held in accordance with Section 192 of the Municipal Government Act, RSA 2000, Chapter M-26;
- 2.24 "Pecuniary Interest" means a pecuniary interest as defined by sections 169 and 170 of the Act;
- 2.25 "Point of Order" is a statement by a Member raising a departure from this Bylaw or other parliamentary procedure;
- 2.26 "Point of Privilege" refers to matters affecting the rights and privileges of Council collectively or of individual Members and includes, but is not limited to, the comfort of Members, the conduct of Members, the conduct of Administration or members of the public in attendance at the Meeting;
- 2.27 "Point of Procedure" is a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of the County bearing on the business at hand in order to assist a member to make an appropriate motion, or understand the parliamentary situation or the effect of a motion;

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- 2.28 "Public Hearing" is a pre-advertised Meeting of Council, that is separate from the Regular Meeting of Council convened to hear matters pursuant to:
- a. the Municipal Government Act or any other Act, or
  - b. any other matter at the direction of Council.
- 2.29 "Precedence", refers to a motion that can temporarily replace a motion on the floor and which can only be superseded by a motion of higher rank;
- 2.30 "Public Meeting" means a Meeting of Council or Committee of the Whole at which members of the public have a right to attend and may be invited to make submissions to Council consistent with sections 197 and 198 of the Act;
- 2.31 "Quorum" is a majority of those Members elected and serving on Council as defined in section 167 of the Act, except where special Committee policies have been passed;
- 2.32 "Recess" means to take a short break from the meeting with the intent of returning to the order of business or agenda item that directly preceded the break during the same meeting;
- 2.33 "Reconsider" means a motion to bring back for further consideration a motion that has already been put to a vote earlier in that same meeting;
- 2.34 "Refer" means to send a pending motion or agenda item to a Council Committee or the Administration for investigation and report; or to a future Council Agenda for decision;
- 2.35 "Regular Meeting" is a Meeting of Council held in accordance with Section 193 of the Municipal Government Act, RSA 2000, chapter M-26;
- 2.36 "Renew" means to bring forward to a later meeting a previously defeated motion;
- 2.37 "Rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- 2.38 "Special Meeting" is a Meeting of Council held in accordance with Section 194 of the Municipal Government Act, RSA 2000, chapter M-26; and
- 2.39 "Table" means to set a matter aside, deferring debate and delaying a decision on a motion, until a majority decides to address the item again by means of a motion to lift from the table.
3. This Bylaw shall govern all meetings of Council included but not limited to Organizational Meetings, Regular Meetings, Budget Meetings, Special Meetings, and Committee of the Whole.
  4. When a matter arises related to proceedings in a Meeting which is not covered by a provision of this Bylaw or the Municipal Government Act, the matter shall be decided by reference to Robert's Rules of Order.
  5. In the event of conflict between the provisions of this Bylaw and Robert's Rules of Order, the provisions of this Bylaw shall apply.
  6. In the absence of any statutory obligation, any provision of this Bylaw may be suspended by resolution of Council with 2/3 majority vote except the provisions regarding statutory hearings.

7. A resolution waiving any provision of this Bylaw as provided for in section 6 shall only be effective for the meeting during which it is passed.

## PART TWO

### GENERAL MEETING PROCEDURE

#### QUORUM:

8. As soon as there is a Quorum of Members after the hour fixed for the meeting, the Chair shall call the meeting to order. In the case where neither the Mayor or Deputy Mayor are in attendance within fifteen (15) minutes after the hour appointed for a Council Meeting, and a quorum is present, the County Commissioner shall call the meeting to order. A Chair shall be chosen by the Members present to preside during the meeting until the arrival of the Mayor or Deputy Mayor.
9. Unless a Quorum is present within thirty (30) minutes after the time appointed for the meeting, the meeting may, at the discretion of the Chair, 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 Municipal Secretary shall record the names of the Members present at the expiration of the thirty (30) minute time limit and such record shall be appended to the next Agenda. The only action that can legally be taken in the absence of Quorum is to fix the time to which to adjourn (if more than thirty (30) minutes is being allowed), recess or to take measures to obtain a Quorum.
10. 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 thirty (30) minutes, the meeting shall stand adjourned.

#### PUBLIC PRESENTATIONS:

11. Public presentations may be arranged for the purpose of providing for special recognition of persons, organizations and events or for award presentations.
12. Requests for Public Presentations from the public shall be made to the Municipal Secretary in writing at least twelve (12) business days prior to a Regular Meeting. Requests received less than twelve (12) business days before a regular meeting of Council shall be included on the Agenda for the next Regular Meeting immediately following.
13. The Municipal Secretary may:
  - 13.1.1. Refer the matter to a Committee;
  - 13.1.2. Recommend that Council hear from that person;
  - 13.1.3. Refer the matter to Administration for reply;
  - 13.1.4. And shall report to Mayor and Council on a regular basis which items have been referred.
14. Verbal presentations including question and answer shall be limited to twenty (20) minutes in length unless there is consent prior to establishment of the Agenda or by Council at the Regular Meeting to extend the time for a presentation.
15. Debate concerning matters raised during public presentations shall take place at the discretion of Council.
16. Information presented during a public presentation shall be provided in writing and relate only to the subject matter for which the presentation was originally requested.

17. Personal presentations to Council shall not be allowed with regard to an undisposed matter which has been the subject of a Public Hearing.

**DELEGATIONS:**

18. 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 communication to the Council outlining the subject to be discussed.
19. The letter shall be typewritten or legibly written, signed by the name of the writer, delivered or mailed (including electronic delivery) to the Municipal Secretary so that it arrives no later than twelve (12) business days prior to the meeting at which it is to be presented. If he or she wishes to appear before Council it shall be so stated in the letter.
20. When a person or a representative of any delegation or group of persons appears before Council, they shall be limited to twenty (20) minutes in length unless there is consent prior to establishment of the Agenda or by Council at the Regular Meeting to extend the time for a presentation.
21. When a communication contains a request for an appearance to address the Council, the Council by resolution may refer the request to a Committee or, if the Council deems the matter to be urgent, deal with it at once.
22. 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 may refer the matter to any appropriate Committee, appoint a special Committee to deal with the matter, or deal with the matter itself at the meeting, if proceeding is approved by a 2/3 majority vote of Council.

**EXTENSION OF TIME LIMITS:**

23. Extensions of time limits for any verbal presentations during Council Public Presentations and Delegations may be granted by consent of Council, based on any one or more of the following:
  - 23.1. The issue or Bylaw under discussion is deemed by Council to be contentious or complex and the allotted time is not sufficient, in the opinion of Council, to give the matter due consideration;
  - 23.2. The granting of an extension of time will not prejudice the rights of other presenters to their allotted presentation time as prescribed by this Bylaw.

**ROLE OF MAYOR:**

24. General duties of the Mayor/Chief Elected Official are defined in section 154 of the Act.
25. The Mayor shall preside over the conduct of the Meeting, including the preservation of good order and decorum, determine speaking order when two or more Members of Council wish to speak, and ruling on all questions relating to the orderly procedure of the meeting, subject to an appeal by any Member.
26. When participating in debate the Mayor shall have the same rights and be subject to the same restrictions as all other members. When wishing to make a motion the Chair shall vacate the chair, and request that the Deputy Mayor take the chair.

27. The Mayor is an ex officio member, by virtue of office, of all Council Committees. If the Mayor is present at a Committee Meeting by virtue of office the Mayor has all the rights and privileges of the other Committee Members including the right to make motions, but the Mayor shall not be counted to determine quorum.

**MEMBER DEBATING:**

28. <sup>2</sup>Members wishing to speak on a matter should indicate their intention by the raising of hands, or, by the use of an electronic voting technology or, verbally in the case of an electronic meeting, once recognized by the Chair. The Member should not speak more than once until every Member has had the opportunity to speak except:
- 28.1. in the explanation of a material part of the speech which may have been misunderstood; or
  - 28.2. in reply, to close debate, after everyone else wishing to speak has spoken.
29. Supplementary questions or a series of questions relating to the matter before the meeting may be raised by a Member.
30. Through the Chair, a Member may ask:
- 30.1. questions of another Member or County Commissioner on a Point of Information relevant to the business at hand;
  - 30.2. Requests for information that cannot be responded to at the meeting may require a vote of Council.

**CONDUCT OF MEMBERS:**

31. Members shall:
- 31.1. speak respectfully of the Sovereign, the Governor General, the Lieutenant Governor, or of Council or any other governing body in Canada;
  - 31.2. not use offensive words during Council or Committee meetings or against Council, any Member or any other person;
  - 31.3. not discuss a vote of Council after the vote has been taken, unless to move to reconsider, renew or rescind;
  - 31.4. abide by the rules of Council and its proceedings;
  - 31.5. obey the decision of the Chair or of the Council on any question of order, interpretation or practice;
  - 31.6. direct communication or inquiries through the Mayor or Deputy Mayor;
  - 31.7. not leave their seat or make any noise or disturbances while a vote is being taken and the result is declared;
  - 31.8. not interrupt a Member while speaking, except to raise a Point of Order or Question of Privilege.
32. The Chair may call to order any Member who is out of order.

33. A Member who is called to order must immediately stop talking, but must be given an opportunity to challenge the decision of the Chair before debate is closed. Council will decide the challenge without debate.
34. If a Member has been warned about breaches of order but continues to engage in them, the Chair may name the Member by stating his or her name and declaring the offence. The Municipal Secretary must note the offence in the minutes.
35. If a Member who has been named:
  - 35.1. apologizes and withdraws any objectionable statement then he or she may remain and continue to participate in the meeting and the Chair shall direct that the notation of the offence be removed from the minutes, or
  - 35.2. fails or refuses to apologize, then he or she must immediately leave the meeting room and if he or she does not leave voluntarily, Council must vote on a motion to expel without debate.
36. If a Member who has been expelled refuses to leave the meeting room, the Chair may request the Royal Canadian Mounted Police to remove the expelled Member.
37. The Chair may order any member of the public who disturbs the proceedings of Council by words or actions to be expelled. If the person refuses to leave voluntarily, the Chair may request the Royal Canadian Mounted Police to remove the person.
38. All members of Council, regardless of how they voted on an issue, should accept and support it as a Council decision and simply explain why Council made the decision that it did.

**VOTING – PECUNIARY INTEREST (CONFLICT):**

39. Members who have a reasonable belief that they have a pecuniary interest (as defined in the 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 and voting on any question relating to the matter. Members of Council or Committee shall remove themselves from the meeting room, except as described in section 172 of the Act, until the matter is concluded. The minutes shall indicate the declaration of disclosure, the general nature of the pecuniary interest, the time at which the Member left the room and the time the Member returned.

**REQUIREMENT TO VOTE:**

40. Every Member present, including the Mayor, shall vote on every matter consistent with section 183 of the Act, unless:
  - 40.1. the Member is required to abstain from voting under this or any other bylaw or enactment; or
  - 40.2. the Member is permitted to abstain from voting under this or any other bylaw or enactment.

**<sup>3</sup>ELECTRONIC VOTING:**

41. Electronic voting technology displaying the result of the vote on motions shall be used during Council meetings. When the electronic voting technology is in operation:
- 1.1. All members shall vote using the electronic voting technology, unless excused from voting; and
  - 1.2. All vote results shall be recorded and publicly displayed.
- 41.1. When electronic voting technology is unavailable, Council shall vote on motions by raising their hands upon the call of the Chair for all those in favor or opposed.
- 41.2. The Chair shall announce the result of all the votes at a meeting by stating whether the motion was carried or defeated.

**TIE VOTE:**

42. If there are an equal number of votes for and against a resolution or Bylaw, the resolution or Bylaw is defeated in accordance with section 186 of the Act.

**ADJOURNMENT TIME:**

43. Adjournment time is at the conclusion of the Agenda as adopted by Council or when a Motion to Adjourn has been passed.

**<sup>4</sup>ELECTRONIC PARTICIPATION IN MEETINGS:**

44. A Meeting may be conducted by means of electronic or other communication facilities in accordance with the Act.
45. Repealed by Bylaw 1497/20
46. Repealed by Bylaw 1497/20.
47. Repealed by Bylaw 1497/20.
48. Repealed by Bylaw 1497/20.

**PART THREE****MEETINGS OF COUNCIL & COMMITTEE****REGULAR MEETING:**

49. All Regular Meetings of Council shall be held in the Council Chamber in the County Centre. The location cannot be outside of the County boundaries and must have public access.
50. Notwithstanding Section 49 the Mayor may direct that a Special Meeting of Council or Public Hearings may be held outside the County Centre.

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<sup>3</sup>1396/17

<sup>4</sup>1497/20

51. The dates, times and place of Regular Meetings of Council shall be established by resolution at the annual Organizational Meeting or at a Regular Meeting of Council following the Organizational Meeting, as may be appropriate and in accordance with the Municipal Government Act.
52. Regular meetings of Council will begin at 9:00 a.m. on the dates established under section 51.
53. If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least twenty four (24) hours' notice of the change, to any Member not present at the meeting at which the change was made, and to the public in accordance with section 193 of the Act.

#### **SPECIAL MEETINGS:**

54. A Special Meeting shall be scheduled by the Municipal Secretary when required to do so by the Mayor or a majority of the Members in accordance with section 194 of the Act.
55. Where a Special Meeting is required by a majority of Council the Mayor shall call such meeting within fourteen (14) days of the date on which the request was made.
56. Members and the public shall be provided no less than twenty four (24) hours' notice of a Special Meeting stating the time, date and place at which it is to be held and stating in general terms the nature of the business to be transacted at the meeting.
57. A Special Meeting may be held with less than twenty four (24) hours' notice to all Members and without notice to the public if at least 2/3 of the whole Council agrees in writing prior to the beginning of the meeting.
58. No business other than that stated in the notice shall be conducted at any Special Meeting of Council unless all the members of Council are present, in which case, by Unanimous Consent, any other business may be transacted.

#### **ORGANIZATIONAL MEETING:**

59. An Organizational Meeting of Council shall be held annually not later than 2 weeks after the third Monday in October as required by section 192 the Act.
60. At the Organizational Meeting, Council shall establish, by resolution, for the forthcoming year:
  - 60.1. the establishment of the Regular Meeting dates for Council and its Ad-Hoc and Standing Committees;
  - 60.2. the establishment of membership on Committees, Boards, Commissions, etc.;
  - 60.3. any such other related business as is required by the Act.
61. Should the meeting follow the General Municipal Election:
  - 61.1. Each Member shall take the prescribed Oath of Office as the first order of business;
  - 61.2. Until the Mayor has taken the Oath of Office, the County Commissioner shall chair the meeting;
  - 61.3. Council shall establish by resolution the roster for Deputy Mayor on a rotating basis;
  - 61.4. Council shall confirm the seating of Members. The Mayor shall occupy the seat at the center of the Council table.

**5PUBLIC HEARINGS:**

62. Public Hearings will be held when required in accordance with section 230 of the Act during a regular meeting of Council, or whenever beneficial during Evening Meetings of Council to accommodate members of the public.
63. Wherever possible, persons interested in speaking at a Public Hearing should register with the Municipal Secretary and forward a written submission prior to the Public Hearing.
  - 63.1 When a Public Hearing is held entirely through electronic communications, persons interested in speaking at the Public Hearing must register with the Municipal Secretary at least 24 hours prior to the commencement of the Public Hearing so that the Municipal Secretary can provide instructions to the person on how to connect to the Public Hearing by videoconference or teleconference.
64. The Chair shall declare the Public Hearing in session and shall outline Public Hearing Procedures.
65. The Department representative shall introduce the resolution or bylaw and shall briefly state the intended purpose followed by the applicant who may have up to 15 minutes to provide comments on the application.
66. The Chair shall then open the floor to public presentations.
67. The Chair shall call upon those persons who have registered with the Municipal Secretary 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.
  - 67.1 When a Public Hearing is held entirely through electronic communications, persons who have not registered with the Municipal Secretary at least 24 hours prior to the commencement of the Public Hearing are not entitled to speak at the Public Hearing.
68. Only those written submissions collected by the Municipal Secretary prior to the close of the public hearing will be retained and form part of the official record.
69. Verbal presentations shall be limited to five (5) minutes per presentation unless Council consents to extend the allotted time.
70. Council shall limit questions of clarification to a total of five (5) minutes per presentation, unless Council consents to extend the allotted time.
71. Following public presentations, the Chair may choose to close the Public Hearing.
72. If a public hearing is recessed, Council shall not receive any additional submissions in relation to the subject matter until it reconvenes the public hearing.
73. Once the public hearing is closed, Council or administration shall not receive any additional information on the proposed bylaw or resolution without reopening the public hearing.

74. Debate concerning matters raised at the Public Hearing shall take place during a Regular Council meeting following the Public Hearing and at the discretion of the Mayor and Council.
75. Repealed by Bylaw 1501/20.
76. When a Public Hearing on a proposed Bylaw or Resolution is held, a Member must abstain from voting on the Bylaw or Resolution if the Member was absent from all of the Public Hearing, and may abstain from voting on the Bylaw or resolution if the Member was only absent from a part of the Public Hearing.

#### **COMMITTEE OF THE WHOLE:**

77. There shall be a Committee of the Whole comprised of all members of Council.
78. Committee may:
  - 78.1 Receive delegations and submissions;
  - 78.2 Meet with other municipalities and other levels of government.
79. Quorum of Committee of the Whole is the majority of Council.
80. Committee of the Whole may move to go In Camera.

#### **PART FOUR**

#### **RECORDS OF COUNCIL**

#### **AGENDA:**

81. The Agenda listing the order of business shall be prepared by the Municipal Secretary and shall be reviewed with the County Commissioner or his designate prior to circulation.
- 82.1 Items initiated by Members shall be submitted to the Office of the County Commissioner or his designate in writing at least seven (7) business days prior to a regularly scheduled Council Meeting.
- 82.2 A Member must provide background information and identify what decision is requested of Council in the form of a proposed motion. Such items must be urgent in nature such that they must be addressed by Council earlier than the notice of motion timelines in section 134 of this Bylaw would permit.
- 82.3 The Mayor shall decide whether an item is urgent and the Municipal Secretary shall advise the Member whether or not the item will be added to the Agenda in accordance with this section.
83. The Agenda preparation, reviews, circulation and distribution and Meeting follow-up shall be coordinated by the Municipal Secretary in accordance with the guidelines established for submission and circulation.

84. The order of business at a meeting is the order of items on the agenda except:
- 84.1 When a previous meeting was adjourned prior to completing the agenda, any items from the adjourned meeting at the point of interruption must be dealt with before any items on the current agenda as unfinished business.
- 85.1 An item may be added to the Agenda at the request of a Member if the matter is urgent in nature and must be addressed by Council earlier than the timelines prescribed in sections 82 or 134 of this Bylaw.
- 85.2 A Member must provide background information and identify what decision is requested of Council in the form of a proposed motion prior to Council considering adding the item to the Agenda.

#### **IN-CAMERA SESSIONS:**

86. Council and Council Committees may close all or part of the Meetings to the public if a matter to be discussed meets one of the requirements Section 18 of the Freedom of Information and Protection of Privacy Regulation.
87. When a Meeting is closed to the public, the Meeting may include any person or persons invited to attend by Council.
88. When a Meeting is closed to the public, no resolution or bylaw may be passed at the Meeting, except a resolution to revert to a Meeting held in public.
89. In accordance with section 153 of the Act, all Members are required to keep in confidence matters discussed In Camera until the item is discussed at a Meeting held in public.

#### **MINUTES OF COUNCIL MEETINGS:**

90. The preparation and distribution of minutes of Council Meetings shall be the responsibility of the Municipal Secretary.
91. Original, signed minutes and agenda packages of Council and Committees of Council are retained permanently.
92. Minutes will be prepared in accordance with section 208 of the Act;
- 92.1 Minutes of Council Meetings will be recorded without note or comment;
- 92.2 All votes shall be recorded consistent with section 185 of the Act.
93. Minutes will be prepared and circulated as part of the agenda package prior to approval.

#### **ELECTRONIC RECORDING OF MEETINGS:**

94. The Municipal Secretary shall keep an electronic record of all public Council Meetings, except during breaks and those portions of meetings held In Camera.
95. The County Commissioner or designate will supervise access to electronic recordings. No one will be entitled to make changes to the records.
96. An electronic recording may be made available to the public by posting it to the County's web site following each meeting of Council.
97. Electronic recordings will only be transcribed by Resolution of Council if they are required in connection with any audit or investigation in connection with litigation.

98. One electronic recording for each meeting will be retained and backed up for three (3) years.
99. The Municipal Secretary will obtain an electronic record of Meetings of Council, held outside the Council Centre.
100. A Member may make a motion requesting that the Minutes be amended to correct an inaccuracy or omission, however, the Municipal Secretary shall be advised of the challenge to the Minutes before the Meeting at which they are officially confirmed, to allow the Municipal Secretary to review the electronic recording.
101. Use of any electronic recording devices, including but not limited to digital cameras, stand-alone video cameras, Internet accessible webcams, video recorders, audio recorders, and software designed to monitor activities in Council the press or public may be prohibited at the discretion of the Chair.
102. Use of any electronic devices including cell phones may be prohibited unless specifically agreed to by Council at the Meeting.

## **PART FIVE**

### **MOTIONS IN MEETINGS**

#### **GENERAL PROVISIONS ON MOTIONS:**

103. A motion must appear on the agenda (or be introduced by Council as per section 22 of this Bylaw) before it can be presented by Administration. A recommendation in a report does not constitute a motion until a Member has expressly moved it.
104. Any Member may require the motion under discussion or debate to be read at any time during the debate, except when a Member is speaking.
105. The mover of a motion must be present when the vote on the motion is taken.
106. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
107. A Member may request that a motion be divided if it contains parts which stand as complete propositions. Council must then motion and vote separately on each proposition.
108. All motions must be stated by the Chair before a vote is taken and recorded in the minutes.
109. When a matter is under debate, no motion shall be received other than the following Privileged Motions:
  - a. Withdraw;
  - b. Point of Privilege;
  - c. Table;
  - d. Call the Question (that the vote must now be taken);
  - e. Postpone;
  - f. Refer;
  - g. Amend;
  - h. Recess;
  - i. Adjourn;

**MOTIONS TO END DEBATE:**

110. A Motion to Lay on the Table enables Council to lay the pending Question aside temporarily when something else of immediate urgency has arisen. The motion is not debatable or amendable and, when passed, the Question may only be resurrected by a Motion to Take from the Table.
111. 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 persons so that the question may be carefully investigated and clarified for Council to consider.
112. 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 or Date is generally used if Council would prefer to consider the main motion later in the same meeting or at another meeting.
113. A Motion to Postpone Indefinitely must include a reason for postponement and is debatable. Debate can go into the main question. A Motion to Postpone Indefinitely is generally used as a method to dispose of a question without bringing it to a direct vote.

**POINT OF PRIVILEGE:**

114. A Member may raise a Point of Privilege to address a matter at any time.
115. A Point of Privilege shall take precedence over other matters and while the Chair is ruling on the Point of Privilege, no one shall be considered to be in possession of the floor.
116. Where the Chair has ruled that a matter is a Point of Privilege, the motion is not debatable or amendable.

**POINTS OF ORDER:**

117. A Member who desires to call attention to a violation of the rules of procedure shall raise a Point of Order. The Member shall state the Point of Order with a concise explanation and shall attend the decision of the Chair upon the Point of Order. The speaker in possession of the floor when the Point of Order was raised shall have the right to the floor when debate resumes.
118. A Member called to order by the Chair shall immediately vacate the floor until the Point of Order is dealt with, and shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.

**APPEAL RULING:**

119. The decision of the Chair on a Point of Order or a Point of Privilege shall be subject to an immediate appeal by a Member at the meeting.
120. If the decision is appealed, the Chair shall give concise reasons for his ruling and the Members, without debate, shall decide the question. The ruling of the Members shall be final.

**MOTION TO AMEND:**

121. Only one amendment 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 substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendment.
122. 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.
123. The main motion shall not be debated until all amendments to it have been put to a vote.

**WITHDRAWAL OF A MOTION:**

124. A motion which has been stated by the Chair, may be withdrawn by the Unanimous Consent of all the members present without the requirement of a vote.
125. Once a motion is withdrawn, the effect is the same as if it had never been made.
126. However, if any objection is made, it is necessary to obtain leave by Motion to Withdraw and this motion cannot be debated or amended.

**MOTION TO RECONSIDER:**

127. After a motion has been voted upon, and before moving to the next item on the Agenda or at any time before the Chair declares the meeting adjourned, any Member who voted with the prevailing side may make a Motion to Reconsider and shall state the reason for making a Motion to Reconsider.
128. Debate on a Motion to Reconsider must be confined to reasons for or against reconsideration.
129. If a Motion to Reconsider is carried the Question on which the vote is to be reconsidered becomes the next order of business in the exact position it occupied the moment before it was voted on originally.
130. Reconsideration of the Question shall be open to debate, voted upon, and shall require the votes of a majority of Members present to carry it, unless otherwise required by this Bylaw.

**MOTION TO RESCIND:**

131. A Motion to Rescind a previous motion may be accepted by the Chair; and, if passed by a majority vote of the Members present, the previous motion referred to would be declared null and void.
132. If a Motion to Rescind relates to an action taken at a previous meeting, and the matter does not appear on the Agenda, a Notice of Motion shall precede the Motion to Rescind.
133. A Motion to Rescind will not undo actions which have already been taken as a result of the motion previously passed.

**NOTICE OF MOTION:**

134. Notice of Motion must be used to introduce a new matter for consideration by Council that does not appear on the Agenda.

135. Notice is given at a meeting of Council held at least twelve (12) days before the meeting at which the motion is to be debated; or Council passes a resolution by 2/3 majority vote dispensing with notice.
136. 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.
137. A Notice of Motion must be given without discussion of the matter but any written copies distributed may include explanatory paragraphs.
138. When notice has been given, the Municipal Secretary will include the proposed motion in the agenda of the meeting for the date indicated in the notice.
139. 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.

#### **VOTING - QUESTION:**

140. When a Motion to Call the Question is presented, it shall be put to a vote without debate and, if carried by a majority vote of the Members present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.
141. When the Chair, having ascertained that no further information is required, commences to take a vote, no Member shall speak to or present another motion until the vote has been taken on such motion or amendment.
142. A Member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.

#### **ADJOURNMENT:**

143. A Motion to Adjourn is a motion to bring the meeting to an end.
144. A Motion to Adjourn the meeting shall be in order except:
  - 144.1 when a Member is in possession of the floor; or
  - 144.2 when it has been decided that the vote now be taken; or
  - 144.3 during the taking of a vote;
  - 144.4 when a previous motion to adjourn has been defeated.
145. A motion shall be put without comment, debate or amendment.

### **PART SIX SPECIAL PROCEDURES**

#### **BYLAWS:**

146. Where a Bylaw is presented to a meeting for enactment, the Municipal Secretary shall cause the number, short title and brief description of the Bylaw to appear on the Agenda.

- 147.** The following shall apply to the passage of all Bylaws:
- 147.1 a bylaw shall be introduced for First Reading by a Motion that it be read a first time specifying the number of the Bylaw;
  - 147.2 after a Motion for First Reading of the Bylaw has been presented, Members may debate the substance of the Bylaw and propose and consider amendments to the Bylaw;
  - 147.3 any proposed amendments shall be put to a vote, and if carried prior to Third Reading, shall be considered to have been given First and Second Reading and will be incorporated into the proposed Bylaw;
  - 147.4 The Chair must put the question that “Bylaw Number (specify the bylaw number), as amended, be given third reading”;
  - 147.5 when a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established before First or Second Reading;
  - 147.6 all aspects of the passage of a Bylaw at First Reading shall apply to Second and Third Readings of any Bylaw.
- 148.** A Bylaw shall not be given more than two readings at one meeting unless the Members 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.
- 149.** A Bylaw shall be passed when a majority of the Members present vote in favor of Third Reading, provided that any applicable Provincial Statute does not require a greater majority.
- 150.** When a Bylaw has been given three readings and is signed in accordance with the Act, it is considered an enactment of the County and is effective immediately, unless the Bylaw or an applicable provincial statute provides otherwise.
- 151.** The previous readings of a proposed Bylaw are rescinded if the proposed Bylaw
- 151.1 does not receive third reading within two (2) years of First Reading; or
  - 151.2 is defeated on Second or Third Reading.
- 152.** After passage, a Bylaw shall be signed by the Mayor or Deputy Mayor and by the County Commissioner and shall be impressed with the corporate seal of the County.
- 153.** Once a Bylaw has been passed, it may only be amended or repealed by another Bylaw made in the same way as the original Bylaw as per section 64 of the Act.
- 154.** Clerical, typographical and grammatical errors in Bylaws may be corrected by the Municipal Secretary and copies of corrections be forwarded to Members.
- 155.** A copy of any Bylaw, Resolution or Record certified by the Municipal Secretary as a true copy of the original is prima facie proof of the Bylaw, Resolution or Record.

**APPOINTMENT AND ORGANIZATION OF COMMITTEES:**

- 156.** All Ad Hoc and Special Committees shall be appointed on Motion of a Member of Council passed by a majority of the members present at the annual Organizational Meeting.
- 157.** Each Standing Committee shall meet at dates and times to be recommended by each Committee and approved by Council.

**158.** A Special Committee may be appointed at any time by Council or by the Mayor acting upon the instruction of Council, provided only that a motion has been adopted specifying the matters to be dealt with by the committee, and including the term of the committee.

**EFFECTIVE DATE:**

**159.** This Bylaw shall come into force and take effect upon being passed.

**160.** Bylaw 1205/09 is hereby repealed.

**<sup>7</sup>CONSENT AGENDA**

**161.1** The Consent Agenda portion of a Meeting is moved and voted on without debate as one item regardless of the number of reports included.

**161.2** If a Member wishes to debate an item included in the Consent Agenda, a request to exempt the item must be made before the Chair calls the question.

**161.3** Bylaw items that have been selected for consent may be voted on together.

**161.4** Council will deal with items for debate in the order that they appear on the Agenda.

**161.5** A motion must be made before any exempted item is discussed.

**<sup>8</sup>MOTION TO RENEW**

**162.1** If a motion fails, the same or substantially similar motion may not be renewed unless:

- (i) it is brought more than six months after the date of the original motion; or
- (ii) it is brought after a general election which has taken place since the date of the original motion.

**162.2** Notwithstanding section 162.1, if a motion is defeated, a Member may introduce a motion calling on Council to renew the motion if:

- (i) a two-thirds majority of Council grants leave to a Member to introduce a motion calling on Council to renew the motion; or
- (ii) the Member who wishes to have Council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.

**162.3** Notwithstanding sections 162.1 and 162.2, a motion to renew may not be introduced where the vote on the original motion has caused an irrevocable action.

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<sup>7</sup>1469/20

<sup>8</sup>1469/20

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**NOTE: Consolidation created under Section 69 of the *Municipal Government Act*, RSA 2000, C.M-26 and Bylaw 1473/20, printed under the authority of Legislative Services.**

**Bylaw 1301/13, adopted by Council January 28, 2014.**

**Amendments: Bylaw 1396/17, adopted by Council November 28, 2017.**

**Bylaw 1497/20, adopted by Council March 24, 2020.**

**Bylaw 1501/20, adopted by Council April 14, 2020.**

**Bylaw 1469/20, adopted by Council August 11, 2020.**