



Currently
Enforced

Bylaw : 07-2022

Council and Committee Procedure Bylaw

BEING A BYLAW OF THORHILD COUNTY IN THE PROVINCE OF ALBERTA REGARDING THE PROCEDURE AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY COUNCIL.

WHEREAS a Council may adopt Bylaws in relation to the procedures and conduct of Council and the establishment, functions, and conduct of Council Committees.

NOW THEREFORE, The Council for Thorhild County in the Province of Alberta, duly assembled, enacts as follows:

PART 1. TITLE:

This Bylaw may be cited as the "Council and Committee Procedure Bylaw".

PART 2. DEFINITIONS:

In this Bylaw:

"Adjourn" used in relation to any Meeting, except at a Public Hearing, means to terminate the Meeting.

"Administration" means the general operations of Thorhild County, including all personnel, financial and other related resources, as permitted by the *Municipal Government Act* and any successor legislation.

"Agenda" means the items of business of a Meeting and the associated reports, Bylaws, or other documents.

"CAO" means the Chief Administrative Officer of the Thorhild County within the meaning of the *Municipal Government Act*, or their designate.

"Chair" means the Mayor, Deputy Reeve or other person who has authority to preside over a Meeting; and shall be able to vote on matters.

"Challenge" means an appeal of the ruling of the Chair.

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“Closed Meeting” means a Meeting closed to the Public at which only Councillors and other Persons specified by Council may attend at which no Resolution or Bylaw may be passed, except a Resolution to revert to a Meeting held in Public.

“Council” means the municipal Council of Thorhild County

“Council Meetings” means a Regular, Organizational Meetings and Public Hearings of Council; or any other Meetings in which there is a Quorum of Council.

“Councillor” means a Member of Council, including the Reeve, who is duly elected and continues to hold office.

“Council Committee” means a committee, board or other body established by Council, by Bylaw or Resolution under the *MGA*.

“Deputy Reeve” means the Councillor appointed by Council to perform all duties of the Reeve in the absence or incapacity of the Reeve

“General Municipal Election” means an election held in the County to elect the members of Council as described in the *Local Authorities Election Act*.

“Municipal Government Act (MGA)” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto.

“Member” means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council.

“Minutes” are the record of decisions of a Meeting.

“Motion” a formal proposal by a Member, in a Meeting, that the group take a certain action. Motion can also be referred to as a Resolution.

“Notice of Motion” means notice that an item will be placed on the next Council Meeting Agenda.

“Organizational Meeting” means the Meeting the Council must hold annually not later than two (2) weeks after the third (3rd) Monday in October.

“Pecuniary Interest”, means interest in something, which could monetarily affect a Councillor, a Councillor’s spouse, or independent partner, or children, a Councillor’s parents or parents of a Councillor’s spouse, or a business which employs a Councillor or in which a Councillor has an interest, as described in the *MGA*.

“Point of Information” is a question to obtain information on the procedures of Council to assist a Member to:

- a) make an appropriate Motion,
- b) raise a point of order,
- c) understand the procedure, or,
- d) understand the effect of a Motion.

“Point of Interest” means a request from a Council Member to share a comment, information, or commendation about an individual, group, organization, or event.

“Point of Order” means a request that the Chair enforce the rules of procedure.

“Point of Privilege” does not relate to the pending business. An immediate and overriding request made to the Chair on any matter related to the rights and privileges of Council or individual Councillors and includes the:

- a) comfort of Councillors,
- b) conduct of County employees or members of the Public in attendance at the Meeting,
- c) accuracy of the reports of Council's proceedings, or,
- d) reputation of Councillors or Council.

“Postpone” means to delay the consideration of any matter, either:

- a) to later in the Meeting,
- b) to a specified time and/or date,
- c) until the occurrence of an event, or,
- d) indefinitely.

“Quorum” means the minimum number of Members that must be present at a Meeting for business to be legally transacted.

“Reeve” means the chief elected official of Thorhild County within the meaning of the *MGA* and a Member of Council.

“Recess” means to take a short break within a Meeting that does not end the Meeting, after which proceedings are immediately resumed at the point where they were interrupted.

“Reconsider” means a Motion made by a Member who voted on the prevailing side of a Motion adopted by Council with the purpose of reconsidering the vote on a Motion dealt with earlier in that same Meeting. If it is adopted by a majority vote, the Motion will be back again before Council.

“Refer” means to send a pending Motion or Agenda item to a Council Committee or Administration for investigation and report.

“Renew” means to bring forward to a later Meeting a previously defeated Motion.

“Rescind” means to bring forward to a later Meeting a previously successful Motion with the intent of revoking the original Motion.

PART 3. APPLICATION AND INTERPRETATION:

1. THIS BYLAW SHALL APPLY TO ALL MEETINGS OF COUNCIL, AND COUNCIL COMMITTEES.

- a) For Council Committees:
 - i. any reference to the Reeve shall be treated as a reference to the Chair of the Council Committee,
 - ii. any reference to a Councillor shall be treated as a reference to a Member of the Council Committee, and,
 - iii. any reference to Council shall be treated as reference to the Council Committee.
- b) The precedence of the rules governing the procedures of Council is:
 - i. the *MGA*,
 - ii. other provincial legislation,
 - iii. this Bylaw.

2. COUNCIL MEETINGS

a) REGULAR COUNCIL MEETINGS

Unless Council by Resolution from time to time otherwise determines, Regular Meetings shall be held in the County Council Chambers on the second (2nd) and fourth (4th) Tuesday of each month beginning at nine-thirty (9:30) a.m. For the month of December there will be one (1) Regular Meeting of Council held on the first Tuesday.

Council Meetings shall Adjourn by four-thirty (4:30) p.m., unless members of Council by a majority vote by three-thirty (3:30) p.m., agree to an extension of time.

When the date of a Regular Council Meeting falls on a statutory holiday, the date of the Meeting shall be changed to the following day.

b) ORGANIZATIONAL COUNCIL MEETINGS

An Organizational Meeting shall be held on the date and time established at the previous year's Organizational Meeting, in accordance with the *MGA*.

A Councillor does not carry out any power, duty or function until that person has taken the Oath of Office. The Oath of Office is made once per term unless the Councillor is appointed the Reeve or Deputy Reeve.

The CAO shall call the Meeting to order and shall preside over the Meeting.

- i. A secret ballot vote among Council members will be held to determine the Reeve. The Reeve is to be appointed by Council from among the Councillors. Upon completion of the Reeve making and subscribing the Oath of Office, the CAO shall retire from the Chair, and the Reeve shall take the Chair.
- ii. A secret ballot vote among Councillors will be held to determine the Deputy Reeve. The Deputy Reeve is to be appointed by Council from among the Councillors.
- iii. The Deputy Reeve and remaining Councillors make and subscribe the Oath of Office after election.
- iv. Council membership on Council Committees will be established, based on their preference.
- v. Council shall conduct other business as identified within the Organizational Meeting Agenda.

3. MEETING THROUGH ELECTRONIC COMMUNICATIONS

- a) Meetings may be held by means of electronic or other communication facilities according to the provisions of the *MGA*.
- b) A Councillor must notify the Reeve and CAO of their intentions to meet through electronic means at least one hour (1) prior to the Meeting by email or telephone communications. The Councillor will be available at least fifteen (15) minutes prior to the Meeting to ensure the electronic facility is working.
- c) A Councillor may participate in a Meeting, including discussions in a Closed Meeting, by means of electronic communications if;
 - i. The Councillor is in a location outside of Thorhild County for some reason.
 - ii. The Councillor is unable to attend a Meeting due to physical restraints for themselves or an immediate family member.

- iii. There is Quorum, including those attending through electronic means.
- d) A Councillor attending a Meeting by electronic communications is deemed to be present at the Meeting for whatever period of time the connection via electronic communications remains active.
- e) The Reeve shall announce to those in attendance at the Meeting that the Councillor is attending the Meeting by means of electronic communications.
- f) When a vote is called, Councillors attending by means of electronic communications shall be asked to state their vote only after all Councillors present in the Meeting have cast their votes by a show of hands.
- g) A Councillor attending a Closed Meeting by electronic communications must ensure that they are in a secure location, they will be required to confirm that they are alone in keeping with the definition of Closed Meeting.

They will be required to confirm that they have attended the Closed Meeting alone in keeping with the definition of Closed Meeting, by providing a statutory declaration or affidavit sworn or declared before a Commissioner for Oaths prior to the next Regular Council Meeting, or state live on the electronic Meeting, that they are alone.

- h) Electronic communications may be used to hold Council or Committee Meetings where all of Council attends by electronic means subject to due notice requirements for any such Meeting being met (or waived by unanimous consent in special circumstances). Should this occur 3.c) would not apply.

4. NOTICE OF REGULAR COUNCIL MEETINGS

- a) If Council, by Resolution, changes the date, time, place or cancels a regularly scheduled Meeting, the notification must be:
 - i. issued a minimum of twenty-four hours prior to the Meeting date,
 - ii. in writing (email) or telephone communication to each Councillor that was not present at the Meeting at which the change was made, and,
 - iii. posted on the Thorhild County website or social media sites.
 - iv. posted in the newspaper if applicable.

5. NOTICE OF SPECIAL COUNCIL MEETINGS

- a) Under the *MGA*, the Reeve
 - i. may call a Special Council Meeting whenever the Reeve considers it appropriate to do so, and,
 - ii. must call a Special Council Meeting if the Reeve receives a written request for the Meeting, stating its purpose, from a majority of the Councillors.
- b) The CAO shall ensure the notice is:
 - i. issued a minimum of twenty-four (24) hours prior to the Meeting date,
 - ii. emailed or via telephone communications to each Councillor, and,
 - iii. posted on the Thorhild County website and social media sites.

6. QUORUM

Quorum of Council is a majority of Council Members.

- a) If Quorum is not achieved within thirty (30) Minutes after the time the Meeting was scheduled to begin, the CAO will record the names of those present and the Meeting will be rescheduled.
- b) If at any time during a Meeting the Quorum is lost, the Meeting will be recessed and if a Quorum is not achieved again within fifteen (15) Minutes the Meeting will be deemed to be adjourned.
- c) If a Meeting is adjourned for failure to constitute a Quorum or due to a loss of Quorum, the Agenda for that Meeting shall be considered as the first items on the next scheduled Council Meeting, unless a Special Meeting is conducted to complete such business.

7. CHAIRMANSHIP OF MEETINGS

a) THE CHAIR

- i. Opens, chairs, and preserves order in Council Meetings.
- ii. Decides all questions of procedure.
- iii. Ensures that each Councillor who wishes to speak on a debatable Motion is granted the opportunity to do so.
- iv. Determines the speaking order when two (2) or more Members of Council or others wish to speak.
- v. Decides who, aside from Councillors, may address Council.
- vi. May speak and debate.
- vii. Vote on matters.
- viii. When the Chair decides on a question of procedure, they must provide a reason for the decision.

b) CHAIR ASSIGNMENTS

- i. The Reeve chairs all Regular, Special, and Organizational Meetings of Council.
- ii. The Deputy Reeve chairs Council Meetings when the Reeve is absent or unable to act as Reeve and shall have all the powers and responsibilities of the Reeve under this Bylaw during the absence or incapacity of the Reeve.
- iii. In the absence or inability of the Reeve and Deputy Reeve to act, the CAO shall call the Meeting to order, and a Chair shall be determined from those Councillors present.

8. AGENDA

- a) The Agenda orders the business for a Meeting and will follow the appropriate Orders of the Day set out in Schedule A.
- b) The Agenda for each Council Meeting is established, reviewed, and authorized by the CAO.
- c) The Agenda for each Meeting is established by the CAO in consultation with the Reeve.

- d) All material for inclusion in the Agenda shall be submitted to the CAO's office by twelve (12:00) noon of the County's fifth (5th) operating day preceding the Council Meeting.
- e) The CAO will distribute the Agenda to Council and the Public by end of day Thursday prior to the Council Meeting. Notification will be made by end of day Thursday if modifications have to be made.
- f) Reports and supplementary materials to items on the Agenda that are received too late to be included with the Agenda will be made available to Council, Administration, in paper or electronic format as soon as is reasonably possible.
- g) The first order of business at any Council Meeting shall be consideration of the proposed Agenda and adoption of it, subject to any amendment that Council may approve by Resolution.
- h) The order of business at a Council Meeting shall be the order of the items on the adopted Agenda.
- i) The Chair shall introduce the Agenda item.
 - i. The CAO shall provide background information if required.
 - ii. The Chair shall ask for any questions by Council on the item. The Chair may limit the number of questions from Council provided each Councillor has had an equal opportunity for questions.
 - iii. The Chair may ask for a Motion, or the Chair or Councillor may put forward a Motion.
- j) The order of business at a Meeting is the order of the items on the Agenda except when:
 - i. a previous Meeting has been adjourned for lack of Quorum and no Special Meeting has been called to deal with the business of the adjourned Meeting, the Agenda items from the adjourned Meeting must be dealt with before any items on the current Agenda,
 - ii. Council alters the order of business for the convenience of the Meeting by consensus,
 - iii. the same subject matter appears in more than one place on the Agenda and Council decides, by Motion, to deal with all items related to the matter at the same time.

9. MINUTES

- a) The CAO or designate will prepare a written record of all Council Meetings that includes:
 - i. the names of the members of Council present at and absent from the Meeting, CAO and/or delegated authority, staff, and the recording secretary,
 - ii. all decisions, other proceedings, and outcomes,
 - iii. any abstentions made under the *MGA*, by any Member of Council and the reason for the abstention (i.e., absent from Public Hearing), and,
 - iv. any abstentions made as a result of a Pecuniary Interest and the reason for the abstention, as per the *MGA*.
- b) When the vote on a Motion is carried or defeated, the Minutes shall reflect "Carried" or "Defeated."
- c) When a Motion is specifically asked to be recorded by a Member of Council, the Minutes shall reflect the number of votes for and against a Motion, as well as the names of the members that voted in favour of and the names of those that were opposed to the Motion.
- d) Unless otherwise authorized in this Bylaw, discussion, questions, and debate shall not be recorded in the Minutes.
- e) When a Meeting is closed to the Public to discuss a matter that is within one of the exceptions to disclosure in the *Freedom of Information and Protection of Privacy Act*, the reason for closing the Meeting shall be recorded in the Minutes.
- f) Minutes of a Meeting shall be adopted by Motion at the following Meeting, regardless of whether the same Members are present.
- g) Any Member may request a correction to the Minutes before they are adopted. Corrections are deemed adopted when the Motion to adopt the Minutes has been carried.
- h) Minutes shall have the signatures of the Chair and the CAO or their designate.

10. PROCEEDINGS AT MEETINGS

- a) All discussion at a Meeting of Council is directed through the Chair.
- b) When two (2) or more Members wish to speak to a matter, the Chair shall decide who is entitled to speak.

- c) A Councillor may ask questions of Administration or other Councillors on any Motion or amendment to a Motion through the Chair.
- d) A Councillor may speak to answer questions put by other Councillors, through the Chair.
- e) When a Member of Council wishes to leave the Council Chambers while a Council Meeting is in progress:
 - i. the Member of Council shall await the formal acknowledgement of the Chair before leaving; and,
 - ii. the time of the Member's departure, and return, if any, shall be recorded in the Minutes.
- f) To ensure that Quorum is not lost, the Chair may recess the Meeting briefly if a Member of Council wishes to leave the Meeting but intends to return.
- g) No Councillor shall leave the Council Meeting after a question is put to a vote, until the vote is taken.
- h) A Council Member shall not speak on any matter for longer than ten (10) minutes unless otherwise permitted by the Chair.
- i) No Council Member shall interrupt any other person who has been recognized by the Chair and has the floor.
- j) Councillors who have been assigned their turn to speak may only be interrupted by other Councillors including the Chair:
 - i. by a Point of Privilege,
 - ii. by a Point of Order.
- k) A Councillor who is speaking when a Point of Order or Point of Privilege is raised will cease speaking immediately.
- l) If a Councillor wishes to raise a Point of Order or a Point of Privilege, the Member, upon recognition, shall then briefly state the grounds of same.
- m) The Chair may grant permission:
 - i. to the Councillor raising the point to explain the point briefly, and,
 - ii. to the Councillor who was speaking to respond briefly,
 - iii. but a Point of Order or Point of Privilege is not debatable or amendable.

- n) The Chair may seek advice from the CAO on a Point of Order or Point of Privilege to determine whether a matter is within the jurisdiction of the Council.
- o) The Chair must rule on a Point of Order or Point of Privilege and no vote will be taken unless there is a Challenge by a Member of Council to the ruling.
- p) A Point of Order or Point of Privilege shall take precedent over all other business and any appeal shall be determined by a majority vote which shall not be Reconsidered or Rescinded.
- q) Closed Meeting items sent to Council through an electronic Agenda are to be kept confidential.

11. DELEGATIONS AND INVITED PRESENTATIONS

a) INVITED PRESENTERS

Presenters who are invited by Administration do not have to request to be a delegation and are not subject to requirements in Section 11.b) i.

b) DELEGATIONS AND REQUESTS TO COUNCIL

- i. A person or delegation wishing to make formal representation directly to Council at a Regular Council Meeting shall advise the CAO no later than twelve (12:00 p.m.), noon on the fifth (5th) operating day preceding the Meeting. The written request must include the contact information of the person wishing to appear before Council along with a brief explanation of the subject to be addressed, the specific request to be made to Council. Written materials are to be included with the request.
- ii. After receiving the request to speak, the CAO shall place the request on the Agenda.
- iii. No person or group shall appear more than once per year as a delegation to Council on the same or a related subject, unless providing new information.
- iv. Council may:
 - (1) refer the matter to Administration or a Committee to be heard,
 - (2) hear from the person making a direct request, or,
 - (3) refuse to hear from the person making a direct request.
- v. When hearing from the Public, Council does not require a Motion on the floor.

- vi. The following procedures will apply to delegations before Council or a Committee:
 - (1) the Chair will introduce the delegations, and
 - (2) the delegation shall present from the delegation table and will:
 - (a) state their name and address, and,
 - (b) indicate if they are speaking on their own behalf, a client, a company, or a group of citizens (i.e., club or organization).
- vii. After a delegation has spoken, members of Council will ask only questions of clarification that are relevant to the subject of the delegate's session and will avoid repetition. Persons speaking to the subject will be restricted to speaking to the relevant subject matter only.
- viii. Each person or delegation appearing before Council shall be limited to a maximum of fifteen (15) minutes of presentation time unless the Chair, at their discretion, agrees to extend the time.
- ix. Any Councillor may ask the CAO relevant questions after the delegation has spoken.

12. RULES OF MOTION

- a) After a Motion has been made, and stated by the Chair, it may not be withdrawn without the majority consent of Council.
- b) A seconder to a Motion is not required.
- c) Council shall consider only one Motion at a time.
- d) The following Motions are not debatable by Council:
 - i. to raise a Point of Privilege,
 - ii. to call for Orders of the Day,
 - iii. to raise a Point of Order,
 - iv. to withdraw a Motion,
 - v. to recess or Adjourn the Meeting.
- e) When a Motion has been made and is being considered, no Councillor may make any other Motion except:

- i. as set out in Section 12) d) above,
 - ii. to amend the Motion,
 - iii. to refer the main Motion to Administration, to a Council Committee, or to some other person or group for consideration,
 - iv. to postpone consideration of the Motion.
- f) Motions shall have precedence in accordance with the order that they are listed in Section 12) d) and e).
- g) A Motion is defeated when the vote is tied.

13. MOTION TO RECONSIDER

- a) If a Motion is voted on by Council, a Councillor who voted on the prevailing side may move, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.
- b) If a Motion is contrary to the rules and privileges of Council, the Chair may refuse to accept it and must cite the rule or authority applicable without other comment.
- c) If a Motion cannot be voted on because there would be no Quorum due to any 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.
- d) If a Motion is defeated, the same Motion shall not be renewed unless:
 - i. a General Municipal Election has been held, or
 - ii. one (1) year has passed since the date that the Motion was defeated.

14. AMENDMENTS TO MOTIONS

An amendment proposed to a Motion must be relevant to its subject matter and must not propose a direct negative of the Motion.

- a) Any Councillor, other than the Councillor who moved the main Motion, may move to amend a Motion.
- b) The Chair shall allow only one (1) amendment to the main Motion and one (1) amendment to the amendment to be advanced and considered at a time.

- c) Council must vote:
 - i. on an amendment to the amendment, if any, before voting on the amendment, and,
 - ii. on any amendment before voting on the main Motion.
- d) When an amendment is on the floor, Council may debate only the merits of the amendment and shall not debate the merits of the Motion to which it is applied.
- e) The Chair shall not put the main Motion under debate to a vote until all amendments to it have been put to a vote of Council.
- f) Once the amendments to the main Motion have been voted on, the Chair shall put forth the main Motion under debate to Council for a vote, incorporating the amendments that have been passed by Council.

15. MOTION TO CHALLENGE

- a) Any ruling of the Chair may be challenged.
- b) A Motion to Challenge may be made only at the time of the ruling, whether another speaker has the floor.
- c) A Motion to Challenge is debatable unless it relates to decorum, the priority of business, or an undebatable pending Motion.
- d) If a Motion is made to Challenge, the Chair must state the question "Is the ruling of the Chair upheld?". The Chair may participate in debate on the Challenge without leaving the chair.
- e) If the Chair refuses to put the Challenge to Council, Council may request the Deputy Reeve to assume the Chair in order that the Challenge to the Chair's ruling can be put to Council. The result of the vote is as binding as if conducted under the Chair and the Chair shall abide by the result.
- f) Unless there is a vote against it, the ruling of the Chair will be upheld.

16. MOTION TO LIMIT OR END DEBATE

Upon a reasonable opportunity for discussion of a Motion, in the opinion of the Chair, being afforded and when no other person is holding the floor the Chair may call the question.

17. NOTICE OF MOTION

- a) Prior to Council Adjourning a Regular Council Meeting, Councillors will be given an opportunity to bring a Notice of Motion by reading into the Minutes the Notice of Motion.
- b) A Notice of Motion must give sufficient detail so that the subject of the Motion and any proposed action can be determined.
- c) A Notice must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.
- d) A Notice of Motion given at a Regular Council Meeting will automatically appear on the Agenda of the next Regular Council Meeting.
- e) A Notice of Motion cannot be made at a Special Council Meeting.
- f) A Notice of Motion is not debatable until a Councillor moves the Motion.

18. MOTION TO RECESS

- a) The Chair, without a Motion, may Recess the Meeting for a specific period of time.
- b) Any Councillor may move that Council Recess for a specific period.
- c) After the Recess, business will be resumed at the point where it was interrupted.

19. MOTION TO REFER

- a) A Councillor may move to Refer any Motion and any pending amendments to the appropriate Council Committee or Administration for investigation and report.
- b) A Motion to Refer:
 - i. precludes all further amendments to the Motion, until the Motion to Refer has been addressed by Council,
 - ii. is debatable,
 - iii. may include instructions indicating what the receiving body is to do and the date by which Council requires a response, and,
 - iv. may be amended only as to the body to which the Motion is referred and the instructions on the referral.

- c) The Chair shall refuse to accept a Motion to Refer that would have the effect of defeating the Motion to which it applies.
- d) Once the body to which a Resolution has been Referred commences its deliberations, the body may recommend for adoption, any amendment to the Resolution so Referred, without regard to any amendments considered by Council prior to that Referral. The Resolution proposed by the Referral body shall be as if introduced to Council for the first time, and Council shall be free to consider any amendment to it.

20. OBJECTION TO CONSIDERATION OF A MOTION

- a) A Councillor may move to Object to the Consideration of a Motion prior to any debate on the Motion and the Chair must state the question "Will the Motion be considered?"
- b) A Motion to Object to the Consideration of a Motion is not debatable or amendable.
- c) If Council passes a Motion to Object to the Consideration of a Motion, the Motion objected to may be brought before Council only by a Motion to Reconsider.

21. POINT OF ORDER

- a) A Point of Order which requires immediate attention, may interrupt a speaker and is not debatable or amendable.
- b) The Chair must rule on the Point of Order and no vote will be taken unless there is a challenge.

22. POSTPONING MOTIONS

- a) A Motion may be Postponed:
 - i. to later in the Meeting to enable Council to deal with other more pressing matters,
 - ii. to a specified time and/or date,
 - iii. until the occurrence of an event, or,
 - iv. indefinitely.
- b) A Motion to Postpone indefinitely is debatable and debate may deal with the merits of the Motion being Postponed.

- c) A Motion to Postpone indefinitely may only be brought back after:
 - i. more than a year from the date of the Postponement,
 - ii. a General Election, or,
 - iii. a subsequent Resolution is passed allowing it to be brought back.
- d) The effect of the Motion to postpone a Motion indefinitely is to suppress it throughout the current Council term.
- e) A Motion to Postpone to a definite time may be made at any time during debate.
 - i. A Motion to Postpone to a definite time is only debatable as to advisability of the Postponement and is amendable only as to the time specified.
 - ii. A Motion to Postpone takes precedence over any other Motion connected with the Motion being Postponed.
- f) If a Motion has been Postponed to a specified time and/or date or until the occurrence of an event, the Motion is automatically placed on an Agenda for consideration at that time and date or upon the occurrence of the event.
 - i. It will take priority over all other unfinished business at that time.
 - ii. It may not be brought back before that time without a subsequent Resolution.
- g) A Motion that has been Postponed under Section 23.a) i. or 23.a) iv. may be considered at any time by a majority vote of the current Council.
- h) If a Motion to consider a Postponed Motion is defeated, it may only be made again after Council has addressed some other matter or business.
- i) When a Motion that has been Postponed is brought back to Council, it is brought back with all Motions connected with it, exactly as it was when Postponed.

23. POINT OF PRIVILEGE MOTION

- a) A Councillor may raise a Point of Privilege to remedy any pressing situation at any time.
- b) The Chair must immediately decide whether to accept the Point of Privilege.
- c) If the Point of Privilege is accepted, it must be dealt with immediately.

24. SPLITTING A MOTION

- a) When a Motion is lengthy, complicated or contains a series of independent issues a Councillor may request that the Motion be split into parts so that each part may be voted upon individually. The Chair shall grant this request.
- b) A Councillor who requests that a Motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- c) The CAO may, on the request of the Chair, assist with phrasing the Motions that would result from a Motion being split so that the Motions may be dealt with most effectively by Council.

25. VOTES OF COUNCIL

Each Council Member present must vote on every Motion unless the Member is required or permitted to abstain from voting under the *MGA*.

- a) Any Councillor who fails to vote will be recorded as having not voted unless a statute expressly allows or requires an abstention.
- b) Votes on all Motions must be taken as follows:
 - i. except for a Meeting conducted through electronic or other communication facilities, Council Members must be in their designated Council seat when the Motion is considered,
 - ii. the Chair puts the Motion to a vote,
 - iii. Council Members vote by a show of hands or other method agreed to by Council, and,
 - iv. the Chair declares the result of the vote.
- c) A Motion is carried when a majority of Council Members at a Meeting vote in favour of a Motion, unless otherwise specified in this Bylaw.
- d) After the Chair declares the result of the vote, Council Members may not change their vote for any reason.
- e) A question on the results of a vote may be resolved by the Chair immediately calling for a confirmation of the voting results on the Motion.

26. PECUNIARY INTEREST

- a) Members who have a Pecuniary Interest in a matter before the Council must disclose the general nature of the Pecuniary Interest prior to any discussion of the matter and leave the room in which the Meeting is being held until discussion and voting on the matter are concluded.
- i. Abstain from voting on any questions relating to the matter.
 - ii. Abstain from any discussion of the matter.
 - iii. Excepting for matters in which the Councillor has statutory right to be heard by Council.

27. BYLAWS

- a) Each proposed Bylaw must include a Bylaw number and a concise title indicating the purpose of the Bylaw, which must be included on the Agenda of the Meeting at which the Bylaw is to be introduced.
- b) A proposed Bylaw will be introduced at a Council Meeting by a Motion that the Bylaw be read a first (1st) time. Council may hear an introduction of the proposed Bylaw from the Administration and/or applicant.
- c) After first (1st) reading has been given, subject to the requirements of the *MGA*, any Councillor may move that the Bylaw be read a second (2nd) time.
- d) Council may not give a Bylaw more than two readings at a Meeting unless Council members present at the Meeting unanimously agree to consider third (3rd) reading at that Meeting.
- e) Any amendments to the Bylaw that are passed by Council before the Motion for third (3rd) reading is passed are deemed to have received first (1st) and second (2nd) reading and are incorporated into the proposed Bylaw.
- f) The CAO may draw Council's attention to an error or propose a minor change without affecting the substance of a proposed Bylaw and may recommend that Council consider an amendment to correct the error.
- g) If amendments to the proposed Bylaw have been carried, a Councillor may request an opportunity to review the full text of the Bylaw as amended prior to third (3rd) reading and the Chair shall provide a recess for the Councillor to do so.
- h) If any reading of a proposed Bylaw fails, all previous readings are rescinded.
- i) A Bylaw is rescinded if the Bylaw does not receive third (3rd) reading within two (2) years from the date of the first (1st) reading.



- j) A Bylaw is effective from the date of third (3rd) reading unless the Bylaw, or any applicable statute, provides for another effective date.
- k) The Chair and the CAO must sign and seal the Bylaw as soon as reasonably possible after third (3rd) reading is given.
- l) Once a Bylaw has been passed, it may only be amended or repealed by another Bylaw made in the same way as the original Bylaw, unless another method is specifically authorized by another enactment.

28. ADJOURNING THE MEETING

- a) When the Chair is satisfied that all the business and purposes of a Meeting have been addressed, the Chair may Adjourn the Meeting or request a Motion to Adjourn the Meeting.
- b) Any Councillor may move to Adjourn the Meeting at any time.
- c) A Motion to Adjourn is not debatable or amendable and requires a majority vote. This Motion cannot be reconsidered.
- d) Council will take up a Motion pending at the time of Adjournment, and it shall become the first item under unfinished business at the next Meeting.
- e) Before putting the Motion for Adjournment, the Chair must allow an opportunity for any Notices of Motion to be given.

29. COMMUNICATION TO COUNCIL

- a) Any communication intended for Council, or a Committee will be forwarded to the CAO in writing and must:
 - i. be legible and coherent,
 - ii. name the individual authorized to speak,
 - iii. indicate the proposed Bylaw or Resolution to be spoken to,
 - iv. be signed by the Person giving the authorization,
 - v. be able to identify the writer and the writer's contact information, and,
 - vi. not be libelous, impertinent, or improper.

Handwritten signatures in blue ink, one for the Reeve and one for the CAO, positioned over the signature lines in the footer.

- b) If the standards set out in Section 31.a) are met and the CAO determines the communication is within the governance authority of Council, the CAO will:
- i. if it relates to an item already on the Agenda, deliver a copy of the communication or a summary of it to the Reeve and Councillors prior to or at the Meeting at which the Agenda is being considered,
 - ii. refer the communication to Administration for a report or a direct response, and inform the Councillors of the referral,
 - iii. send a copy of the communication or a summary of it to all Councillors for information, or,
 - iv. take any other appropriate action on the communication.
- c) If the standards set out in Section 31.a) are not met, the CAO may file the communication, or dispose of it, unless the CAO determines the communication to be libelous, impertinent, or improper, in which case the CAO must summarize the communication and inform Council that it is being withheld.
- i. Council may direct that any communication withheld under this Section be forwarded to members of Council.
 - ii. The CAO must make reasonable efforts to respond to the Person sending the communication and to advise the Person of any action taken on the subject of the communication.
- d) Council may:
- i. refer any communication to Administration for a report, and,
 - ii. give other instructions on the communication.
- e) Council may not debate the subject of a communication without a majority vote in favor of debate or without prior notice.
- f) When a communication requests Council or a Committee to Reconsider, Rescind, or Renew a previous decision, the CAO must inform the person sending the communication that the request can only be dealt with in accordance with Section 13. or Section 14. of this Bylaw.
- g) Any matter required to be brought to Council by way of a petition must be supported by a petition that complies with the *MGA*, sections 219 through 226, and sections 231 through 234, or other legislation.
- h) Within a Regular Council Meeting, Councillors must present in writing or verbally:

- i. Notice of Motion, and,
 - ii. reports on any Meetings attended or matter dealt with at the request of Council.
- i) Councillors must submit to the CAO for the municipal records as soon as they become available:
- i. all Minutes of non-municipal committees on which they sit, and,
 - ii. any report or records of a Meeting.

30. CONDUCT IN COUNCIL MEETINGS

a) MEMBERS OF PUBLIC

- i. The members of the Public during a Meeting will:
 - (1) not approach or speak to Council without permission of the Chair,
 - (2) maintain order and quiet, and,
 - (3) not interrupt a speech or action of Council or another person addressing the Members.
- ii. The Chair may order a member of the Public who creates a disturbance or acts improperly at a Meeting to be expelled.
- iii. A person who refuses to leave may be guilty of an offence and liable to penalties set out by statute.
- iv. The Chair may request a Peace Officer to expel the person.

b) MEMBERS OF COUNCIL

- i. Members of Council shall follow the current County's Code of Conduct Bylaw.
- ii. Members of Council during a Meeting will not:
 - (1) speak disrespectfully, use offensive words, or un-parliamentary language,
 - (2) address Members without permission,
 - (3) carry on a private conversation,
 - (4) break the rules of Council or disturb the proceedings,

- (5) leave their seat or make any noise or disturbance while a vote is being taken or the result declared, or,
 - (6) disobey the decision of the Chair on any question of order, practice, or interpretation.
- iii. When a Councillor has been warned about breaches of order but continues to engage in them the Chair may name the Councillor by stating his name and declaring the offence.
- iv. The CAO must note the offence in the Minutes.
- v. If a Councillor, who has been named, fails, or refuses to apologize, then sanctions may be imposed on a Member, by Council, as per the County's Code of Conduct Bylaw.

31. INFORMATION TECHNOLOGY

- a) The intent is to ensure that Council and the Public are aware of all communications occurring within or outside of the Council Chambers during Meetings.
 - i. No Member shall engage in use of social media or instant messaging such as email messaging and texting during a Meeting.
 - ii. Cell phones are to be placed in the "silent mode" during a Meeting. Messages may be checked during a Recess.
- b) The CAO is authorized to provide for audio/video recordings of Regular, Organizational, and Special Council Meetings to be posted on the County website.
- c) No third-party recordings of Council, or Council Committee proceedings will be allowed, except as approved by the CAO.

32. PUBLIC HEARINGS/STATUTORY HEARINGS

- a) The Public Hearing is held pursuant to the *MGA*.
- b) Public Hearings shall be heard during the Regular Meetings of Council at ten (10:00) a.m. unless otherwise set by Resolution of Council.
- c) Person(s) interested in speaking at a Public Hearing shall register with the CAO prior to the Public hearing.
- d) The Chair shall declare the Public Hearing in session and outline the Public Hearing procedures.

- e) The CAO shall present an overview and summary regarding the Resolution or matter to be dealt with, as well as any written submissions received prior to the Public Hearing.
- f) The Chair shall request those who wish to make a presentation in the following order.
 - i. Those in support of the proposal,
 - ii. Those opposed to the proposal,
 - iii. Those other affected within to be heard.
- g) "Close" used in relation to a Public Hearing means to terminate the Public Hearing.
- h) Persons addressing Council are required to,
 - i. state their name and address, and,
 - ii. Indicate if they are speaking on their own behalf, a client, company, or a group of citizens (i.e., club or organization).
 - iii. direct their presentation to the chair.
 - iv. Verbal presentations shall be limited to ten (10) Minutes unless there is a majority vote by Council to extend the allotted time.
- i) Persons making presentations may be questioned by Council for clarification, however, Council shall not enter into a debate during a Public Hearing.
- j) Any Councillor may ask the CAO through the Chair relevant questions after all persons who wish to speak have been heard.
- k) If a Public Hearing is closed, Council shall not receive any additional submissions in relation to the subject matter until it reconvenes the Public Hearing.
- l) 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 Administration, ask relevant questions, and then must vote to close the statutory hearing.
- m) The Public Hearing must be closed before Council debates the proposed Bylaw or Resolution.
- n) After the close of the Public Hearing Council may debate matters raised at the Public hearing during the Regular Council Meeting following the Public hearing or the next scheduled Meeting, and may
 - i. pass the Bylaw or Resolution, or,

- ii. make any necessary amendments to the Bylaw or Resolution and pass it without further advertisement or hearing, or,
 - iii. defeat the Bylaw or Resolution.
- o) A Councillor who was absent for all the Public Hearing on a proposed Bylaw or Resolution must not vote on the Bylaw or Resolution.
- p) If there is more than one (1) Public Hearing on the Agenda, the Chair shall close one (1) Public Hearing before the Chair opens another Public Hearing.

33. COUNCIL COMMITTEE

- a) If a Councillor vacates the Office of Councillor during the term of Office:
- i. the Person elected as Councillor in a by-election shall take the place of the vacating Councillor on Committee membership until the next General Election or Organizational Meeting, whichever comes first, unless the Reeve determines the committees for the newly elected Member,
 - ii. if no by-election is held, Council may appoint another Councillor to fill the vacancy.
- b) The Reeve is a member, by virtue of Office, of all Committees unless Council has decided that the Reeve is an actual member of a particular Committee.
- c) If the Reeve is present at Committee Meetings, the Reeve must be counted to determine Quorum and has all the rights and privileges of the other Committee members including the right to make Motions and vote.

34. Bylaw 12-2017 is hereby repealed.

This Bylaw comes into effect upon the date of the final reading thereof.

READ A FIRST TIME IN COUNCIL THIS 14th DAY OF JUNE 2022



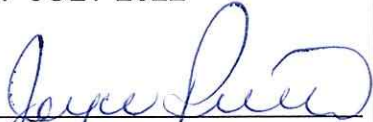
Reeve



Chief Administrative Officer

Council and Committee Procedure Bylaw

READ A SECOND TIME IN COUNCIL THIS 26th DAY OF JULY 2022




Reeve

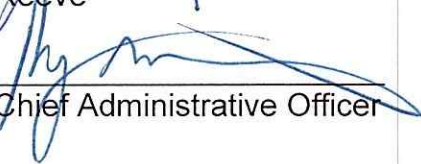


Chief Administrative Officer

READ A THIRD TIME IN COUNCIL THIS 13th DAY OF SEPTEMBER 2022



Reeve



Chief Administrative Officer

SCHEDULE A

Regular Meeting of Council Order of Business:

Call To Order

Adopt Agenda

Adopt Minutes

Public Hearings (if required)

Delegations (if any)

Delegation Business (if any)

Unfinished Business

New Business

Correspondence for Action

Correspondence for Information

CAO Reports 2nd Meeting of the Month

Council Committee Reports 2nd Meeting of the Month

Notices of Motion

Closed Meeting Items

Adjournment

Disclaimer: The Orders of the Day presented in this schedule do not apply to Council Committee Meetings. Committees will set their own Agendas.