



## **OFFICE CONSOLIDATION**

of

**BYLAW #33.25**

## **COUNCIL PROCEDURE BYLAW**

This Bylaw and its amendments have been consolidated into a single publication for the convenience of users. The official Bylaw and all associated amending Bylaws are available at Town Hall and should be consulted in interpreting and applying this Bylaw. In the case of any dispute the original Bylaw and all associated amending Bylaws shall prevail. For more information, please contact the Manager of Legislative Services.

For convenience, the amending Bylaw Number(s) and a brief description have been listed below.

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## AMENDMENTS TO BYLAW #33.25

Bylaw	Date	Description
Bylaw #12.26	April 21, 2026	Correction of clerical error regarding withdrawn motions in section 22.10, changes to section 21.2 to remove the requirement that a motion be made before a matter be debated on by Council, and addition of section 32.24 which allows for applicable financial requests to be directed to eligible funding streams rather than Council.

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**TOWN OF DRUMHELLER**  
**BYLAW NUMBER 33.25**  
DEPARTMENT: LEGISLATIVE SERVICES

COUNCIL PROCEDURE BYLAW

A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ORDERLY PROCEEDINGS OF MEETINGS HELD BY COUNCIL.

**WHEREAS** the Town of Drumheller may pass bylaws establishing procedures to be followed by Council, committees, and other bodies established by Council pursuant to section 145(1) of the *Municipal Government Act, R.S.A 2000, c.M.26*;

**AND WHEREAS** the Town of Drumheller may pass bylaws establishing procedures for public hearings pursuant to the *Municipal Government Act, R.S.A 2000, c.M.26*;

**AND WHEREAS** section 180(3) of the *Municipal Government Act* allows *Council* to do something by bylaw if it is required to do something by resolution under any enactment;

**NOW, THEREFORE** the Council of the Town of Drumheller in the Province of Alberta, enacts as follows:

**1. CITATION**

1.1 This Bylaw shall be cited as the Town of Drumheller "Council Procedure Bylaw."

**2. DEFINITIONS**

2.1 For the purposes of this Bylaw, the following definitions shall apply:

- a) "*Access to Information Act*" means the *Access to Information Act S.A., 2024, c.A-1.4*, as amended from time to time, and its successor legislation;
- b) "*Advertising Bylaw*" means the *Town of Drumheller Advertising Bylaw #24.24*, as amended from time to time, and its successor legislation;
- c) "*Agenda*" means the order of business of any *Council Meeting* or *Committee of the Whole Meeting* and all associated documents;
- d) "*Council Committee Bylaw*" means the *Town of Drumheller Council Committee Bylaw #34.24*, as amended from time to time, and its successor legislation;
- e) "*Chair*" means the person authorized to preside over a meeting;
- f) "*Chief Administrative Officer*" or "CAO" means the person appointed as *Chief Administrative Officer* for the *Town of Drumheller*, or their designate;
- g) "*Closed Session*" means a part of a meeting that is closed to the public to discuss a matter which falls within one of the exceptions to disclosure listed within the *Access to Information Act*, pursuant to section 197 of the *Act*;

- h) “*Committee of the Whole Meeting*” means the *Council* committee established by *Board and Committee Bylaw #34.25* and consisting of all members of *Council*;
- i) “*Council*” means the duly elected *Mayor* and *Councillors* of the *Town of Drumheller*;
- j) “*Council Meetings*” means *Regular Meetings*, *Special Meetings*, and *Organizational Meetings* of *Council*;
- k) “*Councillor*” means an individual duly elected to the position of *Councillor* for the *Town of Drumheller*;
- l) “*Deputy Mayor*” means a *Councillor* appointed by *Council* to act as *Mayor* when the *Mayor* is unable to perform the duties of *Mayor*, usually due to absence or incapacity, pursuant to section 152 of the *Act*;
- m) “*Electronic Means*” or “*Electronically*” means an electronic or telephonic communication method that enables all persons attending a meeting to hear and communicate with each other during the meeting;
- n) “*General Election*” means an election held for all the members of an elected authority to fill vacancies caused by the passage of time, pursuant to the *Local Authorities Election Act, RSA 2000, c.L-21*, as amended from time to time;
- o) “*Incidental Motion*” means a point or order, a point of information, or another motion relating to the procedure of the meeting.
- p) “*Livestream*” means the real-time transmission of audiovisual data from a meeting to the internet as it is being recorded;
- q) “*Mayor*” means the individual elected as the chief elected official of the *Town*, pursuant to section 150 of the *Act*;
- r) “*Motion*” means a proposal for action on a matter that is brought before *Council* or a committee for consideration and is a *resolution* of *Council* that has not yet been adopted;
- s) “*Motion on the Floor*” means a *motion* that has been introduced by one *Councillor* and seconded by another *Councillor* but has not yet been adopted;
- t) “*Municipal Government Act*” or “*Act*” means the *Municipal Government Act, R.S.A. 2000 M-26*, as amended from time to time, and its successor legislation;
- u) “*Notice of Motion*” means the method by which a *Councillor* brings forward a topic for consideration at a *Council* meeting;
- v) “*Oaths of Office Act*” means the *Oaths of Office Act, RSA 2000, c.O-1*, as amended from time to time, and its successor legislation;
- w) “*Organizational Meeting*” means an annual meeting to handle administrative or procedural matters held pursuant to section 192 of the *Act*;

- x) “*Privileged Motion*” means a motion to recess, a motion to adjourn, a point of privilege, or any other motion unrelated to the current business made to address an immediate need of a *Council* member.
- y) “*Public Hearing*” is a pre-advertised segment of the meeting that *Council* is required to hold pursuant to the provisions of the *Municipal Government Act* or any other legislation, statutory or non-statutory;
- z) “*Quorum*” means the minimum number of *Council* members that must be physically or *electronically* present at a meeting for business to be legally transacted;
- aa) “*Recording Secretary*” means the person tasked by the CAO with recording and preparing the official minutes of a meeting;
- bb) “*Regular Meeting*” means a meeting of *Council* scheduled at an annual *Organizational Meeting* and held in accordance with the *Act*;
- cc) “*Resolution*” means a *motion* that is adopted by *Council*;
- dd) “*Roberts Rules of Order*” means *Robert’s Rules of Order, Newly Revised, 12<sup>th</sup> Edition* by Henry M. Robert III, or the most recent edition of *Robert’s Rules of Order*;
- ee) “*Special Meeting*” means a meeting of *Council* called by the *Mayor* pursuant to section 194 of the *Act*, which was not scheduled at an *Organizational Meeting*; and
- ff) “*Town of Drumheller*” or “*Town*” means the *Town of Drumheller*, a municipal corporation in the Province of Alberta, and includes the area contained within the corporate boundaries of the *Town of Drumheller*, as the context may require.

### 3. SCOPE & APPLICATION

- 3.1 This Bylaw applies to all *Council Organizational Meetings, Regular Meetings, Special Meetings, Public Hearings*, and any other meetings of *Council* as may be directed by *Council* and shall be binding upon all participating in and attending such meetings.
- 3.2 The rules governing the procedures of *Council* shall be applied in the following order of precedence:
  - a) the *Municipal Government Act*;
  - b) any other applicable provincial legislation;
  - c) this Bylaw; and
  - d) *Robert’s Rules of Order*.
- 3.3 When a matter arises relating to the proceedings of a meeting which is not covered by the *Act*, other applicable provincial legislation, this Bylaw, or *Roberts Rules of Order*, the matter will be decided by the *Chair*.

- 3.4 In the absence of any obligation of the *Act* or any other applicable provincial legislation, any provision of this Bylaw may be waived by a *resolution* with a two-thirds (2/3) majority vote.
- 3.5 A *resolution* passed in accordance with section 3.4 shall only be valid for the remainder of the meeting in which it was passed.

#### **4. PURPOSE**

- 4.1 The purpose of this Bylaw is to establish guidelines for the conduct of *Council* meetings, provide for an orderly, efficient, and transparent decision-making process, and to ensure compliance with the *Act* and other applicable legislation.

#### **5. MUNICIPAL OFFICE**

- 5.1 Pursuant to section 204 of the *Act*, the municipal office of the *Town* shall be the office located at 224 Centre Street, Drumheller, Alberta, Canada, T0J 0Y4.

#### **6. NOTICE OF MEETINGS**

- 6.1 All *Council Meetings* and *Committee of the Whole Meetings* shall be advertised to the public on the *Town of Drumheller* website, in accordance with the *Advertising Bylaw*.
- 6.2 Pursuant to section 197(1) of the *Act*, *Council* shall conduct their meetings in public.

#### **7. RESPONSIBILITIES OF CHAIR**

- 7.1 The *Mayor* shall act as *Chair* and shall preside over all meetings of *Council* and the *Committee of the Whole* when in attendance at said meetings.
- 7.2 In the absence or incapacity of the *Mayor*, the *Deputy Mayor* shall act as *Chair* and shall preside over all meetings of *Council* and the *Committee of the Whole*.
- 7.3 In the absence of or incapacity of both the *Mayor* and the *Deputy Mayor*, the *CAO* shall call the meeting to order and shall oversee the appointment of a *Chair* from among the *Council* members, who shall then preside over the remainder of the meeting.
- 7.4 The *Chair* of a meeting shall be responsible for:
- a) calling the meeting to order at the time specified in the *agenda*;
  - b) preserving good order and decorum during the meeting;
  - c) managing the conduct of the meeting, including the orderly consideration of business, proposed amendments to the *agenda*, recesses, and related procedures;
  - d) ruling on points of order and points of privilege without discussion or debate;
  - e) responding to points of information and points of procedure, without discussion or debate;

- f) deciding the order in which *Councillors* may speak and ensuring that each *Councillor* who wishes to speak on a *motion* is provided the opportunity to do so;
- g) calling for the movement of a *motion*, its second, and the vote of a *motion*; and
- h) deciding all other questions relating to the orderly procedure of the meeting, in accordance with section 3.3 of this Bylaw.

7.5 Notwithstanding sections 7.1 through 7.3, the *Mayor* may delegate the role of *Chair* to another member of *Council* in their sole discretion.

## 8. QUORUM

8.1 *Quorum* of *Council* shall be a minimum of four (4) members of *Council* and shall be established pursuant to section 167 of the *Act*.

8.2 The *Chair* shall only call the meeting to order:

- a) at or following the scheduled start time; and
- b) once *quorum* is present.

8.3 If *quorum* is not present at the start of a meeting:

- a) the meeting shall be immediately recessed for a maximum of thirty (30) minutes to allow *quorum* to be re-established;
- b) if *quorum* is not re-established within thirty (30) minutes, the *CAO* shall record the names of those present, and the meeting shall be adjourned; and
- c) any *agenda* items shall be considered at the next *Regular Meeting* or at a *Special Meeting* called for that purpose.

8.4 If *quorum* is lost at any time during a meeting:

- a) the meeting will be recessed for a maximum of thirty (30) minutes to allow *quorum* to be re-established; and
- b) if *quorum* is not re-established within thirty (30) minutes, the meeting shall be adjourned, and any remaining business will be considered at the next *Regular Meeting* or at a *Special Meeting* called for that purpose.

8.5 *Council* members unable to attend a meeting must notify the *Mayor* and *CAO* as soon as possible, providing the reason for their absence.

8.6 Pursuant to section 174(1)(d) and section 174(2) of the *Act*, a *Council* member is disqualified from *Council* if the *Council* member is absent from all *Regular Meetings* held during any consecutive sixty (60) day period, unless:

- a) The absence is authorized by *resolution* of *Council*; or

- b) there is no *Regular Meetings* during the specified period.

## 9. ORGANIZATIONAL MEETINGS

- 9.1 An *Organizational Meeting* shall be held annually no later than fourteen (14) calendar days after the third (3<sup>rd</sup>) Monday in October, in accordance with section 192 of the *Act*.
- 9.2 At an *Organizational Meeting*, *Council* shall:
  - a) establish the roster for the position of *Deputy Mayor* in accordance with section 152 of the *Act*, as applicable;
  - b) establish the schedule of *Regular Meetings* and *Committee of the Whole Meetings*;
  - c) appoint members and alternates to *Council* boards, committees, temporary task forces, or other bodies *Council* is entitled to make, in accordance with the *Council Committee Bylaw*, as required; and
  - d) consider any other matter on the agenda of the *Organizational Meeting* related to administrative or organizational matters of *Council*.

## 10. INAUGURAL ORGANIZATIONAL MEETINGS

- 10.1 The Inaugural *Organizational Meeting* is the first *Organizational Meeting* following a *general election*.
- 10.2 At an Inaugural *Organizational Meeting*, the CAO shall:
  - a) take the *Chair*;
  - b) call the meeting to order; and
  - c) preside over the meeting until the *Mayor* has made and subscribed to the official oath or solemn affirmation prescribed by the *Oath of Office Act*, following which the *Mayor* shall assume the *Chair* for the remainder of the meeting.
- 10.3 Once the *Mayor* takes the *Chair*, all *Councillors* shall make and subscribe to the official oath or solemn affirmation prescribed by the *Oath of Office Act*.
- 10.4 In the event of a by-election, a duly elected *Council* member must make and subscribe to the official oath or solemn affirmation as the first order of business at a *Council Meeting* upon being elected to office.
- 10.5 Pursuant to section 156 of the *Act*, a *Council* member shall not carry out any power, duty, or function until that person has taken the official oath or solemn affirmation prescribed by the *Oath of Office Act*.
- 10.6 Pursuant to section 201.1 of the *Act*, during the year of a *general election*, the CAO shall, in accordance with the regulations, offer orientation training for each member of *Council*.

## 11. SCHEDULING MEETINGS

- 11.1 The schedule of *Regular Meetings* and *Committee of the Whole Meetings* shall be established annually by *resolution* at the annual *Organizational Meeting of Council*.
- 11.2 All *Council* members must be present when establishing a schedule of *Regular Meetings* and *Committee of the Whole Meetings*.
- 11.3 *Regular Meetings* shall be held at a minimum of twice per month and *Committee of the Whole Meetings* shall be held as determined by *Council*.
- 11.4 *Council Meetings* and *Committee of the Whole Meetings* shall be scheduled after 9:00 a.m. and shall not continue beyond 10:00 p.m.
- 11.5 Notwithstanding sections 11.1 through 11.3 of this Bylaw, the schedule of *Regular Meetings* and *Committee of the Whole Meetings*, including their date, time, and location, may be amended by providing at least twenty-four (24) hours' written notice to all *Council* members and the general public in accordance with the *Advertising Bylaw*, and by obtaining:
- a) a *resolution* of *Council*, with a two-thirds (2/3) majority vote of all members of *Council*; or
  - b) the written consent of all members of *Council*.
- 11.6 In the case where a meeting date conflicts with a statutory holiday, the meeting shall be held on the next business day that is not a statutory holiday.

## 12. SPECIAL MEETINGS

- 12.1 In accordance with section 194 of the *Act*, the *Mayor*:
- a) may call a *Special Meeting* whenever the *Mayor* considers it appropriate to do so; or
  - b) must call a *Special Meeting* when the *Mayor* receives a written request from a majority of the *Councillors* stating its purpose.
- 12.2 A *Special Meeting* called in accordance with section 12.1(b) must be held within fourteen (14) calendar days after receiving the request.
- 12.3 *Special Meetings* may be called by the *Mayor*:
- a) by giving at least twenty-four (24) hours written notice to all *Council* members and the public, stating the purpose of the meeting and the date, time, and location at which it is to be held; or
  - b) with less than (24) hours written notice to all *Council* members and without notice to the public if at least two-thirds (2/3) of *Council* agrees to this in writing before the beginning of the meeting.

- 12.4 No matter other than that stated in the notice calling the *Special Meeting* may be transacted at the meeting unless the whole *Council* is present at the meeting and agrees, by *resolution*, to deal with the matter in question.
- 12.5 A *Special Meeting* may be cancelled by the Mayor:
- a) if twenty-four (24) hours' written notice is provided to all *Council* members and the public; or
  - b) with the written consent of two-thirds (2/3) of all *Council* members, if less than twenty-four (24) hours' notice is provided to all *Council* members.

### 13. ELECTRONIC MEETINGS

- 13.1 *Council* may conduct any meetings either in person or by *electronic means*, or a combination thereof, pursuant to section 199(2) of the *Act*, with the exception of a *closed session* held in accordance with section 15.9 of this Bylaw.
- 13.2 When a meeting is scheduled to be conducted either wholly or partially via *electronic means*, public notification shall:
- a) clearly indicate that the meeting will be conducted *electronically* via videoconferencing software;
  - b) provide access details for members of the public, including a link to observe or participate where appropriate; and
  - c) be advertised in accordance with the *Advertising Bylaw*.
- 13.3 *Council* members are expected to participate in meetings in person wherever possible, but may participate in a meeting *electronically* and will be considered present if:
- a) they are outside the boundaries of the *Town*, or they are unable to attend in person due to personal or immediate family medical circumstances;
  - b) the *Mayor* determines that the meeting shall be held wholly *electronically*; and
  - c) all participating *Council* members are able to hear and communicate clearly with each other.
- 13.4 Notwithstanding section 13.1, *Council* members intending to participate electronically must notify the *Mayor* and *CAO* as soon as they are aware that electronic participation is required.
- 13.5 The *Chair* shall announce the names of all the *Council* members participating *electronically* at the beginning of the meeting.
- 13.6 *Council* members participating *electronically* must:

- a) have their cameras activated, being always visible to other participants during the meeting, unless otherwise permitted by the *Chair*;
- b) be using a secured network; and
- c) be in a private location that is free from interruptions or distractions and conducive to respectful proceedings.

13.7 The *Chair* may terminate a *Council* member's electronic participation if, in their sole opinion:

- a) it is disruptive to the meeting;
- b) the *Council* member is in a location that is not secure or appropriate for meeting proceedings; or
- c) communication is not functioning in a way that allows for full participation.

13.8 The *Chair* shall be required to attend meetings in-person, except when the meeting is conducted wholly electronically, in accordance with 13.3(b) of this Bylaw.

#### **14. RECORDING AND LIVESTREAMING MEETINGS**

14.1 All *Council Meetings* and *Committee of the Whole Meetings* shall be recorded and *livestreamed* to the public.

14.2 Notwithstanding section 14.1, meetings shall not be recorded or *livestreamed*:

- a) during any portion of the meeting that is in *closed session*;
- b) if there are technical difficulties that are unable to be resolved; or
- c) if the *Chair* directs, in their sole discretion, the termination or interruption of a recording or *livestream*.

14.3 The *Chair* shall announce if the meeting is being recorded or *livestreamed* at the start of a meeting.

14.4 If the meeting is not being recorded or *livestreamed* in accordance with section 14.2:

- a) notice of any technical difficulties shall be provided to the public on the *Town's* website; and
- b) a recorded video shall **not** be published on the *Town's* public YouTube Channel.

14.5 The official record of all meetings shall be the written, approved minutes as required by the *Act*, regardless of the existence of recordings or *livestreams*.

## 15. CLOSED SESSION

- 15.1 Notwithstanding section 6.2 of this Bylaw and pursuant to section 197(2) of the *Act*, *Council* may close all or part of a meeting to the public if a matter to be discussed is exempted from public discussion pursuant to the *Access to Information Act*.
- 15.2 Pursuant to section 197(4) of the *Act*, before closing all or any part of a meeting to the public, *Council* must first, by *resolution*:
- a) approve the part of the meeting that is to be closed;
  - b) specify the matter to be considered in the *closed session* with a brief, non-sensitive description; and
  - c) specify the exception(s) to disclosure and the relevant section(s) within the *Access to Information Act* under which the meeting is to be closed.
- 15.3 Pursuant to section 197(3) of the *Act*, when a meeting is closed to the public, no resolution or bylaw shall be passed at the meeting, except a resolution to revert to an open session of the meeting.
- 15.4 The *Chair* of the meeting shall:
- a) ensure that only those matters identified in accordance with section 15.3 of this Bylaw are discussed in the *closed session*; and
  - b) determine which individuals are permitted to attend the *closed session*, based on their role and their relevance to the topic.
- 15.5 *Council* members and any attendee(s) of a *closed session* shall:
- a) maintain the confidentiality of all *closed session* content and refrain from discussing *closed session* content outside the meeting; and
  - b) refrain from recording or distributing any part of the *closed session* meeting.
- 15.6 Pursuant to section 197(5) of the *Act*, after the meeting is opened to the public, any members of the public who are present outside the meeting room shall be notified that the rest of the meeting is now open to the public and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.
- 15.7 The operation of electronic devices shall not be permitted by anyone in the meeting room during any *closed session*.
- 15.8 Notwithstanding section 15.7 of this Bylaw, presentation materials intended for consideration by *Council* during a *closed session* may be displayed electronically, provided such use of electronic devices is limited to viewing the materials and does not otherwise permit electronic communication or recording. (BL12.26)

## 16. MEETING AGENDAS

- 16.1 Meeting *agendas* shall be prepared by the *CAO* in consultation with the *Mayor*.
- 16.2 The *CAO* shall establish deadlines for the submission of *agenda* items by staff and the public, to allow for the review and preparation of *agenda* items by the *CAO*.
- 16.3 Only items received by the deadline established by the *CAO*, in accordance with section 16.2, shall be included in the agenda unless an extension has been granted by the *CAO*, in their sole discretion.
- 16.4 The *CAO* shall distribute the proposed *agenda* to *Council* and post the proposed *agenda* on the *Town* website at least three (3) calendar days prior to the meeting date.
- 16.5 *Agenda* items that are not included in the *agenda* distributed in accordance with section 16.4 shall be considered emergent business.
- 16.6 Amendments or additions to the *agenda*:
  - a) may be proposed by a *Council* member or the *CAO*; and
  - b) where there is an objection to an amendment or addition of the *agenda*, a separate *motion* for that amendment shall be required.
- 16.7 The *agenda* and supporting materials shall be deemed to be accepted by *Council* when the *agenda* is adopted by *resolution*.
- 16.8 The business of *Council* intended to be dealt with at a *Regular Meeting* shall be stated in the *agenda* in the following order, unless determined otherwise by the *CAO*:
  - a) Call to Order;
  - b) Opening Comments;
  - c) Adoption of the Agenda;
  - d) Adoption of the Minutes;
  - e) Council Boards and Committees;
  - f) Notice of Motion;
  - g) Delegations;
  - h) Public Hearings;
  - i) Reports from Administration;
  - j) Correspondence;
  - k) Closed Session; and
  - l) Adjournment.

## 17. EMERGENT BUSINESS

- 17.1 All *agenda* items that are not included in the *agenda* distributed in accordance with section 16.4 shall be considered emergent business.
- 17.2 Emergent business may be added to the *agenda* by either a *Council* member or the *CAO* when:
- a) the matter is considered to be urgent or is required due to time constraints; and
  - b) the matter was not previously discussed at the same meeting.
- 17.3 The *Council* member or the *CAO* proposing the adoption of the emergent business shall provide the rationale for why the matter should be added to the *agenda*.
- 17.4 If a *Council* member or the *CAO* is proposing the adoption of emergent business subsequent to the approval of the *agenda*, the emergent business must be adopted by unanimous *resolution of Council*.

## 18. NOTICE OF MOTION

- 18.1 A *Councillor* who wishes to introduce a new matter for consideration at a meeting, which is not emergent business, must submit a *notice of motion* and any supporting documentation in writing to the *CAO* at least seven (7) calendar days prior to the meeting at which the *Councillor* wishes to introduce the matter.
- 18.2 Notwithstanding section 18.1 of this Bylaw, the deadline to submit a *notice of motion* may be waived by a *resolution of Council*, whereby the *notice of motion* would be added to the *agenda* as emergent business.
- 18.3 The *notice of motion* shall be submitted in the prescribed form attached as Schedule 'A' of this Bylaw and must include the following:
- a) The date of the meeting at which the *Councillor* will introduce the *notice of motion* by reading it into the public record;
  - b) The date of the meeting at which *Council* will consider the matter;
  - c) The name of the *Councillor* who seconded the *notice of motion*; and
  - d) An indication of the purpose and background of the *notice of motion*.
- 18.4 All *notices of motion* shall be introduced at a meeting by reading the *notice of motion* into the public record and shall be considered:
- a) at a subsequent meeting, as per the date specified in the *notice of motion*; or
  - b) immediately, following the moving and seconding of the proposed motion.

## 19. MINUTES

19.1 A written record of the proceedings and decisions of all *Council Meetings* and *Committee of the Whole Meetings* shall be recorded by the CAO, pursuant to section 208 of the *Act*, which shall include but is not limited to:

- a) the date, time, and location of the meeting;
- b) the name of the *Council* members present and absent from the meeting, and whether they are attending in-person or *electronically*;
- c) the times at which *Council* members leave and arrive during the meeting, if applicable;
- d) the *Public Hearing* process, pursuant to section 28 of this Bylaw;
- e) the names of persons who are not members of *Council* who are present during a *closed session* and the times which they leave and arrive during *closed session*, in accordance with section 15.7 of this Bylaw;
- f) all motions, the names of the persons moving and seconding a motion, whether the motion was carried or defeated, any *Council* members who were absent or abstained from the vote, and how each *Council* member voted, if the vote was not unanimous; and
- g) any abstentions of a conflict of interest or pecuniary interest made by *Council* members and the reasons provided by the member in their disclosure of the interest.

19.2 *Council Meeting and Committee of the Whole* meeting minutes shall be:

- a) reviewed and adopted by *resolution* at a subsequent *Regular Meeting* or *Special Meeting*;
- b) signed by the *Chair* and CAO, pursuant to section 213 of the *Act*; and
- c) sealed with the *Town* corporate seal.

19.3 Minutes shall not include comments made during discussion or debate unless a *Council* member specifically requests that the comments be recorded in the minutes.

## 20. MEETING PROCEDURE

20.1 The *Chair* shall deal with matters in the order they are set out in the *agenda*, unless:

- a) these items are scheduled for a specific time, such as in the case of a *Public Hearing*; or
- b) the *Chair*, in their sole discretion, determines to alter the order of business.

20.2 The *Chair* shall introduce each item on the *agenda* without debate and debate shall only take place once a motion has been moved and seconded, in accordance with Section 21.1 of this Bylaw.

- 20.3 No *Council* member or other person at the meeting shall speak unless they are recognized by the *Chair*.
- 20.4 All meeting proceedings, including presentations, questions, responses, and debate must be directed through the *Chair*.
- 20.5 *Council* members shall:
- a) confine their remarks to the matter under discussion; and
  - b) refrain from repetitious or redundant comments.
- 20.6 The *Chair* may limit debate if discussion becomes repetitive or disorderly, in the sole opinion of the *Chair*.
- 20.7 If a meeting is adjourned before all the business included on the meeting *agenda* has concluded, the remaining business shall be included on the *agenda* for the next *Regular Meeting* or on the *agenda* of a *Special Meeting* set for that purpose.

## 21. MAIN MOTIONS

- 21.1 All decisions of *Council* shall be made by *resolution*, pursuant to section 180 and section 181 of the *Act*.
- 21.2 No matter may be voted on unless a *motion* has been moved by one *Councillor* and seconded by another *Councillor*. (BL12.26)
- 21.3 A *Councillor* may introduce or second a *motion* regardless of whether the *Councillor* intends to support the *motion*.
- 21.4 A *Councillor* shall not introduce a *motion* that is substantially the same as a previous *motion* brought before *Council* during the previous six (6) months.
- 21.5 *Council* members present at the meeting shall vote on each *motion*, unless required or permitted to abstain from voting pursuant to the *Act*.
- 21.6 When a *motion* is under debate, except for *privileged motions* or *incidental motions*, no *motion* shall be received other than a *motion* to:
- a) amend the *motion*; or
  - b) defer the *motion* to a subsequent meeting or time;
- 21.7 The *Chair* shall not call for a vote on a *motion* until the *Councillors* and the *Recording Secretary* are clear on the wording of the *motion*.
- 21.8 When the vote is called by the *Chair*:
- a) No *Council* member or other attendee(s) at a *Council Meeting* shall be permitted to speak until the votes are cast; and

- b) *Council* members shall vote by the raising of hands or in another manner deemed appropriate by the *Chair*, in their sole discretion.

21.9 If a majority of *Council* votes in favour of a *motion*, the *Chair* shall declare that the *motion* is carried.

## **22. SUBSIDIARY MOTIONS**

### **Motion to Amend**

22.1 A *Council* member may move to amend a *motion on the floor*.

22.2 An amending *motion* shall:

- a) be used for the purpose of adding, removing, or replacing words in the *motion on the floor*; and
- b) relate to the subject matter of the *motion on the floor* while not contradicting the original intent of the *motion*.

22.3 The mover of the *motion on the floor* shall still be considered the mover of the *motion on the floor* after any amendments thereto.

22.4 When a *motion* has two or more recommendations, a *Council* member may request that a *motion on the floor* be severed and considered as separate *motions*, in which case, the mover and seconder of the original *motion on the floor* shall be considered the mover and seconder of the severed motions.

### **Motion to Table**

22.5 A *Council* member may move to table a matter or a *motion* and all pending amendments to the *motion* temporarily by including either:

- a) the set date or time during a scheduled *Council* meeting when the postponed *motion* shall be discussed; or
- b) specify a location within the current meeting *agenda* where the *motion* shall be discussed.

22.6 A matter or *motion* that has been tabled must not be considered until lifted from the table by *resolution*.

22.7 If a matter or *motion* that has been tabled for that meeting, that is not lifted from the table by *resolution* before the adjournment of that meeting, shall be included on the *agenda* for the next *Regular Meeting* or *Special Meeting*, set for that purpose.

### **Motion to Withdraw**

22.8 A *Councillor* who introduces a *motion* may withdraw their *motion* if the *motion* has not been seconded.

22.9 A *motion on the floor* may only be withdrawn if:

- a) It is withdrawn by a motion of the *Councillor* who introduced the *motion on the floor*; and
- b) the *resolution* to withdraw the *motion on the floor* receives unanimous consent.

22.10 A *motion* withdrawn in accordance with section 22.8 shall not be recorded in the meeting minutes. (BL12.26)

### **Motion to Rescind**

22.11 A *Council* member may move to rescind a *resolution* that was previously adopted during the term of the current *Council*.

22.12 A *resolution* to rescind:

- a) shall require a *resolution* by the majority of the entire *Council*; and
- b) if passed, renders the original *resolution* null and void.

### **Motion to Refer**

22.13 A *Council* member may move to refer any matter or *motion* to the *CAO*, a *Council* committee, or other body for further investigation, consideration, and report.

### **Motion to Limit Debate**

22.14 A *Council* member may move to limit debate on a *motion* by:

- a) moving to set a maximum amount of time that each *Council* member may speak on a specific *motion on the floor*; or
- b) moving to set a maximum number of times that each *Council* member is allowed to speak on a specific *motion on the floor*.

### **Motion to End Debate**

22.15 A *Council* member may move to close debate on a *motion on the floor* and require *Council* to proceed immediately to a vote.

## **23. PRIVILEGED MOTIONS**

### **Motion to Recess**

23.1 The *Chair* may recess the meeting at any time for a specific period of time or until a specific time and shall call the meeting back to order without requiring a *motion*.

23.2 A *Councillor* may request that the meeting be recessed for a specific period of time or until a specific time by making a *motion*.

### **Motion to Adjourn**

23.3 A *Councillor* may move to adjourn a meeting at any time during the meeting unless:

- a) the meeting is in *closed session*; or
- b) another *motion on the floor* is being considered.

23.4 If a meeting is adjourned before all the business included on the meeting *agenda* has concluded, the remaining business shall be included on the *agenda* for the next *Regular Meeting* or on the *agenda* of a *Special Meeting* set for that purpose, in accordance with section 20.7 of this Bylaw.

### **24. INCIDENTAL POINTS**

#### **Point of Privilege**

24.1 A *Council* member may question the rights, comfort, safety, or privileges of themselves or another *Council* member through a point of privilege, which includes but is not limited to requests related to heating, lighting, noise, other disturbances, or the decorum of other members or the public.

#### **Point of Order**

24.2 A *Council member*, the *CAO*, or the *Recording Secretary* may question a procedural matter related to a *Council* member or bring to attention the purported breach of the rules of this Bylaw by raising a point of order.

#### **Point of Information**

24.3 A *Councillor*, the *CAO*, or the *Recording Secretary* may request or provide clarification or additional information during a matter under discussion by raising a point of information.

### **25. MOTIONS OUT OF ORDER**

25.1 The *Chair* may rule that a *motion* is out of order by providing the reasons for their decision, which may include, but is not limited to the following:

- a) the *motion* is not relevant to the matter under consideration;
- b) the *motion* is unclear or contains several different or distinct recommendations;
- c) the amending motion would nullify or contradict the intent of the *motion on the floor*;
- d) the *motion* would infringe on the role of the *CAO*, as provided for in section 201(2) of the *Act*;
- e) the *motion* is contrary to the *Act*, other governing legislation, or a bylaw of the *Town*;
- f) the *motion* is outside the authority or jurisdiction of the *Town*;

- g) the *motion* should be made through a *notice of motion* or should be brought before *Council* through another means; or
- h) the *motion*, or a substantially similar *motion*, has been considered during the past six (6) months.

25.2 *Motions* that are ruled out of order are no longer *motions*, and shall not be considered, voted upon or recorded in the minutes.

## **26. PECUNIARY INTEREST AND CONFLICT OF INTEREST**

- 26.1 A *Councillor* who has a reasonable belief that they have a pecuniary interest in any matter before *Council*, any committee of *Council*, or any board, commission, committee or agency to which they are appointed as a representative of *Council*, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions or voting on any question relating to the matter, and shall remove themselves as a member of *Council* from *Council* Chambers until the matter is concluded.
- 26.2 A *Councillor* who has a reasonable belief that they have a conflict of interest in any matter before *Council*, any committee of *Council*, or any board, commission, committee or agency to which they are appointed as a representative of *Council*, may, if present, declare and disclose the general nature of the conflict of interest prior to any discussion of the matter, abstain from discussions or voting on any question relating to the matter, and may remove themselves as a member of *Council* from *Council* Chambers until the matter is concluded
- 26.3 The minutes shall indicate the declaration of disclosure under the applicable section of the *Act* and section 26 of this Bylaw, and, if applicable, the time at which the *Councillor* left and returned to the meeting.

## **27. TIE VOTE**

- 27.1 If there are an equal number of votes for and against a *resolution* or bylaw, the *resolution* or bylaw is defeated.

## **28. PUBLIC HEARINGS**

- 28.1 In accordance with Part 7 of the *Act*, a *Public Hearing* shall be held when required by the *Act* or another enactment, or when directed by *Council*.
- 28.2 A *Public Hearing* shall be held at a *Regular Meeting* or *Special Meeting* of *Council* and will commence at 5:30 p.m., unless otherwise directed by a *resolution* of *Council*.
- 28.3 A *Public Hearing* shall be held before second reading of a proposed bylaw or before *Council* makes a decision by *resolution*.
- 28.4 Any person, group of persons, or person representing them who claims to be affected by the proposed bylaw, *resolution*, or other subject of the *Public Hearing* shall be eligible to present at a *Public Hearing*, either *electronically* or in person, and may also provide a

written submission, given they adhere to the procedures of the *Public Hearing* identified within this Bylaw.

28.5 *Public Hearings* shall be advertised in accordance with the *Advertising Bylaw* and shall include information on the deadlines to be followed by anyone wishing to provide a submission to the *Public Hearing*.

28.6 Notwithstanding section 28.5 of this Bylaw, a *Public Hearing* shall be advertised:

- a) for two (2) consecutive weeks in an accredited local newspaper, if possible; and
- b) through any other methods identified in the *Advertising Bylaw*, as deemed necessary.

28.7 In accordance with section 199 of the *Act*, all *Public Hearings* shall be conducted both *electronically* and in person at Town Hall.

28.8 All requests to provide a verbal submission *electronically* at a meeting must be received at least five (5) calendar days prior to the date of the *Public Hearing* and shall include:

- a) The name of the requestor;
- b) whether they are in support or in opposition of the proposed bylaw, resolution, or other subject of the *Public Hearing*; and
- c) whether they are a resident of the Town of Drumheller.

28.9 All written submissions must be received at least five (5) calendar days prior to the date of the *Public Hearing* for inclusion in the *agenda*, and shall include:

- a) the name of the signatories;
- b) state if the signatories are in favour or opposed to the subject matter;
- c) whether or not the signatories are residents of the *Town of Drumheller*; and
- d) how each signatory is affected by the subject matter of the *Public Hearing*.

28.10 Written submission containing personal attacks, derogatory or defamatory statements, statements that promote discrimination against a person or class of persons, or statements that are likely to expose a person or class of persons to hatred or contempt will not be accepted.

28.11 Any person who wishes to present an in-person verbal submission at a *Public Hearing* shall register to speak prior to the hearing on a designated sign-in sheet, which shall include:

- a) their name;
- b) whether they are in support or in opposition of the proposed bylaw, resolution, or other subject of the *Public Hearing*; and

- c) whether they are a resident of the *Town of Drumheller*.

28.12 The order of business for a *Public Hearing* shall be as follows:

- a) *Council* shall make a *motion* to open the *Public Hearing*, which shall note the time that the *Public Hearing* is opened;
- b) The *Chair* shall state the purpose of the *Public Hearing*;
- c) The *CAO* shall introduce the proposed bylaw, resolution, or other subject and shall briefly speak on the intended purpose;
- d) The *Chair* or *Recording Secretary*, as determined by the *Chair*, shall outline the rules of conduct for the *Public Hearing*;
- e) The *Chair* shall ask three (3) times whether anyone else wishes to present in support of the proposed bylaw, resolution, or other subject matter.
- f) *Council* shall hear the presentation(s) from the public in support of the proposed bylaw, resolution, or other subject matter;
- g) The *Chair* shall ask three (3) times whether anyone else wishes to present in objection of the bylaw, resolution or other subject matter.
- h) *Council* shall hear the presentation(s) from the public in opposition of the bylaw, resolution or other subject matter;
- i) The *CAO* shall be given the opportunity to respond to any comments received from the parties in opposition;
- j) *Council* shall be given the opportunity to ask questions of clarification from either the parties in support, the parties in opposition, or the *CAO*.
- k) *Council* shall make a *motion* to close the *Public Hearing*, which shall note the time that the *Public Hearing* is closed.

28.13 The following rules of conduct shall be followed during the *Public Hearing*:

- a) all persons shall address their presentation to the *Chair* and shall only address *Council* with the *Chair's* permission;
- b) presentations shall be given in the order in which they are called;
- c) all materials associated with the *Public Hearing* will form part of the minutes of the regular or special council meeting in accordance with section 216.4(6) of the *Act* and will become part of the public record;

- d) only material associated with the proposed bylaw, *resolution*, or other subject matter for which the *Public Hearing* was called will be considered at the *Public Hearing*;
- e) no person shall speak for more than five (5) minutes, and no group shall speak for more than ten (10) minutes, exclusive of the time required to answer questions from *Council*, unless the presentation has been extended by a decision of the *Chair* in order to ensure the integrity of the *Public Hearing*;
- f) any person addressing *Council* shall:
  - i) state their name;
  - ii) whether they are in support of or opposition to the Bylaw, *resolution*, or other subject matter;
  - iii) whether they are a resident of the *Town of Drumheller*; and
  - iv) how they are affected by the proposed bylaw, *resolution*, or other subject matter;
- g) *Council* may not debate the bylaw, *resolution*, or other subject matter at the *Public Hearing* and may only ask questions for clarification;
- h) the *Chair* shall have the authority to end a presenter's electronic participation in a *Public Hearing* if, in the opinion of the *Chair*, it is disruptive or inappropriate to the proceedings;
- i) respect for staff, *Council*, and the public shall be maintained, and the *Chair* may expel any member of the public from the *Public Hearing* for improper conduct, in accordance the section 216(3) of the *Act*.

28.14 *Council* members who are absent for the entirety or part of a *Public Hearing*:

- a) **must** abstain from voting on the matter in future sessions of *Council*, if absent for the entirety of the *Public Hearing*; and
- b) **may** abstain from voting on the matter in future sessions of *Council*, if absent for part of the *Public Hearing*.

28.15 In order to ensure procedural fairness, no person shall address *Council* regarding a matter subject to a *Public Hearing* after the conclusion of that *Public Hearing*.

## 29. DELEGATIONS

29.1 Any individual, group, or organization wishing to appear before *Council* or the *Committee of the Whole* shall be required to make an appointment to appear as a delegation.

- 29.2 Any individual, group, or organization requesting to appear as a delegation must submit a written request to the CAO no later than 4:30 p.m., fourteen (14) days prior to the scheduled meeting.
- 29.3 The request must include:
- a) the name of the presenter(s);
  - b) the organization represented, if applicable;
  - c) the subject matter of the presentation; and
  - d) any materials to be included in the *Council agenda* package.
- 29.4 Delegations shall be scheduled at the discretion of the CAO and the Mayor, considering relevance, timeliness, and appropriateness of the subject matter.
- 29.5 The Mayor and CAO may refuse a request to appear if:
- a) the subject matter is outside the jurisdiction of *Council*;
  - b) the presenter is not a resident of the *Town*, and the subject matter is not, in the opinion of the Mayor and CAO, relevant to the *Town of Drumheller*;
  - c) the issue is the subject of ongoing litigation, insurance, or bylaw enforcement;
  - d) the request is repetitive or has already been considered by *Council* within the previous six (6) months; or
  - e) the submission is defamatory, frivolous, or offensive, in the opinion of the Mayor and CAO.
- 29.6 Delegations shall be allotted a maximum of ten (10) minutes to present, unless otherwise approved by the *Chair*.
- 29.7 Following the presentation:
- a) the presentation and any associated supporting material shall be accepted as information; and
  - b) if required, consideration on the matter shall take place at a subsequent *Regular Meeting* or *Special Meeting*, set for that purpose.
- 29.8 The *Chair* may end a presentation by a delegation if, in their opinion, the delegation is disrespectful, repeats arguments already made, or breaches meeting decorum.
- 29.9 Notwithstanding section 29.1 through 29.3 of this Bylaw, these requirements may be waived by a *resolution* of *Council* and the delegation may be added to the *agenda* as emergent business.

### 30. PUBLIC CONDUCT AT MEETINGS

- 30.1 Pursuant to section 198 of the *Act*, everyone has the right to attend *Council Meetings* and *Council Committee Meetings* conducted in public unless the *Chair* expels a person for improper conduct.
- 30.2 When in attendance at a *Council Meeting*, the public must maintain order, decorum, and quiet for the duration of the meeting, and shall not:
- a) approach or address *Council* without prior permission being granted by the *Chair*; or
  - b) otherwise disturb or interrupt the proceedings of *Council*.
- 30.3 The use of audio/visual recording devices or the taking of photographs by the public or the media during a meeting is prohibited, unless otherwise authorized by the *Chair*.
- 30.4 If the health or safety of the meeting participants is deemed to be at risk, the individual may be disallowed from attending meetings indefinitely, in the sole discretion of the *Mayor*.
- 30.5 If a member of the public who has been expelled refuses to leave the premises, the *Chair* or *CAO* may request the Royal Canadian Mounted Police or Peace Officer to remove the person.

### 31. BYLAWS

- 31.1 Bylaws shall be presented on the *agenda* with:
- a) their number; and
  - b) their short title.
- 31.2 Pursuant to section 187 of the *Act*, bylaws shall:
- a) have three (3) separate and distinct readings; and
  - b) must not be given more than two (2) readings at a *Council Meeting* unless the *Councillors* present unanimously agree to consider third reading.
- 31.3 Pursuant to section 189 of the *Act*, a bylaw is passed when it receives third reading and is signed in accordance with section 213 of the *Act*.
- 31.4 Pursuant to section 190 of the *Act*, a bylaw comes into force at the beginning of the day it is passed, unless otherwise provided for in the bylaw or by an applicable provincial statute.
- 31.5 *Council* shall vote on the *motion* for first and second reading of a bylaw, after the following, as required:
- a) debate on the substance of the bylaw;
  - b) proposal and consideration of amendments to the bylaw; and

- c) referral of the bylaw to Administration for further information or a *Council* committee for further consideration.

31.6 *Council* shall vote on the *motion* for third reading of a bylaw, after the following, as required:

- a) debate on the substance of the bylaw; and
- b) proposal and consideration of amendments to the bylaw.

31.7 Pursuant to the *Act*; a bylaw may require a public hearing or approval of a provincial authority prior to a reading of a bylaw.

31.8 Pursuant to section 188 of the *Act*, the previous readings of a bylaw are rescinded if the proposed bylaw:

- a) does not receive third reading within two (2) years after first reading; or
- b) is defeated on second or third reading.

31.9 After the passage of a bylaw, the bylaw shall:

- a) be signed by the *Mayor* and the *CAO*; and
- b) be impressed with the corporate seal of the *Town*.

31.10 Pursuant to section 191 of the *Act*; the amendment or repeal of a bylaw must be made in the same way as the original bylaw and is subject to the same consents or conditions or advertising requirements that apply to the passing of the original bylaw.

31.11 Pursuant to section 69 of the *Act*; the *CAO* is permitted to consolidate one (1) or more bylaws as deemed convenient, and in doing so, must:

- a) incorporate all amendments to the bylaw into a single bylaw; and
- b) omit all provisions that have been repealed or expired.

## **32. CORRESPONDENCE**

32.1 All formal written or electronic communication addressed to *Council* or a *Council* member and related to the role of *Council* shall be circulated to all members of *Council* and the *CAO*.

32.2 All formal written or electronic communication addressed to *Council* or a *Council* member shall be added to a meeting *agenda* and brought before *Council* for consideration if:

- a) it contains a request for a financial decision; or
- b) it contains other matter of significant importance, in the opinion of the *CAO* and *Mayor*.

32.3 Responses to all correspondence received in accordance with section 32.1 shall be prepared by the *CAO* and *Mayor*, as deemed necessary, after:

- a) allowing sufficient time for *Councillors* to review the incoming correspondence and provide suggestions for response; and
- b) allowing sufficient time for *Councillors* to review and approve outgoing correspondence prepared by the *CAO* and *Mayor*.

32.4 Notwithstanding section 32.1, a financial request that is eligible for funding through an established funding stream of the *Town of Drumheller* shall be directed to the respective stream and shall not be addressed to Council, unless determined otherwise in the opinion of the *Mayor* and *CAO*. (BL12.26)

### **33. RECORDS MANAGEMENT**

33.1 Clerical, typographical, and grammatical errors in approved bylaws, minutes, and *agendas* may be made by the *CAO*, without *Council resolution* if;

- a) the changes do not alter the intent of the document;
- b) the full name of the person making the correction and the date that the corrections were made is identified on the back page of the document;
- c) the changes are made by striking the error in red ink; and
- d) the changes are initialled and dated by the person making the correction.

33.2 If a *Council* member, when moving a *motion*, misspeaks in a manner that contradicts the clear intent of the *motion*, the *Recording Secretary* may record the *motion* in the manner in which it was intended.

33.3 Approved bylaws, minutes, and *agendas* shall be retained permanently by the *CAO*, in accordance with the *Records Retention and Disposition Bylaw #25.25*.

33.4 Recordings of meetings shall be retained and posted on the *Town's* public YouTube channel for a maximum of four (4) years.

### **34. SCHEDULES**

34.1 Schedule 'A' is attached to and forms part of this Bylaw.

### **35. SEVERABILITY**

35.1 If any portion of this Bylaw is found to be invalid, that portion shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

### **36. TRANSITIONAL**

36.1 This Bylaw comes into full force and effect on October 20, 2025.

36.2 Upon third reading of this Bylaw, Bylaw #04.21 and all amendments thereto are hereby repealed.

READ A FIRST TIME THIS 22<sup>nd</sup> DAY OF September, 2025.

READ A SECOND TIME THIS 22<sup>nd</sup> DAY OF September, 2025.

READ A THIRD AND FINAL TIME THIS 6<sup>th</sup> DAY OF October, 2025.

SCHEDULE 'A'



**Town of Drumheller**

**NOTICE OF MOTION**

Submitted in accordance with section 18 of the Council Procedure Bylaw #33.25

**Presented by:** \_\_\_\_\_

**Seconded by:** \_\_\_\_\_

This notice of motion shall be read into the Council record on: ***[Insert Regular Meeting Date]***

The motion as read will be considered by Council on: ***[Insert Regular Meeting Date]***

**TITLE:** ***[Insert topic title]***

**WHEREAS:** ***[Insert preamble - Background Information];***

**AND WHEREAS:** ***[Insert preamble - Reason for Notice of Motion]***

**AND WHEREAS:** ***[Insert additional preamble as required - Additional Information];***

**NOW THEREFORE, BE IT RESOLVED THAT:**

***“[Insert proposed motion]”***