

**Bylaw 04-2020
The Procedures (and Committee) Bylaw**

A Bylaw of Lac Ste. Anne County to establish rules and provisions to regulate the conduct of business in Council and Council Committee Meetings.

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**LAC STE. ANNE COUNTY
BYLAW NO. 04-2020**

Being a Bylaw of Lac Ste. Anne County in the Province of Alberta to regulate meeting proceedings.

WHEREAS, it is necessary to establish rules and provisions to regulate the non-statutory proceedings of the Council and Council of the Whole Committee(s) and to define additional obligations of Council. The *Municipal Government Act* of Alberta controls the statutory obligations of Council, Council of the Whole Committee(s) of the County;

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 LAC STE. ANNE COUNTY ENACTS AS FOLLOWS:

PART ONE

1) TITLE

This Bylaw may be called the "Procedure Bylaw".

2) DEFINITIONS

In this Bylaw the following words and phrases mean:

- a) "Act" means the *Municipal Government Act of Alberta*, as amended from time to time;
- b) "Acting Reeve" is the member selected by Council to preside at any meetings of Council in the absence or incapacity of both the Reeve & Deputy Reeve;
- c) "Adjourn" means to postpone the meeting or public hearing to another date or time;
- d) "Agenda" is the order of business for Meetings and the associated reports, bylaws and other documents;
- e) "Bylaw" is a Bylaw of Lac Ste. Anne County;
- f) "Chair" means the Reeve or the person who has been given authority to direct the conduct of a meeting;
- g) "Challenge" is a member expression of disagreement immediately following a decision of the Chair;
- h) "Closed Session" means a Council or Council Committee meeting that is closed to the public pursuant to the *Act* which only Council and other persons specified by Council may attend;
- i) "Committee" means a Committee of Council that is a standing committee, special committee, or a Council Committee;
- j) "Council of the Whole" means a meeting that permits Council to function informally and freedom of debate where decisions are referred to a regular meeting;
- k) "Council" is the Reeve and Councillors being duly elected in the County and continue to hold office;
- l) "Councillor" is a member of Council elected pursuant to the *Local Authorities Election Act*;
- m) "County" is Lac Ste. Anne County;
- n) "County Manager" is the designated Chief Administrative Officer as defined in the *Act*;
- o) "County Website" means the information resource found at the internet address provided by Lac Ste. Anne County as www.lsac.ca;
- p) "Defer" is a motion to delay consideration of any matter to another time;

- q) "Delegation" means any person that has permission of Council to appear before Council or a Committee of Council to provide pertinent information and views about the subject before Council or Council Committee;
- r) "Deputy Reeve" is the Councillor appointed by Council to perform all the duties of the Reeve in the absence or incapacity of the Reeve;
- s) "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.
- t) "Emergent Item" shall be considered as those items of an emergency nature that cannot be left until the next meeting or require immediate attention. When the nature of an emergent item is in question, its acceptance for the agenda shall be determined by a majority vote of Council;
- u) "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*;
- v) "Meeting" is a meeting of Council or Council Committee;
- w) "Member" is any member of Council, or person at large appointed by Council to a Committee of Council;
- x) "Minutes" are the record of decisions of a Meeting recorded in the English language without note or comment;
- y) "Notice of Motion" is the means by which a Member of Council brings business before Council;
- z) "Organizational Meeting" is a Meeting of Council held in accordance with Section 192 of the *Act*;
- aa) "Pecuniary Interest" means a pecuniary interest as defined by Sections 169 and 170 of the *Act*;
- bb) "Point of Order" is a statement by a Member raising a departure from this Bylaw or other parliamentary procedure;
- cc) "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;
- dd) "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 the motion.
- ee) "Postpone" means to delay the consideration of any matter either to later in the meeting, to a specified time and/or date, until the occurrence of an event, or indefinitely;
- ff) "Public Hearing" is a pre-advertised public hearing that Council is required to hold under the *Act* or other enactments or any other matter at the direction of Council and may be separate from the Regular Meeting of Council;
- gg) "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*;
- hh) "Question of Privilege" refers to all matters affecting the rights and privileges of Council collectively or any of its members individually;
- ii) "Quorum" is a majority of those Members elected and serving on Council, except where special Committee policies have been passed;
- jj) "Recess" means to take a short break or intermission within a meeting that does not end the meeting, after which proceedings are immediately resumed at the point where they were interrupted;
- kk) "Reeve" is the Chief Elected Official as defined in the *Act*;
- ll) "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;
- mm) "Recorded Vote" is the calling by a Member, prior to the vote being taken on a motion, for a record to be kept of the members voting for and against a motion;

- nn) “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;
- oo) “Regular Meeting” is a meeting of Council held in accordance with Section 193 the *Act*;
- pp) “Rescind” means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- qq) “Special Meeting” is a meeting called by the Reeve, or a majority of Councillors, pursuant to Section 194 of the *Act*;
- rr) “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;
- ss) “Vice-Chair” is the person who has been given the authority to direct the conduct of a meeting in the absence of the Chair;
- tt) “Withdrawal of Motion” a motion which has been stated by the Chair, may be withdrawn by Unanimous Consent of all members present without the requirement of a vote.

3) APPLICATION AND INTERPRETATION

- a) 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.
- b) To the extent that a matter is not dealt with in the *Act* or this Bylaw, Council will have regard to Robert’s Rules of Order.
- c) The precedent of the rules governing the procedure of Council is:
 - (i) The *Act*;
 - (ii) Other Provincial Legislation; and
 - (iii) This Bylaw; and
 - (iv) Robert’s Rules of Order (current edition)
- d) In the absence of any statutory obligation, any provision of this Bylaw may be suspended by resolution of Council if the majority of Council members present, vote in favour of dealing with the matter under consideration.
- e) A resolution waiving any provision of this Bylaw as provided for in Section 3(d) of this Bylaw will only be effective for the meeting during which it is passed.

4) NOMINATION AND ELECTION PROCEDURES

- a) Nominations must be called for three (3) times and nominations may be closed after the third call or by a “carried” motion that nominations cease.
- b) If only one (1) nomination is received for any one position, the individual will be declared the nominee elected, by acclamation.
- c) If an election is required for any position, the appointed election officers must conduct the election. Voting will be by secret ballot and each voting member must be given a ballot for this purpose.
- d) In the event a tie vote occurs for any position, the winner will be determined by a draw from a receptacle.
- e) All positions will be filled by Council appointing the candidates receiving the largest number of votes. In the event that more than one (1) position is to be filled (including that of an alternate) on any given Committee, the candidates with the greater number of votes shall be declared appointed.
- f) Collection and tabulation of ballots will be performed by two (2) appointed election officers with the name of the successful nominee delivered to, and announced by the Mayor, without reference to the number of ballots cast.
- g) Council may exercise the appointment of members to Committees, Boards, Commissions, etc., by nominations and elections, or by resolution of Council.

- h) In the event that more than one (1) position is to be filled on any given committee, board or commission, the candidates with the greatest number of votes will be declared elected.
- i) The election officers must destroy all ballots from any and all elections held.

5) ORGANIZATIONAL MEETING

- a) In case the seat of any Member of Council becomes vacant by reason of death, resignation or otherwise, the Member elected to fill his place shall occupy his seat in the Council Chambers.
- b) In the case of the office of Reeve (Chief Elected Official) becoming vacant by reason of death, resignation or otherwise, the Deputy Reeve or in his absence, the Acting Reeve will act as Reeve, until the office is filled again by Council.
- c) Council shall fix the time and place for the Organizational Meeting by resolution, the business of the meeting being limited to:
 - (i) The administration of oath, and the introduction of new Members, should the meeting follow the general municipal election;
 - (ii) The appointment of Reeve;
 - (iii) The term of Reeve;
 - (iv) The appointment of Deputy Reeve;
 - (v) The term of Deputy Reeve;
 - (vi) The appointment of Members to act on committees, commissions, boards, authorities, and other bodies on which Council is entitled to representation;
 - (vii) The establishment of the regular meeting dates of Council of the Whole, Council Committees.
 - (viii) Affirmation of Council Conduct as per the current Lac Ste. Anne County Council Code of Conduct Bylaw.
 - (ix) Any such other business as is required by the *Municipal Government Act*.
- d) An Organizational Meeting shall be held annually not later than two (2) weeks after the third Monday in October, and the County Manager shall:
 - (i) Take the chair;
 - (ii) Call the meeting to order;
 - (iii) In the case of the meeting immediately following a general municipal election, preside over the meeting until the Oath as prescribed by the *Oaths of Office Act* has been administered to all members of Council;
 - (iv) Preside over the meeting until the Oath of Office has been administered to the Reeve.
- e) After the Reeve has taken the Oath, he/she shall assume the Chair and preside over the remainder of the meeting.
- f) The County Manager shall cause to be placed in one (1) or more newspapers published in the County, an advertisement inviting residents of the County to apply for any vacancies which will be required to be filled by authorities and other bodies, to which Council appoints residents.
- g) All appointments to boards, committees, commissions, authorities and other bodies that Council is entitled to make shall be for a two (2) year term, unless otherwise specified by a unanimous vote of Council. All such appointments shall be made or confirmed by resolution.

6) DUTIES OF COUNCIL

- a) All members of an elected Council shall be scheduled for Orientation Training within 90 days of taking the Oath of Office.

- b) All Council members shall read and sign onto the Code of Conduct Bylaw for Elected Officials and must abide by its tenets for the duration of their term.

7) MEETINGS

- a. Regular Meetings:** Once dates, locations and times have been established by Council at the Organizational Meeting, they will be advertised by posting notice on the County Website, as well as the County Administration Office.
- i. If Council changes the date, time or place of a Regular Meeting, the municipality must give at least twenty-four (24) hours' notice of the change to any Councillor not present at the meeting at which the change was made and to the public by posting of notice on the County Website, as well as the County Administration Office. Posting a notice in the local newspaper may be done if time permits.
- c. Special Meetings:** Will be scheduled by the County Manager or designate at the request of the Reeve or a majority of Councillors and will be advertised on the County website, as well as posted at the County Administration Office. Posting a notice in the local newspaper may be done if time permits. The Special Meeting may:
- i. Be scheduled by the County Manager within fourteen (14) days of the call of the Special Meeting, and the County Manager, or designate, will ensure an agenda stating in general terms the nature of the business to be transacted at the meeting is provided to each Councillor and to the public.
- ii. Be scheduled with less than twenty-four (24) hours' notice, with notice to all Councillors and without notice to the public if at least two-thirds (2/3) of the whole Council agrees to this in writing before the beginning of the meeting. The County Manager or designate will ensure that an agenda stating in general terms the nature of the business to be transacted at the meeting is provided to Council.
- iii. Not conduct any other business than that stated in the notice of the Special Meeting of Council unless all the members of Council are present, and by unanimous consent, agree to deal with any other business transacted.
- d. Council of the Whole Committee:** Once dates, locations and times have been established by Council, they will be advertised on the County Website, as well as posted at the County Administration Office. Posting a notice in the local newspaper may be done if time permits.
- i. If the Committee changes the date, time, or place of a 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. Posting of a notice on the public notice board in the Lac Ste. Anne County Administration Office and County website is sufficient notice to the public if the County Manager or designate is unable to advertise the change in the local newspaper.
- e. Quorum**
- i. As soon as there is a quorum of members after the hour fixed for the meeting, the Chair will call the meeting to order.
- ii. If a quorum is present but the Chair is absent, the Vice-Chair shall call the meeting to order. If both the Chair and Vice-Chair are absent, those members present shall elect a Chair from amongst themselves.
- iii. 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 County Manager, or his designate, will record the names of the members present at the end of the 30-minute time limit and such record will 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 30 minutes is being allowed), adjourn, recess or to take measures to obtain a quorum.
- iv. In the event that quorum is lost after the meeting is called to order, the meeting will be suspended until quorum is obtained. If quorum is not obtained within thirty (30) minutes, the meeting will stand adjourned.

f. Agendas/Minutes

- i. The preparation and distribution of meeting agendas and minutes will be the responsibility of the Recording Secretary, or designate, and shall be submitted together with copies of all pertinent correspondence, statements and reports to each Council member at least two (2) days prior to each regular meeting.
- ii. Items initiated by a member will be submitted to the County Manager, in accordance with the guidelines established for submission unless circumstances warrant otherwise;
- iii. Items initiated by Administrative Staff will be submitted to the County Manager in accordance with the guidelines established for submission; and
- iv. All items on the agenda will be reviewed by the County Manager and General Managers.
- v. The addition of items to the prepared Agenda will require approval of the majority of members at the meeting.
- vi. The preparation and distribution of meeting minutes will be the responsibility of the Recording Secretary or designate. The following shall be recorded in the minutes:
 - a) As per Section 208(1)(a) of the Act, all minutes of Council meetings are recorded in the English language; they will also be recorded without note or comment.
 - b) Each time a member of Council arrives late;
 - c) Each time a member of Council leaves before the meeting is adjourned or is temporarily absent from the meeting; and;
 - d) Each time a member of Council excuses himself by reason of Pecuniary Interest and in such case, the Recording Secretary shall record the nature of the Pecuniary Interest disclosed by the member of Council.
 - e) Where Council or Council Committee closes all or part of a meeting to the public, the Council or Council Committee may allow one or more other persons to attend, as it considers appropriate, the minutes will record the names of those persons and the reasons for allowing them to attend.
- vii. Unapproved meeting Minutes will be distributed with the following Regular Meeting agenda.
- viii. Any member may make a motion requesting that the Minutes be amended to correct any inaccuracy or omission.
- ix. The County Manager (or designate) may make minor changes to the minutes to correct errors in grammar, spelling, motion numbering and punctuation, or to correct the omission of a word necessary to the meaning or continuity of a sentence. No change shall be allowed that would alter or affect the actual decision made by Council.
- x. Meeting minutes, once approved by Council, shall be made available to the public upon request and posted on the County's Website.

g. Release of Agenda/Meeting Information

- i. A "draft" agenda will be made available to the public prior to the scheduled meeting on the County's website, subject to the *Freedom of Information and Protection of Privacy Act* (FOIP), and upon approval of the County Manager. The draft agenda will not be deemed an official agenda until such a time that it is approved by Council. Information includes, but is not limited to:
 - statements from provincial or federal government departments;
 - statements from utility companies or other agencies/consultants to whom the application was referred;
 - correspondence of any type/nature;
 - technical reports prepared by or for the applicant;
 - independent consultant reports;
 - specialty engineering or design reports; or
 - the application submitted by the applicant.
- ii. Once approved as part of an agenda, the information will be available to the public, subject to the Freedom of Information and Protection of Privacy Act (FOIP Act).

h. Duties of the Chair

- i. At all meetings of the County Council, the Chair of the meeting shall:

- a) Opens, chairs and preserves order in Council Meetings;
 - b) Ensures that each Councillor who wishes to speak on a debatable Motion is granted the opportunity to do so;
 - c) Maintain order and proper conduct and decorum of the meeting, and
 - d) Decide questions of order, subject to an appeal to the rest of the Council.
- ii. The Chair shall preside at the meetings of the County Council and shall vote with the other members on all questions and any question on which there is an equality of votes shall be deemed to be negative.
 - iii. In the absence of the Chair, the Vice-Chair shall preside and while so presiding he/she has all the powers of the Chair. If both the Chair and Vice-Chair are absent, those present shall elect a chairperson to preside, and while so presiding he/she has all the powers of the Chair.
 - iv. The Chair may speak to points of order in preference to other members and shall decide questions or order, subject to an appeal to the Council by any member duly moved.
 - v. That all delegations be informed by the Chair at the end of their allotted time, a decision will be made later, and they will be advised as soon as possible.
 - vi. That if there is no opposition when a motion is moved, the Chair will call for the vote.

i. Delegations/Appointments

- i. People who wish to appear before Council, Council of the Whole Committee, individually or as a group, shall make written submission to the County Manager, or designate, at least eight (8) working days prior the meeting, unless the County Manager approves a lesser time in circumstances believed to warrant the lesser time, or request to attend a meeting no later 12:00 noon on the Friday of the week prior to the meeting.
- ii. The written submission will indicate in detail, the topic and purpose for requesting to appear before the meeting along with contact information.
- iii. The County Manager 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; or
 - c) Add the appointment to a future meeting agenda if:
 - requested by the individual or group making the request; or
 - if Administration requires more time to properly investigate and report on the matter.
- iv. 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.
- v. Delegates will be required to identify themselves and to sign the Sign-In sheets located at the front administration desk prior to addressing Council.
- vi. Presentations will be directed to the Chair and be limited to fifteen (15) minutes. The Chair may extend the presentation and question time limits as necessary.
- vii. Information presented by the delegation will be restricted to the topic noted in the written submission and recorded on the meeting agenda. Any additional written information not submitted prior to the meeting may not be considered by Council.
- viii. Debate concerning matters raised by a delegation will take place at the discretion of the Chair.
- ix. 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.
- x. If an individual, company, organization, or corporation, including subsidiaries, affiliates, successors, officers, directors, shareholders, agents and employees while acting on behalf of their employer, that have initiated legal action against Lac Ste. Anne County or its elected officials, or employees will not be permitted to appear before Council, until

settlement of the matter has been reached. Attendance at a Regular or Council of a Whole Meeting is permitted during the public portions, however speaking to Council will not be permitted.

j. Recording Devices

- i. No member of Council, Administration, Public or the Press shall use an electronic device to record video or sound within a meeting of County Council or its Committees, unless and Audio Recording Request Form has been submitted and approved by Council.

a. Electronic or other Communication Facilities

- i. Meetings may be held by means of electronic or other communication facilities according to the provisions of the *Act*.
- ii. A member may participate in a specific item(s) at a meeting by using communication facility if:
 - a) The member is in a location outside Lac Ste. Anne County for any reason,
 - b) The member is in a location within Lac Ste. Anne County, but is unable to attend a meeting due to physical restraints for himself or herself, or an immediate family member,
 - c) There is a quorum of other members situated in the actual meeting place to ensure the meeting could continue if the communication facility failed,
 - d) The County Manager, or designate, is present at the Council or Council Committee meeting.
- iii. Any member who wants to use a communication facility, must, at least seven (7) days in advance of the meeting date, notify, in writing or by email, the Chair and County Manager (or designate) that he or she intends to participate in the meeting and provide the necessary contact information.
- iv. The member will be available at least one (1) hour prior to the meeting to ensure the communication facility is functioning.

8) MOTIONS

a) Procedures

- i) A motion submitted to Council or the Council of the Whole Committee meetings will not require a seconder.
- ii) After a motion has been moved, it is the property of Council and may not be withdrawn, modified, or substituted, without the consent of a majority of Council.
- iii) Council may give permission by majority vote to withdraw, modify or substitute any motion at the request of the mover before the motion has been voted on.
- iv) A Withdrawal of Motion has the same effect as if it had never been made. After the motion is withdrawn, a member may introduce a new motion for Council's consideration.
- v) A member may require the motion under discussion to be read at any time during debate, except when a member is speaking.
- vi) When a matter is under debate, no motion will be received other than a motion to:
 - (a) Fix the time for adjournment;
 - (b) Adjourn;
 - (c) Withdraw;
 - (d) Table;
 - (e) Call the Question (that the vote must now be taken);
 - (f) Postpone to a certain time or date (only debatable for time and date);

- (g) Refer;
- (h) Amend;
- (i) Postpone indefinitely with no further motions on the same subject accepted until the original motion has been addressed under this bylaw;
- (j) When the motion under consideration contains distinct propositions, the vote upon each proposition will, if requested by a member and approved by the Chair, be taken separately.

b) Motions to End Debate:

- i. *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.
- ii. *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.
- iii. *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.
- iv. *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.

c) Point of Privilege:

- i. A Member may raise a Point of Privilege to address a matter at any time.
- ii. 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.
- iii. Where the Chair has ruled that a matter is a Point of Privilege, the motion is not debatable or amendable.

d) Point of Order:

- i. 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.
- ii. 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.

e) Appeal Ruling:

- i. The decision of the Chair on a Point of Order or on a Point of Privilege shall be subject to an immediate appeal by a Member at the meeting.
- ii. 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.

f) Motion to Amend:

- i. 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 the amendment.

- ii. The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to vote, unless a further amendment is proposed.
- iii. The main motion shall not be debated until all amendments to it have been put to vote.

g) Withdrawal of a Motion:

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

h) Motion to Reconsider:

- i. After a motion has been voted upon, and before moving onto the next item on the Agenda or at any time before the Chair declares the meeting adjourn, 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.
- ii. Debate on a Motion to Reconsider must be confined to reasons for or against reconsideration.
- iii. 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.
- iv. 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.

i) Motion to Rescind:

- i. 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.
- ii. 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.
- iii. A Motion to Rescind will not undo actions which have already been taken as a result of the motion previously passed.

j) Notice of Motion:

- i. Notice of Motion must be used to introduce a new matter for consideration by Council that does not appear on the Agenda.
- ii. 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.
- iii. A Notice of Motion must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.
- iv. When notice has been given, the Recording Secretary will include the proposed motion in the agenda of the meeting for the date indicated in the notice.
- v. 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.

k) Tabling Motions

- i. A Motion may be tabled by a majority vote of Council to enable Council to deal with other more pressing matters. It is not amendable or debatable.
- ii. A Motion to Table:
 - a. Includes all other Motions; and
 - b. Takes precedence over any other Motion;
 - c. Connected with the Motion being tabled.
- iii. A Motion that has been tabled may be raised from the Table at any time by a majority vote of Council.
- iv. If a Motion to raise a Motion from the Table is defeated, it may only be made again after Council has addressed some of the other matters or business.
- v. When a Tabled Motion is raised from the table, it is brought back with all Motions connected with it, exactly as it was when laid on the table.
- vi. If a motion is not taken from the table within one (1) year after the date that it was tabled, the motion is considered withdrawn and is null and void. Motions relating to bylaw readings are not subject to this section and the provisions of section 188 of the *Municipal Government Act* of Alberta prevail.

l) Splitting Motions

- i. A member may request that a motion be divided if it contains parts that stand as complete propositions. Council must then vote separately on each proposition.

9) BYLAWS

a) Presentation Process

- i. Where a Bylaw is presented to a Council meeting for enactment, the County Manager, or designate, must include a Bylaw number, short title and brief description of the Bylaw to appear on the meeting agenda.
- ii. A Bylaw should be introduced for first reading by a motion that it is read a first time specifying the number of the Bylaw.
- iii. Any proposed amendments must be put to a vote, and if carried, are considered as having been incorporated into the Bylaw at time of reading.
- iv. When all amendments have been accepted or rejected, the Chair must call the question on the motion for first reading of the Bylaw.
- v. When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time must be established following first reading.
- vi. When a Bylaw requires the approval of an outside authority, the County Manager, or designate, following passage of first and/or second reading, must submit the Bylaw to the approving authority for approval.
- vii. A Bylaw shall not be given more than two (2) readings at one meeting unless Members present at the meeting unanimously agree that the Bylaw may be presented to Council for third reading at the same meeting at which it received two (2) readings.
- viii. When Council unanimously agrees that a Bylaw may be presented for third reading at a meeting at which it has received two (2) readings, the third reading requires no greater majority of affirmative votes to pass the bylaw than if had received third reading at a subsequent meeting.
- ix. When a Bylaw has been given three (3) readings by Council it;
 - (a) Becomes an enactment of the County; and

- (b) Is effective on the date it is passed unless the bylaw itself or an applicable provincial statute provides otherwise.
- x. After passage, a Bylaw shall be signed by the Reeve, Deputy Reeve or Acting Reeve presiding at the meeting at which the Bylaw was passed, and the County Manager, and shall be impressed with the corporate seal of the County pursuant to the provisions of the *Municipal Government Act*.
- xi. In conformance with the *Municipal Government Act*;
 - (a) If a Bylaw does not receive third reading within two (2) years from the date of the first reading, the previous readings are deemed to have been rescinded; and
 - (b) If a Bylaw is defeated on third reading the previous readings are deemed to have been rescinded. The same Bylaw cannot be brought back before Council for a period of three (3) months of the third reading being taken except with the consent of Council prior to the meeting at which the Bylaw is reintroduced.

10) VOTING PROCEDURES

a. Question

- i. When the Chair ascertains that no further information is required or debate forthcoming on a motion, the Chair will immediately submit the motion to a vote of the members and no further discussion will take place until the vote has been completed.
- ii. When a motion to call the question is presented, it will be put to a vote without debate and if carried, the motion to which it referred will be immediately submitted to a vote of the members without debate.
- iii. A member, who disagrees with the announced result of a vote and wishes the vote to be retaken, will do so immediately following the announcement of the vote.
- iv. Votes on all motions must be taken as follows:
 - (a) Members must be in their designated seats when the motion is put;
 - (b) The Chair must call the members to vote (i.e. call the question);
- v. Members must:
 - (a) Vote by a show of hands if an electronic or computerized voting system is unavailable;
 - (b) Vote verbally if participating by a communication facility;
 - (c) Use the electronic or computerized voting system if it is available.
- vi. The Chair must declare the result of the vote.
- vii. After the Chair declares the results of the vote, members may not change their votes.
- viii. From the time the question is called by the Chair until the result of the vote is declared, members must be silent and must not leave their seats.

b. Motion Carried

- i. A motion is carried when a majority of members present at a meeting votes in favour of the motion, unless otherwise specified in this Bylaw.
- ii. A question or motion shall be declared lost when it:
 - a. Does not receive the majority vote of council members present; or a greater majority vote as provided by Statute or this Bylaw; or
 - b. Receives an equal number of votes.
- iii. Each Member of Council present shall vote on every division of every motion unless such Member is, pursuant to the provisions of the *Municipal Government Act*, disqualified from voting.
- iv. Any member who fails to vote will be recorded as having voted affirmative unless a statute expressly allows or requires an abstention.
- v. Upon a vote on a matter, the results of the vote shall be entered in the minutes by the Recording Secretary as "carried" or "defeated". The names of those who vote for and

those who vote against a motion shall be entered in the minutes only when a recorded vote is requested by a Councillor.

- vi. If a motion cannot be voted on because there would be no Quorum due to the abstention allowed or required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular meeting of Council or Council Committee.

11) RULES GOVERNING DEBATE

a. Order of Speakers

- i. Members wishing to speak on a matter at the meeting should indicate their intention by raising their hand and being recognized by the Chair and, at the discretion of the Chair, normally should not speak more than once until every member has had the opportunity to speak except:
 - a) In the explanation part of the speech which may have been misunderstood; or
 - b) In reply, to close debate, after everyone else wishing to speak has spoken, provided that the member presented the motion to the meeting.
- ii. Supplementary questions or a series of questions relating to the matter before the meeting may be raised by a member, but each such question requires the consent of the Chair.
- iii. All questions or debate will be directed through the Chair.
- iv. Administration may at the pleasure of the Chair speak or question the issue being debated.

b. Interruptions

- i. Members who have been assigned their turn to speak may only be interrupted by other members including the Chair for the following reasons:
 - a) When a member is discussing a subject and no motion is on the floor;
 - b) By a Point of Procedure;
 - c) By a Point of Order;
 - d) By a Question of Privilege;
 - e) By an objection to the consideration of a motion; or
 - f) By a Challenge.

c. Member Called to Order

- i. A member who is Called to Order must immediately stop talking but must be given an opportunity to Challenge before debate is closed. Council will decide the Challenge without debate.

12) MEMBER PROHIBITIONS

- i. A member will not:
 - a. Use profane, vulgar or offensive language in a meeting;
 - b. Disobey the rules of the meeting or decision of the Chair or of members on questions of order or practice, or upon interpretation of the rules of the meeting;
 - c. Leave their seat or make any noise or disturbances while a vote is being taken and the result is declared;
 - d. Use cell phones, voice only, that is not related to the meeting at hand, while a meeting is in order;
 - e. Interrupt a member while speaking, except as provided for under Section 11(b) of this bylaw; or;
 - f. Pass between a member who is speaking and the Chair.
- ii. A member who persists in a breach of Section 12 (a), after having been called to Order by the Chair, the Chair may call for a vote of the members to:
 - a. Exclude the member from part or the remainder of the meeting.
 - b. Expel the member from the meeting room for the duration of the meeting;
 - c. Allow the member to maintain or resume their seat providing an apology is given.

- iii. If a member has been expelled under Section 12 ii b), that member must leave the meeting room immediately. The Chair may order a Peace Officer to remove an expelled member if that member does not leave voluntarily.
- iv. A member who wishes to leave the meeting permanently, prior to adjournment, will advise the Chair by means of a Question of Privilege and the time of their departure will be recorded in the minutes.

13) QUESTIONS OF PRIVILEGE

- i. A member who desires to address the meeting upon a matter that they believe concerns the rights or privileges of the members collectively, or of themselves as members thereof, will be permitted to raise such Question of Privilege.
- ii. A Question of Privilege will take precedence over all other matters and while the Chair is ruling on the Question of Privilege, no one will be considered to be in possession of the floor.
- iii. Following the ruling of the Chair on the Question of Privilege and the dealing with same, the Chair will go immediately back to the pending question or debate.

14) CHALLENGE

- i. All decisions of the Chair will be final, subject to an immediate challenge by a member at the meeting.
- ii. If a decision is challenged, the Chair will give reasons for their ruling and the members, without debate, will decide the question that will be final and binding on the meeting.

15) CLOSED SESSION

- i. Council and Council Committees may close all or part of the Meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, S.A. 1994, c.F-18.5.
- ii. When a meeting is closed to the public, the meeting may include any person or persons invited to attend by Council.
- iii. Pursuant to Section 197(2.1) of the MGA, a subdivision authority, development authority or subdivision & development appeal board established under Part 17 of the Municipal Government Act, S.A. 1994, c.M-26.1, may deliberate and make its decisions in a meeting closed to the public.
- iv. When a meeting is closed to the public pursuant to Section 197(2) of the Municipal Government Act, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting held in public.

16) ADJOURNMENT/RECESS/POSTPONEMENT

- i. A motion to adjourn is in order at any time unless:
 - a. A member is in possession of the floor;
 - b. A motion to call the question has been presented and passed and until the vote has been taken; or
 - c. A vote is in progress.
- ii. Any member may request that a meeting recess for a specific period. This recess is at the call of the Chair. During the recess, members may leave the room in which the meeting is being held but are expected to remain nearby. After the recess, business will be resumed at the point when it was interrupted. This request may not be used to interrupt a speaker.
- iii. Prior to calling for the question and if not subject to Section 8.d., any member may move that an agenda item be postponed for a specific period. After the postponement, business on that specific matter will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker.
- iv. A motion to recess may be amended only as to length of time, but neither the motion nor the amendments are debatable.

- v. A motion to adjourn is not debatable or amendable.
- vi. Council will take up a motion pending at the time of adjournment under unfinished business at the next meeting.
- vii. The Chair may adjourn a meeting without a motion to adjourn.

17) PUBLIC HEARINGS/STATUATORY HEARINGS

- i. When a Council is permitted to delegate a hearing by statute, Council may delegate the responsibility to hold the hearing to any Committee.
- ii. The Public Hearing on any proposed bylaw or resolution must be held before the Chair has put:
 - a. A Motion on the resolution; or
 - b. A Motion for the second reading of a bylaw.
- iii. In the Public Hearing, Council:
 - a. must hear any Person, group of Persons, or Person representing them who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the Council,
 - b. may hear any other person who wishes to make representations and who the Council agrees to hear.
- iv. "Adjourn" used in relation to a Public Hearing means to take a break in the hearing with the intent of returning to the Public Hearing at another meeting or later in the same meeting.
- v. "Close" used in relation to a Public Hearing means to terminate the Public Hearing.
- vi. Public Hearings shall be heard during the Regular Meetings of Council or a Special Council Meeting.
- vii. The order of business for each item of a Public Hearing shall be:
 - Public Hearing Regarding – Details of Hearing
 - Public Hearing Declared Open
 - Background and Review
 - Details of Proposed Amendments
 - Formal Correspondence/Submissions Received (if any)
 - Presentations
 - Applicants
 - Other
 - Questions/Comments from Council Members
 - Summary
 - Hearing Closed
- viii. Administration will introduce the proposed bylaw or resolution without any recommendation.
- ix. The Chair must ask if anyone present to speak to the proposed bylaw or resolution. All questions are to be directed through the Chair.
- x. If a person indicates their presence to speak to the proposed bylaw or resolution, then the following procedures will apply:
 - A person will be allowed five (5) minutes to speak
 - Those in favor will speak first;
 - Followed by those opposed;
 - Any applicants if applicable;
 - Others.
- xi. Persons addressing Council should:
 - State their name and address for the Recording Secretary;
 - Indicate if they are speaking on their own behalf, a client, company, a group of citizens, e.g. Club or Organization.
- xii. After a person has spoken, a Councillor may ask that speaker relevant questions;
- xiii. Any Councillor may ask the County Manger through the Chair relevant questions after all persons who wish to speak have been heard;
- xiv. Council must allow an opportunity to all persons to respond to any new information that has arisen;

- xv. If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter until it reconvenes the Public Hearing,
- xvi. If no one is present to speak to a proposed bylaw or resolution which requires a Public Hearing, Council may hear an introduction of the matter from the Administration, ask relevant questions, and then must vote to close the statutory hearing.
- xvii. The Public Hearing must be closed before Council debates the proposed bylaw or resolution.

18) SEVERABILITY

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

19) BYLAW PRECEDENCE

This Bylaw supersedes and takes precedence over all previously passed Bylaws and Policies that refer to Meeting Procedures, as well as any previously passed resolutions that may be in conflict with this Bylaw.

Bylaw #29-2017 is hereby rescinded.


THIS BYLAW WILL COME INTO FORCE AND EFFECT ON THE FINAL DAY OF PASSING AND SIGNATURE THEREOF.

GIVEN first reading this 27th day of February A.D., 2020

Reeve

County Manager

GIVEN second reading this 27th day of February A.D., 2020.

Reeve

County Manager

GIVEN third reading this 27th day of February A.D., 2020.

Reeve

County Manager