



## Bylaw #2023-10 “Meeting Procedures”

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### BEING A BYLAW OF THE TOWN OF THORSBY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING MEETING PROCEDURES.

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**WHEREAS:** It is necessary to establish rules to regulate the conduct of business in Council Meetings;

**AND WHEREAS:** Pursuant to section 145(a) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may pass bylaws in relation to the establishment and functions of council committees and other bodies; and pursuant to section 145(b) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may pass bylaws in relation to the procedures to be followed by council, council committees and other bodies established by the council;

**THEREFORE:** The Council of the Town of Thorsby in the Province of Alberta duly assembled, hereby enacts as follows:

#### **PART 1: TITLE**

1. That this Bylaw may be cited as the “Meeting Procedures Bylaw”

#### **PART 2: PURPOSE**

1. The purpose of this Bylaw is to establish procedures to govern Council meetings in an efficient and compliant manner per the MGA.

#### **PART 3: DEFINITIONS**

1. In this Bylaw, unless context otherwise requires:
  - a) **“Act”** means the Municipal Government Act, R.S.A 2000, c. M-26 as amended;
  - b) **“Acting Mayor”** is the Councilor who is appointed by resolution of Council from time to time to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor;
  - c) **“Agenda”** is the list of items and order of business for any meeting;
  - d) **“Bylaw”** is a Bylaw of the Town;
  - e) **“CAO”** is the person appointed by Council as the Chief Administrative Officer pursuant to the Act;
  - f) **“Clear Days”** as set out in the *Interpretation Act*, R.S.A 2000, c I-8, as amended, means, in calculating the number of number of days, that the days on which the events happen shall be excluded;
  - g) **“Committee of the Whole”** or **“COTW”** is a committee consisting of all Councilors. A meeting of “Committee of the Whole” may be held in-camera or in public depending on the issue being discussed;
  - h) **“Council”** is the Councilors of the Town of Thorsby elected pursuant to the provisions of the *Local Authorities Election Act*, R.S.A 2000, c L-21, as amended;
  - i) **“Councilor”** is a member of Council and includes the Mayor;
  - j) **“Council Recording Secretary”** shall mean the Recording Secretary for the Town of Thorsby, as appointed by the CAO;
  - k) **“Deputy Mayor”** is the Councilor who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor;
  - l) **“Emergent Situation”** means a sudden, urgent, or unexpected occurrence or occasion which requires immediate action to protect against an imminent threat to the public health, safety, or welfare or to protect against an imminent threat of significant damage to property.
  - m) **“Mayor”** is the Chief Elected Official of the Town;
  - n) **“Member at Large”** means a member of the public appointed by Council to a Committee of Council



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- o) **“Organizational Meeting”** is a meeting of Council held in accordance with section 192 of the Act;
- p) **“Person”** shall include an individual, partnership, association, body corporation, trustee, executor, administrator, or legal representative;
- q) **“Point of Information”** is a request directed through the Chair to another member or to staff for information relevant to the business at hand but not related to a Point of Procedure;
- r) **“Point of Procedure”** is a question directed to the Chair to obtain information of a matter of parliamentary law or the rules of the Town bearing on the business at hand in order to assist a member to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion;
- s) **“Public Hearing”** is a pre-advertised meeting of Council convened to hear matters pursuant to:
  - 1. The Municipal Government Act;
  - 2. Any other Act; or
  - 3. Any other matter at the direction of Council and is separate from the Regular Meeting of Council.
- t) **“Question of Privilege”** refers to all matters affecting the rights and privileges of Council collectively or any of its members individually;
- u) **“Quorum”** is the majority of all Councilors that comprise the Council pursuant to section 143 of the Act. If there is a vacancy on Council and the Council is not required to hold a by-election under section 162 or 163 of the Act, quorum shall consist of the majority of remaining Councilors that comprise the Council under section 143;
- v) **“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;
- w) **“Regular Council Meeting”** is a meeting of Council held in accordance with section 193 of the Act;
- x) **“Town”** means the Town of Thorsby

### **PART 4: APPLICABILITY**

- 1. This Bylaw applies to all Council and Board, Commission and Committee Meetings, unless Council establishes other procedural rules for a Board, Commission, or Committee.
- 2. When any matter relating to the meeting procedures is not addressed in this Bylaw, Robert’s Rules of Order, if applicable, shall apply.
- 3. The precedence of the rules governing the procedures of Council, in descending level of authority, is:
  - a) The Act;
  - b) Other provincial legislation;
  - c) This Bylaw; and
  - d) The current edition of Robert’s Rules of Order Newly Revised
- 4. In the absence of any statutory obligation, any provision of this Bylaw may be waived if approved by a vote of two thirds (2/3) of all Council members present.
- 5. A motion to waive any provision of this Bylaw as provided for in section 3.4 may be brought at any time, and if accepted, the resolution waiving the strict application of the Bylaw will only be effective for the meeting during which it was passed.





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### **PART 5: COUNCILOR CONDUCT**

1. The presiding Chair shall:
  - a) Maintain order and decorum at all meetings;
  - b) Rule on points of order, citing the applicable government rule or authority, without debate or comment;
  - c) Recognize who has the right to speak, rule on motions, and call Members to order, as required;
  - d) Encourage questions, treat them impartially, with sound judgement;
  - e) Start the meeting on time;
  - f) Step down from the Chair to make a motion.
2. Council Members shall:
  - a) Carry out required duties to the best of their ability, be accountable for their decisions and actions, and strive to create a courteous, respectful atmosphere;
  - b) Show respect for all participants and guests at all times, so there shall be no side comments, private conversations, insults, or otherwise;
  - c) Actively participate in meetings with the intent of arriving at the best solutions for the Town.
3. If any Councilor acts contrary to Part 4 s.2, he or she may be called to order by the Chair.
4. If any Councilor acts contrary to Part 4 s.2, twice in one meeting, the Chair may ask that person to leave the meeting (only), and the matter may be discussed in camera, if necessary. When the open meeting reconvenes, the excluded member may, upon an adequate apology and majority vote of the members, be permitted to rejoin the meeting the meeting. No exclusion shall be for more than the meeting in progress.
5. The decision of the Chair in relation to Part 4 Section 3 and 4 is final, unless the person called to order appeals to the meeting members; this shall be decided without debate.
6. A Councilor called to order by the Chair shall immediately cease speaking but may afterward explain his or her position in making the remark for which he or she was called to order.

### **PART 6: PUBLIC CONDUCT**

1. Any individual addressing a meeting shall not:
  - a) Shout, use profane, vulgar, or offensive language;
  - b) Speak on a matter not before the meeting;
  - c) Make personal comments about any staff or Council member or any other person, or indulge in personalities, use language personally offensive, arraign motives of a Council member, charge deliberate misrepresentation, or use language tending to hold another member up to contempt.
2. Speakers shall obey the approved rules of order, and may be called to order by the Chair if they do not, at which they must immediately stop speaking unless permitted to explain; this shall be recorded in the minutes
3. Members of the public who constitute an audience at a meeting shall maintain order and quiet and shall not applaud or otherwise interrupt any speech or action of the Members.



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### PART 7: NOTICE OF MEETINGS

1. In accordance with section 193 of the *Act*, for regular Council meetings, notice to Councillors and the public is not required unless there is a change, in which case the CAO or designate shall deliver notice to all members of the Council and to the public at least 24 hours prior to the day of the Council meeting;
2. In accordance with section 194 of the *Act*, for special Council meetings, the Mayor must provide 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. However, 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  $\frac{2}{3}$  of the whole Council agrees to this in writing before the beginning of the meeting;
3. In accordance with section 195 of the *Act*, for Committee Meetings, notice shall be given to participants and the public at least 24 hours in advance;
4. Council deems that providing notice in the following manner is sufficient pursuant to section 196(2) of the *Act*:
  - a) posting a notice on the Town of Thorsby website; and
  - b) posting a notice in the Connect 39 Newspaper.

### PART 8: INAUGURAL MEETING

1. The organizational meeting immediately following a general municipal election shall be called the inaugural meeting and the Chief Administrative Officer shall preside over the meeting until the Mayor has taken the oath of office.
2. The inaugural meeting will be held no later than two weeks after the third Monday in October.
3. At the inaugural meeting, Council shall in addition to the items listed under New Business, perform the following:
  - a) Take the oath of office as the first order of business;
  - b) By resolution, set the schedule for Deputy Mayor rotation for the term of office;
  - c) Confirm with all Members of Council the orientation training that will be made available to them, in accordance with s.201.1 of the *Act*. All individuals filing nomination papers will be advised by the Recording Secretary of dates of the orientation training by Nomination Day as defined by the *Local Authorities Election Act*.
  - d) Establish the dates for regular Council meetings for the year.
  - e) Review and sign the Code of Conduct for Elected Officials
  - f) Review the Meeting Procedures Bylaw
  - g) Review all pertinent policies, such as remuneration, travel, subsistence, and out of pocket expenses to be paid to members and members at large.
  - h) Appoint signing authorities, and any other necessary appointments (auditor, legal, assessor, esc).
4. Members of Council hold office from the beginning of the inaugural meeting following the general election to immediately before the beginning of the inaugural meeting following the next general election in accordance with the *Local Authorities Election Act*.





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### **PART 9: ORGANIZATIONAL MEETING**

1. Council must hold an Organization Meeting annually on the last Regular Council Meeting in the month of October, in accordance with the *Act*.
2. At the Organizational Meeting, Council must:
  - a) Review Deputy Mayor Schedule and appoint for the upcoming year.
  - a) Appoint Members of Council to Committees, any vacant appointments remaining after the Organizational Meeting will be referred to a subsequent regular or special council meeting. Appointments shall be for a term of one year, unless otherwise specified and reviewed at the Organizational Meeting;
  - b) Appoint all legal solicitors, if required;
  - c) Appoint auditors, if required;
  - d) Review all signing authorities;
  - e) Appoint community members to Committees of Council (FCSS).
  - f) Sign affidavits declaring their confidentiality during attendance at closed remote electronic meetings.
3. Council must establish or review dates for the regular Council meetings and its Standing Committees for the year.

### **PART 10: REGULAR MEETING**

1. Subject to s. 193(1) of the *Act*, Council may decide at a meeting at which all the Councillors are present to hold regularly scheduled Council meetings on specific dates, times, and places.
2. In the year of General Election, no Regular Council Meetings shall be held between nomination day, under the *Local Authorities Election Act*, and the inaugural meeting following the General Election.
3. If Council changes the date, time, or place of a regularly scheduled meeting, the Municipality must give at least 24 hours' notice of the change;
  - a) To any Councillors not present at the meeting at which the change was made, and;
  - b) To the public.

### **PART 11: COMMITTEE OF THE WHOLE MEETING**

1. A committee is hereby established called “Council Committee of the Whole” with membership comprised of all members of Council.
2. The COTW enables Committee members to review upcoming and important issues and opportunities with members of Administration where deemed appropriate, where the focus is on understanding the broader policy implications of the items being considered. The purpose of the COTW is to:
  - a) Receive updates on emerging and ongoing projects and initiatives.
  - b) Meet principally as a forum for discussion rather than as a decision-making arena, enabling all Committee members to discuss key items without the requirement to make a decision.
3. The key for the Committee is to keep the focus on the broader and more strategic items.
4. The operation of the Committee is purposely kept informal to encourage deliberation of information and ideas. The Committee has no power to commit funds. Matters requiring further direction will be forwarded as a recommendation to Council.



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5. The Committee may:
  - a) Conduct non-statutory public hearings (for information);
  - b) Receive delegations and submissions;
  - c) Meet in Closed Session pursuant to the Municipal Government Act and the Freedom of Information and Protection of Privacy Act, approved by motion including the related section of the FOIP Act;
  - d) Receive information from Administration on emerging items; and
  - e) Discuss and debate policy matters to formulate recommendations to Council.
6. Council Committee-of-the-Whole may not make motions or take votes and shall refer items to a Council meeting if decisions are required, with the exception of making a motion, and taking a vote:
  - a) To accept the meeting agenda
  - b) To accept meeting notes of previous Committee-of-the-Whole meetings
  - c) To comply with Section 6.1 – In-Camera Items
  - d) To direct Town Administration to investigate matters and present recommendations to either a Regular Meeting or directly to Council.
7. The CAO and other required administrative staff will be in attendance at Committee meetings to make presentations and answer questions.
8. The Mayor is the Chair for all meetings unless this responsibility is delegated by the Mayor to another Committee member or Deputy Mayor.
9. Every person wishing to speak during a COTW meeting shall address their comments through the Chair. The Chair shall be addressed as “Mister Chair” or “Madam Chair”, and no person shall be permitted to speak unless the Chair has granted that person permission.

### **PART 12: SPECIAL MEETING**

1. Special Council meetings may be called by the Mayor in accordance with section 194 of the Act whenever the Mayor considers it appropriate to do so and must be called if the Mayor receives a written request for the meeting stating its purpose from a majority of Councillors.
2. 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 a special resolution is passed to deal with the matter in question.

### **PART 13: IN-CAMERA ITEMS**

1. Before closing all, or any part of, a Council or Council Board/Committee meeting to the public, a resolution must be approved:
  - a) Stating the part of the meeting to be closed, and;
  - b) The basis on which, under an exception to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act the part of the meeting is being closed.
2. A Meeting held in closed session subject to the Act and the FOIP Act may exclude the Administration, but not the Chief Administrative Officer or the Chief Financial Officer unless authorized by a special resolution. Councillors may only be excluded as allowed by the provisions of the Council Code of Conduct Bylaw.



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3. The items on the closed session agenda must be approved by the Mayor in consultation with the Chief Administrative Officer in accordance with the provisions of the *Act*.
4. In accordance with the *Act*, Section 153 and the *FOIP Act*, all Members of Council, Administration and invited guests are required to keep in confidence matters discussed in closed session until the item is discussed at a Meeting held in public and not to share information with Members of Council not in attendance.
5. A resolution must be approved to move the meeting back-in-Public at the conclusion of the In-Camera part of the meeting.
6. Both resolutions will be recorded in the minutes of Council or of the Council Board/Committee.

### **PART 14: COMMITTEES**

1. Council may establish Committees as necessary under the *Act* and may by bylaw set out terms of reference for each. The terms of reference shall be reviewed by Council annually during the Organizational Meeting.
2. Council may appoint members to a Committee as follows:
  - a) Council member appointments to a Committee shall be made at the Organizational Meeting;
  - b) Public member appointments shall be made as needed.
3. The general responsibility of any Committee shall be to analyze any and all matters placed before it and indicate to Council by recommendation the ways and means of dealing with the said matters before it and to advise the course of action which in its considered opinion is necessary and expedient and shall include without limiting the said general responsibilities, any specific matters or responsibilities directed to it by Council.
4. Committees shall:
  - a) Establish the date, time and location of meetings;
  - b) Provide minutes and any written reports of committee activities to Council regularly for approval;
  - c) Review and make recommendations to Council (at least annually) on all bylaws and policies dealing with the subject matter germane to that Committee.
5. Committees shall not:
  - a) Have the power to pledge the credit of the Town or commit the Town to any particular action;
  - b) Pass resolutions other than a motion to report to or make recommendations to Council.

### **PART 15: GENERAL RULES OF COUNCIL**

1. A motion submitted to Council does not require a seconder.
2. If the vote on a motion is not unanimous, the minutes shall state the names of the Council members in attendance and state whether the Council member voted for, or against the motion.
3. If a member arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.





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### **PART 16: QUORUM**

1. As soon as there is a quorum of members of Council after the time fixed for the meeting to start, the Chairman shall take the Chair and call the meeting to order.
2. If a quorum is not present within thirty (30) minutes after the time fixed for the meeting to start, the record of the meeting shall show those names of the members of Council who are present, and the meeting shall adjourn until the next regular meeting unless a special meeting is called in the meantime.
3. In the event a quorum is lost after the meeting is called to order, the meeting shall be suspended until a quorum is obtained. If a quorum is not obtained within thirty (30) minutes, the meeting shall stand adjourned.
4. In the event the Mayor or Deputy Mayor is not in attendance within fifteen (15) minutes after the time fixed for the meeting to start and a quorum is present, those Council members in attendance shall select a member to preside during the meeting or until the Mayor or Deputy Mayor arrive.
5. In order to ensure that quorum is not lost, the Mayor may recess the meeting briefly if a Member of Council wishes to leave the meeting but intends to return.

### **PART 17: ELECTRONIC MEETINGS**

1. Councilors may participate in any meeting by attending in person, telephone, or video conference.
2. Except for any part of a meeting closed pursuant to the *FOIP Act*, the Chief Administrative Officer will provide access to a live, publicly available audio and video view of the location where the meeting is being held.
3. Councilors that are physically present at the meeting location or participating by telephone or video conference are deemed to be present at the meeting and will be counted towards quorum.
4. A Council member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, unless otherwise approved by Council.
5. Immediately after a meeting is called to order, the Chair must conduct a roll call to confirm the identity of any Councilors participating by telephone or video conference.
6. When a vote is called, Council members attending the meeting by means of electronic communications shall be asked to state their vote only after all other Council members present at the meeting have cast their votes.
7. When a Council member intends to attend a Closed Session, they will be required to confirm that they will attend all Closed Sessions alone in keeping with the definition in this bylaw of Closed Session, by providing a statutory declaration or affidavit sworn or declared once a year for the duration of that year at every Organizational Meeting of Council.
8. If only the public will be present at the Council Chambers in the Town’s Administration Office and all Council members are participating by way of electronic communication, notice shall be posted in the Town’s Administration Office, 24 hours prior to the meeting, indicating the manner in which the meeting will be conducted.
9. With the exception of in-closed sessions and inoperable recordings, all public meetings will be made electronically available online as a recording no later than 7 business days from the date of the meeting.

### **PART 18: PUBLIC HEARINGS**

1. Public hearings must be held in accordance with section 230 of the *Act*.



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2. On a matter included in the agenda of a regular or special Council meeting for the purpose of a public hearing, any individual or delegation may appear without prior notice.
3. Members may, upon recognition by the Chair, direct questions to a delegate or to Administration, but at no time shall a debate be entered into.
4. The Chair shall call three times for appearances from the gallery, and upon receiving no response, shall declare the public hearing closed.
5. All those who wish to speak to a matter (for or against) may only speak once and shall be limited to 10 minutes.

### **PART 19: SCHEDULED DELEGATIONS AT COUNCIL MEETINGS**

1. If presenters have written or electronic submissions that are intended to be part of their presentation, the written or electronic submission must be provided to the CAO or Legislative Clerk at least eight (8) working days prior to the meeting, unless the CAO or Legislative Clerk approves a lesser time. The Legislative Clerk shall forward all requests to the Mayor and CAO for consideration.
2. The written application must clearly indicate the topic and purpose of the presentation for inclusion in the meeting agenda.
3. The Legislative Clerk will review the request in consultation with any affected Departments and may:
  - a) Provide an administrative response to the delegation to satisfy the request for an appointment with Council;
  - b) Add the appointment to the next regular meeting agenda;
  - c) Add the appointment to a future meeting agenda if
    1. Requested by the individual or group making the request; or
    2. Administration requires more time to properly investigate and report the matter.
4. If it is recommended that Council hear the matter, the Legislative Clerk will contact the person and provide a time in which they can speak. Confirmation will be sent outlining the time and date of the delegation. The Delegate shall provide a copy of their presentation and material to the Legislative Clerk no later than 4 p.m. four (4) working days prior to the meeting date.
5. Delegations consisting of more than one individual will appoint a spokesperson that will be responsible for presenting the points of view or position for the group.
6. As per Part 17 s.2 and s.6 of this Bylaw, presentations to Council may be recorded to provide live streaming and video archiving. Any printed materials provided will be made public subject to the provisions of the Freedom of Information and Protection of Privacy Act.
7. Presentations will be directed to the Chair and, unless otherwise scheduled, will be limited to ten (10) minutes with an additional ten (10) minutes for questions for clarification by members and administration. The Chair may extend the time limits as necessary.
8. Delegates requesting reappearance on a matter shall only be permitted to do so if the information to be presented is new or significantly additional to the material previously presented.
9. Debate concerning matters raised by a delegation will take place at the discretion of the members.





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### **PART 20: PUBLIC INPUT AT COUNCIL AND GOVERNANCE AND PRIORITIES COMMITTEE MEETINGS**

1. Council may schedule a Public input session during a regular Council or Governance and Priorities Committee meeting for the purpose of obtaining public opinion on any resolution, bylaw, issue, or other matter.
2. The Chair shall call upon those who may have registered beforehand with the Legislative Clerk, or who have indicated from the gallery that they wish to speak.
3. Public input presentations are intended to be verbal only and does not include opportunity to accept or review any written or electronic submissions.
4. As per Part 17 s.2 and s.6 of this Bylaw, presentations to Council may be recorded to provide live streaming and video archiving. Any printed materials provided will be made public subject to the provisions of the Freedom of Information and Protection of Privacy Act.
5. Presentations during Public input sessions shall be limited to an aggregate total of ten 10 minutes unless there is consent from Council to extend the allotted time.

### **PART 21: CALLING A DELEGATE TO ORDER**

1. When the Mayor calls a Delegate to order, the Delegate speaking shall be seated and remain seated. After the Mayor has ruled, the Delegate may explain the action resulting in the call to order.
2. When the Mayor has directed a Delegate to leave and the Delegate makes a satisfactory explanation and apology, the Mayor may allow the offending Delegate to remain.

### **PART 22: RULES GOVERNING DEBATE**

1. A motion must be made by a Councillor before Council can debate an item.
2. All discussion at a meeting of Council shall be directed through the Mayor.
3. Unless otherwise provided by resolution, a Councillor may speak only:
  - a) Once in debate on any motion; and
  - b) Once in debate on any amendment to a motion.
4. Notwithstanding Part 22, s.3:
  - a) A Councillor may ask questions of the administration or other Councillors on any motion or amendment to a motion;
  - b) A Councillor may speak to answer questions put by other Councillors; and
  - c) A Councillor who has made a motion may speak a second time to close the debate.
5. The Mayor may participate in debate on any matter before Council without relinquishing the chair.
6. The Mayor may make a motion on any matter on the agenda but before doing so the Mayor must relinquish the chair to the Deputy Mayor until the vote on the motion has been taken.





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7. When a Member of Council wishes to leave the Council chambers while a meeting of Council is in progress:
  - a) The Member of Council shall await the formal acknowledgement of the Mayor before leaving; and
  - b) The time of the departure and return, if any, of a Member of Council, shall be recorded in the minutes.
8. No Councilor shall leave the Council meeting after a question is put to a vote until the vote is taken unless the Act requires or permits them to abstain from voting.
9. A Member of Council who is speaking may be interrupted by the Mayor if:
  - a) The Council Member speaking is out of order;
  - b) The matter being addressed by the Council Member speaking is outside the jurisdiction of Council;
  - c) The matter the Council Member is addressing should be addressed only in a Closed Session; or
  - d) The Council Member is in breach of the Council Code of Conduct Bylaw.
10. If a Member of Council has been interrupted once by the Mayor pursuant Part 22 s.9, and a second interruption is necessary, the Mayor may set a time limit on that Councilor’s further comments;
11. A Member of Council who is speaking may only be interrupted by another Councilor on:
  - a) A breach of the Council Code of Conduct Bylaw;
  - b) A point of information;
  - c) A point of privilege; or
  - d) A point of order.
12. The Member of Council who is interrupted pursuant to Part 22 s.9, s. 10, or s.11 shall cease speaking immediately.
13. When a Councilor is interrupted pursuant to Part 22 s.9 or s.11, the Mayor may grant permission:
  - a) To the Councilor raising the breach or point to explain the breach or point briefly; and
  - b) To the Councilor who was speaking to respond briefly; but otherwise, a breach of the Council Code of Conduct Bylaw, point of order, point of information, or privilege is not debatable or amendable.
14. The Mayor must rule on the breach of the Council Code of Conduct Bylaw, point of information, point of order, or point of privilege, raised pursuant to Part 22 s.9 or s.11, and no vote will be taken unless there is a challenge by a Member of Council to the ruling.
15. The Mayor may seek advice from the Chief Administrative Officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the Council.

### **PART 23: RULES FOR MOTIONS AND VOTING**

1. A recommendation in a report is not a motion until a Councilor moves it.
2. Council shall only consider one motion at a time.
3. After a motion has been moved, it may not be withdrawn without the majority consent of Council through a motion to withdraw.



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4. The following motions are not debatable by Council:
  - a) A motion to recess or adjourn the meeting; or
  - b) A motion to table; or
  - c) A motion to withdraw, provided the motion to withdraw is made by the mover.
  
5. When a motion has been made and is being considered, no Councilor may make any other motion except:
  - a) As set out in Part 23 s.4;
  - b) To refer the main motion to Administration, a Council Committee, or some other person or group for consideration;
  - c) To postpone consideration of the motion;
  
6. A Councilor 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 a Notice of Motion. The Notice of Motion shall:
  - a) Be considered at a regular Council meeting preceding the meeting at which reconsideration of the matter is requested;
  - b) Specify the meeting proposed to bring the matter for reconsideration; and
  - c) Indicate, in a substantive portion of the motion, the action which is proposed to be taken on the matter.
  
7. Notwithstanding Part 23 s.6(a), if a Notice to Motion was not provided, the requirement for Notice contained in this Part may be waived on a two-thirds vote and the item considered as Urgent Business.
  
8. Notwithstanding the other provisions of this Part, no motion made, or action taken shall be reconsidered unless:
  - a) It is a motion made or an action taken at a meeting held six (6) 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 a two-thirds vote prior to reconsideration.
  
9. Only a Councilor who voted with the prevailing side may move to reconsider an item. When a motion is lost on a tie vote, the prevailing side is those who voted against the motion.
  
10. The following motions or actions cannot be reconsidered:
  - a) A motion which created a contractual liability or obligation shall not be reconsidered, altered, varied, revoked, rescinded, or replaced except to the extent that it does not attempt to avoid or interfere with the liability or obligation;
  - b) A motion to adjourn, if adopted;
  - c) A motion to close nominations;
  - d) A motion to be split into parts;
  - e) A point of Order, Procedure, or Privilege;
  - f) A motion to suspend the Council Procedure Bylaw, if adopted;
  - g) A motion to take from the table, if adopted;
  - h) A motion to adopt the agenda;
  - i) A recorded vote;
  - j) A motion to table, if adopted;
  - k) A motion to withdraw, if adopted;
  - l) A motion to repeal a Bylaw, if adopted; and
  - m) First and third reading of a Bylaw.



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12. Notwithstanding Part 23 s.10 subsections (a) to (f), a motion which alters or rescinds a motion already passed is a reconsideration regardless of the passage of time.

### **PART 24: AMENDMENTS TO MOTIONS**

1. A Councilor who moved a motion may not move an amendment to it.
2. Any Councilor, other than the Councilor who moved the main motion, may move to amend a motion.
3. The Councilor who moved the main motion may move an amendment to the amendment.
4. The Mayor shall allow only:
  - a) One amendment to the main motion; and
  - b) One amendment to the amendment to be considered at a time.
5. Council must vote:
  - a) On an amendment to the amendment, if any, before voting on the amendment; and
  - b) On any amendment before voting on the main motion.
6. When an amendment is on the floor, Council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
7. The Mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of Council.
8. Once all amendments to the main motion have been voted on, the Mayor shall put forth the main motion under debate to Council for a vote, incorporating the amendments that have been passed by Council.

### **PART 25: MOTIONS TO REFER**

1. A Councilor may move to refer any main motion, and any pending amendments, to a Council Committee or Administration for investigation and report.
2. A motion to refer:
  - a) Is debatable
  - b) Precludes any further amendment to the main motion, until the motion to refer has been addressed by Council;
  - c) Shall include instructions indicating what the receiving body is to do and the date by which Council requires a response; and
  - d) May be amended only as to the body to which the motion is referred and the instructions on the referral.
3. Once the body to which a motion has been referred commences its deliberations, the body may recommend for adoption, any amendment to the motion so referred, without regard to any amendments considered by Council prior to the referral. The motion proposed by the referral body shall be as if introduced to Council for the first time, and Council shall be free to consider any amendments to it.

### **PART 26: SPLITTING A MOTION**

1. When a motion is lengthy, complicated, or contains a series of independent issues dealing with different subjects, a Councilor may request that the motion be split into parts so that each part may be voted upon individually.





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3. The CAO may, on the request of the Mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by Council.

### **PART 27: TABLING MOTIONS**

1. A motion may be tabled by a majority vote of Council to enable Council to deal with other more pressing matters. A tabled motion may remain tabled for the current Council Session.
2. A motion to table:
  - a) Includes all other motions; and
  - b) Takes precedence over any other motion connected with the motion being tabled.
3. A motion that has been tabled may be taken from the table at any time by a majority vote of Council.
4. If a motion to take a motion from the table is defeated, it may only be made again after Council has addressed some other matter or business.
5. When a tabled motion is taken from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
6. Motions not taken from the table at the end of the Council Session are deemed defeated motions.

### **PART 28: POSTPONING MOTIONS**

1. A motion may be postponed:
  - a) To later in the meeting;
  - b) To a specified time and/or date;
  - c) Until the occurrence of an event; or
  - d) Indefinitely.
2. A motion to postpone:
  - a) Includes the motion being postponed and all connected amendments; and
  - b) Takes precedence over any other motion connected with the motion being postponed.
3. A motion that has been postponed under Part 28, s.1(a) or 1(d) may be considered at any time by a two-thirds majority vote of Council.
4. If a motion to consider a postponed motion is defeated, it may only be made again after Council has addressed some other matter or business.
5. When a motion that has been postponed is brought back to Council, it is brought back with all motions connected with it, exactly as it was when postponed.
6. If a motion has been postponed to a specific time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.
7. The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current Council Session.



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### **PART 29: NOTICE OF MOTION**

1. Prior to Council adjourning a regular Council meeting, Councilors will be given an opportunity to bring a notice of motion by providing the CAO with a written copy of the notice.
2. A notice of motion given at one regular Council meeting will automatically appear on the agenda of the next regular Council meeting unless otherwise stated.
3. A notice of motion cannot be made at a Special Council meeting.
4. A motion on notice is not debatable until a Councilor moves the motion.

### **PART 30: RECORDED VOTES**

1. Any time a vote is taken by Council, a Councilor may request that the vote be recorded.
2. When a vote is recorded, the minutes must show the names of the Councilors present and whether each Councilor voted for or against the motion or abstained.

### **PART 31: VOTING RESULTS**

1. The Mayor will announce the result of all votes at a meeting by stating whether the motion was carried or defeated.

### **PART 32: RULES FOR BYLAWS**

1. When a Bylaw is presented to a meeting for enactment, the CAO shall cause the number, short title, and brief description of the Bylaw to appear on the agenda.
2. The following shall apply to the passage of all Bylaws:
  - a) Every proposed Bylaw shall have three (3) separate and distinct readings. Only the title or identifying number must be read at each reading.
  - b) A proposed Bylaw shall be introduced for first reading by a motion that the Bylaw be introduced and read a first time. Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
  - c) A Bylaw shall be introduced for second reading by a motion that the Bylaw be read a second time. The following applies at second reading:
    1. Council may debate the substance of the Bylaw;
    2. Council may propose and consider amendments to the Bylaw; and
    3. Council may refer by motion this Bylaw to Administration for further information or a Committee for further review prior to second reading
  - d) All aspects of passage of a Bylaw at second reading shall apply to third reading of any Bylaw.
  - e) A Bylaw shall not be given more than two readings at one meeting unless the Councilors 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.
  - f) A Bylaw shall be passed when a majority of the Councilors present vote in favour of third reading, provided that any applicable Provincial statute does not require a greater majority.
3. When a Bylaw has been given three readings and is signed in accordance with the Act, it is considered an enactment of the Town and is effective immediately, unless the Bylaw or an applicable Provincial statute provides otherwise.
4. The previous readings of a proposed Bylaw are rescinded if the proposed Bylaw:

- a) Does not receive third reading within 2 years of first reading; or
- b) Is defeated on second or third reading.



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5. After passage, a Bylaw shall be signed by the Mayor and by the Chief Administrative Officer.
6. Clerical, typographical, and grammatical errors in Bylaws may be corrected by the Legislative Clerk.
7. The Legislative Clerk may consolidate a Bylaw by incorporating all amendments to it into one Bylaw.
8. A copy of any Bylaw, resolution, or record certified by the Legislative Clerk as a true copy of the original is prima facie proof of the Bylaw, resolution, or record.

### **PART 33: PETITIONS**

1. Statutory petitions will be submitted to the Chief Administrative Officer and will be processed in accordance with the Act.
2. Non-statutory petitions will be submitted to the Chief Administrative Officer and must:
  - a) Be printed, typewritten, or legibly written;
  - b) Clearly set out the matter at issue and the request made of Council;
  - c) Be temperate and respectful;
  - d) Be signed (facsimile signature acceptable); and
  - e) Provide the name and mailing address of the write or spokesperson for the group submitting the petition.
3. On receipt of a non-statutory petition, the CAO may do the following:
  - a) Include it as an item on the agenda for the next regular meeting of Council in full or in summary form;
  - b) Refer it to Administration for a report to Council or the appropriate Council Committee;
  - c) Refer it to Administration for action and/or reply, with a copy of such response being sent to Council;
  - d) Refer it to the Mayor for direct reply, with a copy of such response being sent to Council; or
  - e) Circulate it to the members of Council individually as information if it does not require any further action by Council.

### **PART 34: AGENDAS**

1. An agenda shall be prepared for all meetings and shall list the order of business. Agendas shall be approved by the CAO and Mayor, or their designates, prior to the agenda being finalized and made available for distribution. Agenda additions are recommended to only be matters of utmost importance according to the Act.
2. The order of business on an agenda for a regular Council meeting shall include, but not be limited to, the following:
  - a) Call to Order
  - b) Call for Pecuniary Interest Regarding the Agenda
  - c) Adoption of Agenda
  - d) Adoption of Previous Minutes
  - e) Public Hearings
  - f) Presentations/Delegations
  - g) Old Business
  - h) New Business
  - i) Bylaws and Policies
  - j) Tenders/Infrastructure/Tangible Assets
  - k) Information Reports/Notice of Motions
    1. Council
    2. Administration
  - l) Correspondence
  - m) Public Comments
  - n) Adjournment





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3. The order of business on an agenda for a Committee-of-the-Whole Council meeting shall include, but not be limited to, the following:
  - a) Call to Order
  - b) Call for Pecuniary Interest Regarding the Agenda
  - c) Adoption of Agenda
  - d) Presentations/Delegations
  - e) New Business
  - f) Old Business
  - g) Council Reports
  - h) CAO Reports
  - i) CFO Reports
  - j) Correspondence
  - k) Public Comments
  - l) Adjournment
4. The agenda for Regular and Committee-of-the-Whole meetings, together with all pertinent correspondence and reports available at the time, shall be submitted to each member of Council by midnight on the Friday prior to any Council meetings.
5. The agenda shall be available to the public at the same time it is available to each member of Council, with the exclusion of any matters that may be within one of the exceptions to disclosure identified in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.

### **PART 35: ORDER OF BUSINESS**

1. The order of business at a meeting is the order of the items on the agenda except:
  - a) When a previous meeting has been adjourned for lack of quorum and no special meeting has been called to deal with the business of the adjourned meeting, the agenda items from the adjourned meeting must be dealt with first; or
  - b) When Council members in attendance unanimously agree to alter the order of business for the convenience of the meeting.

### **PART 36: MINUTES**

1. Minutes of all Meetings shall be recorded in accordance with the *Act*.
2. At every regular Council meeting, minutes of the previous regular meeting, committee-of-the-whole Meeting, and any special meeting held more than 48 hours prior to the current meeting shall be considered for adoption.
3. Minutes shall include resolutions to go In Camera, out of In Camera, and to adjourn the meeting.

### **PART 37: ADJOURNING THE MEETING**

1. When the Mayor is satisfied that all the business and purposes of a meeting have been addressed, the Mayor requests a motion to adjourn the meeting.
2. Any Councilor may move to adjourn the meeting at any time.



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**PART 38: REVIEW**

1. The Code shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Council members.

**PART 39: SEVERABILITY**

1. If any Section or parts of the Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of the Bylaw shall be deemed to be separate and independent from ad to be enacted as such.

**PART 40: REPEAL**

1. Upon third and final reading of Bylaw #2023-10, Bylaw #2022-13 is hereby repealed.

**PART IV: EFFECTIVE DATE**

1. Bylaw #2023-10 becomes effective upon third and final reading.

READ A FIRST TIME this 28th day of November, 2023

READ A SECOND TIME this 28th day of November, 2023

READ A THIRD AND FINAL TIME this 28th day of November, 2023

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Darryl Hostyn, Mayor

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Donna Tona, CAO