

TOWN OF MUNDARE

BYLAW NO 938

The council of the Town of Mundare, duly assembled, hereby enacts

Part 1-Title

1. This Bylaw is called the "Meeting Procedures Bylaw".

Part 2-Definitions

- 2.1 "Chair" is the person presiding at meetings;
- 2.2 "CAO" means the Chief Administrative Officer, Deputy Chief administrative Officer or designate;
- 2.3 "Closed Session" is a part of a Meeting which is closed to the public pursuant to the Municipal Government Act and the Freedom of Information and Privacy Protection Act and may include any person or persons invited to attend the meeting;
- 2.4 "Councillor" is a member of Council and includes the Mayor;
- 2.5 "Meeting" means an organizational meeting, regular meeting and special meeting of Council;
- 2.6 "Person" shall include an individual, partnership, association, body corporate, trustee, executor, administrator or legal representative.

Part 3-Application

- 3.1 This Bylaw shall govern the proceedings of Council Meetings.

Part 4-Council Meetings

- 4.1 Organizational Meeting
 - (a) An organizational meeting of Council shall be held annually pursuant to the Municipal Government Act.
 - (b) The Agenda for the Organizational Meeting shall be restricted to:
 - (i) the administration of the oaths of office for Mayor, Council and Deputy Mayor as required;
 - (ii) resolution for the appointment of the Deputy Mayor as required;

- (iii) the establishment of the regular meeting dates for Council;
- (iv) appointment of Councillor's or members of the public on committees, boards and commissions as required;
- (v) any other appointments that are to be made;
- (vi) any other organizational items as listed on the agenda.

4.2. Regular Meetings

- (a) Notice of regular meetings need not be given.
- (b) Council may change the date, time or place or cancel a regular meeting by resolution during a meeting or by verbal or electronic approval or by e mail outside of a regular meeting. The approval of any change or cancellation outside of a regular meeting is to be recorded and appended to the minutes of the next regular meeting.
- (c) If Council changes the date, time or place or cancels a regular meeting, at least 24 hours' notice of the change must be given to:
 - (i) any Councillor not present at the meeting at which the change was made; or
 - (ii) confirm with all councillors the change if done by electronic or verbal means;
 - (iii) the public.

4.3 Special Meetings

- (a) A special meeting can be called by the Mayor, a majority of council or by a motion at a meeting.
- (b) Where a special meeting is requested by a majority of Council, the meeting shall be held within 14 days of the date on which the request was made.
- (c) No less than twenty-four (24) hours' notice of a special meeting stating the time, date and place at which the special meeting is to be held shall be provided to each Councillor and to the public.
- (d) A special meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
- (e) The agenda for a special meeting shall be restricted to the business stated in the notice unless all the Councillors of Council are present, in which case, by unanimous consent, any other business may be transacted.

- (f) The Mayor may delegate the responsibility of giving notification of a special meeting to the CAO.

4.4 Closed Sessions

- (a) Council may close all or part of a Meeting to the public if a matter to be discussed is within one of the exceptions to disclosure as set out in the Freedom of Information and Protection of Privacy Act.
- (b) Council may include any persons they deem necessary to attend a closed session;
- (c) The names of all people attending the closed session are to be recorded in the minutes of the Meeting.
- (d) No resolutions or bylaws may be passed in a closed session, except a resolution to revert to a public meeting.

4.5 Public Hearings

- (a) A public hearing can be held during a regular or special a meeting.
- (b) Public hearings will be held whenever possible, at a time to accommodate members of the public.
- (c) Persons interested in speaking at a public hearing should register with the administration office prior to the public hearing.
- (d) The Chair shall declare the public hearing in session.
- (e) Administration shall introduce the resolution or bylaw, and shall briefly state the intended purpose;
 - (i) Administration shall make their presentation if required;
 - (ii) The Chair shall then open the floor to presentations from the public. Those persons who have registered with the administration office will be called first followed by other members of the public.
 - (iii) The Chairman shall request those who wish to make presentations to identify themselves. A person who does not identify himself or herself will not be given the opportunity to speak.
- (f) Presentations by the public may be made verbally, in writing, or electronically. Written submissions shall be collected or copied by the CAO and retained for record purposes.



- (g) Presentations shall be limited to 10 minutes unless there is consent by Council to extend the allotted time.
- (h) Questions of clarification will be addressed during the public hearing.
- (i) Following questions for clarification, the Chair shall close the public hearing and council may:
 - (i) open the floor for debate; or
 - (ii) pass, defeat or amend a bylaw or resolution;
 - (iii) make motions;
 - (iv) continue with the meeting with no debate;
 - (v) adjourn the meeting with no debate.
- (j) When a Councillor is absent from all public hearing(s) on a proposed bylaw or resolution, that Councillor must declare their absence prior to any discussion and must not participate in any discussion or voting.
- (k) Where a Councillor is absent for a portion of any public hearing(s) on a proposed bylaw or resolution, that Councillor may declare their absence prior to any discussion and not participate in any discussion or voting at their discretion.
- (l) The Minutes shall indicate all declarations of abstention.

4.6 Electronic Participation in Meetings

- (a) A Member of Council may participate in a Council meeting or part of a Council meeting by electronic means if there is a valid reason for being unable to attend unless the whole meeting is to be held electronically.
- (b) The Chair of the meeting shall be a person who is in attendance at the meeting in person unless the whole meeting is to be held by electronic means.
- (c) Councillors attending a meeting by electronic purposes must verbally vote on any motion.
- (d) Councillors attending by electronic means:
 - (i) shall be marked as present and attending electronically.
 - (ii) if communication is lost during the meeting, the minutes will reflect when the lost communication was discovered.

- (iii) if communication is lost, council may recess the meeting to allow the Council member to reconnect.
- (iv) if the councillor is unable to reconnect to the meeting after 5 minutes, the meeting may be called back to order.
- (v) if a councillor is disconnected and unable to reconnect and quorum is lost section 5.1 is to be followed.

Part 5-Conduct of Meetings

5.1 Quorum

- (a) If there is a quorum of Councillors within 5 minutes after the time appointed for the meeting, the Chair shall call the meeting to order.
- (b) If there is a quorum of councillors within 5 minutes after the time appointed for the meeting and the Mayor and Deputy Mayor are not present, the CAO will call the meeting to order and shall call for a chair to be appointed by resolution.
- (c) If there are insufficient members to form a quorum 15 minutes after the time appointed for the meeting, the meeting shall be adjourned. The names of the Councillors present at the expiration of the 15 minutes shall be recorded.
- (d) In the event that quorum is lost after the meeting is called to order, the meeting shall be suspended until quorum is obtained. If quorum is not obtained within 15 minutes, the meeting shall stand adjourned.
- (e) The Councillors present may agree to extend the time required to obtain a quorum for sections (c) and (d). The approval is to be recorded.
- (f) The recordings of any failure to meet quorum or time extensions are to be appended to the minutes of that meeting or a future regular or special meeting.
- (g) Any agenda items not dealt with because of a lack of quorum are to be dealt with at a future regular or special meeting.

5.2 Chair

- (a) The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any Councillor.
- (b) The Chair shall make reasonable efforts, including the calling of a recess, to ensure all Councillors in attendance at a meeting are present while a vote is being taken, unless a Councillor is excused from voting.
- (c) The Chair may participate in the debate on a question or motion.

- (d) The Chair may invite people from the public to speak if it is deemed to be within the best interests of the issue being discussed, and the conduct of good business.
- (e) The Chair may call a recess of the meeting.
- (f) The Chair may declare a meeting adjourned.

5.3 Disturbance by Public

- (a) The Chair may order any member(s) of the public who disturbs the proceedings of Council Meetings by words or actions to be expelled from the Meeting.
- (b) The Chair may request a police officer or a community police officer to remove the person(s) from the Meeting.

5.4 Pecuniary Interest

- (a) Councillors who have a reasonable belief that they have a pecuniary interest in any matter before 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 from the meeting until the matter is concluded.
- (b) The Minutes shall indicate the declaration of disclosure, the time at which the Councillor left the meeting and the time the Councillor returned.

Part 6: Agendas and minutes

6.1 Council must vote to adopt the agenda prior to transacting other business and may:

- (a) add new items; and
- (b) delete any items from the agenda.

6.2 The order of business may be altered:

- (a) when Council agrees to alters the order of business for the convenience of the meeting;
- (b) when the same subject matter appears in more than one place on an agenda and Council agrees to deal with all items related to the matter at the same time; and
- (c) when Council decides not to deal with an item on the agenda and no motion is made about it.

6.3 Delegations appearing before council may be addressed by any member of Council through the Chair, by asking the delegation or the Chief Administrative Officer relevant questions but may not debate the matter or the answers. The presentations by a delegation may be:

- (a) Received as information without debate;
- (b) Debated after the presentation, later in the meeting or at a future meeting;
- (c) Referred without debate to CAO for further information;
- (d) Limited to 20 minutes unless council agrees to extend the allotted time.

6.4 Minutes

- (a) Meeting minutes must include:
 - (i) The name of Council members present and absent from the meeting;
 - (ii) All decisions, resolutions and other proceedings;
 - (iii) Any abstention pursuant to a declaration of pecuniary interest made under the Municipal Government Act by a Council member and any other abstention permitted by statute;
 - (iv) Be approved at a subsequent meeting;
 - (v) Be signed by the Chair and CAO;
- (b) Preparation and distribution of minutes shall be the responsibility of the CAO.
- (c) Clerical, typographical and grammatical errors in minutes may be corrected by the CAO.

Part 7: Motions

- 7.1 A recommendation in a report does not constitute a motion until a Councillor has expressly moved it.
- 7.2 Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 7.3 The mover of a motion must be present when the vote on the motion is taken.
- 7.4 When a matter is under debate, no motion shall be received other than a Motion to:
 - (a) Withdraw;
 - (b) Amend;

- (c) Postpone to a future date or time;
- (d) Postpone indefinitely;
- (e) Refer;
- (f) Recess;

which in declining order shall be the order of precedence.

7.5 Motion to Withdraw

- (a) Only the mover of a motion may withdraw, modify or substitute a different motion in its place.
- (b) The mover of a motion may withdraw that motion without permission so long as the vote on the motion has not been called by the Chair.
- (c) If a vote on the motion has been called by the Chair, the mover may ask to withdraw, substitute or modify it and the Chair shall grant permission with the unanimous consent of Council; however, if any objection is made, it is necessary to vote on a motion to withdraw and this motion cannot be debated or amended.
- (d) Once a motion is withdrawn, the effect is the same as if it had never been made.

7.6 Motion to Postpone to a Certain Time or Date

- (a) Is used to consider the main motion later in the same meeting or at another meeting.
- (b) Is debatable to its merits only and cannot go into the main question except as necessary for debate of the immediately pending question.

7.7 Motion to Refer

- (a) Is used to send a pending question to administration or other person for further information/investigation.
- (b) Is debatable.

7.8 Motion to Amend

- (a) Is used to modify the wording of a motion before the motion itself is voted on;
- (b) Is debatable;
- (c) All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chairman shall rule on disputes arising from amendment.



- (d) Only one amendment to a motion may be made before meeting at any time, but an amendment to the amendment may be made before meeting at the same time.
 - (i) The amendment to the amendment must be voted on before the amendment.
 - (ii) An amendment to an amendment must be relevant to the amendment.
- (e) The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
- (f) The Chair may accept an amendment as a friendly amendment if no member of Council objects.
 - (i) "Friendly Amendment" means a change that does not affect the substance of a motion and clarifies the motion's intent.

7.9 Motion to Postpone Indefinitely

- (a) Is used as a method to dispose of a question without bringing it to a direct vote.
- (b) Must include a reason for postponement and is debatable. Debate can go into the main question.

7.10 Motion to Reconsider

- (a) Is used to permit correction of an action or to take into consideration added information or a changed situation that has developed since the taking of the vote on a motion.
- (b) May be moved after a motion has been voted upon, and before moving to the next item on the Agenda or at any time before the Chair declares the Meeting adjourned.
- (c) Must be moved by a Councillor who voted with the prevailing side and who shall state the reason for making the motion.
- (d) Debate must be confined to reasons for or against reconsideration.
- (e) If a Motion to Reconsider is carried, the question on which the vote is to be reconsidered becomes the next order of business in the exact position it occupied the moment before it was voted on originally.
- (f) Reconsideration of the question shall be open to debate, voted upon.

7.11 Motion to Rescind

- (a) is used to cancel a previous action;



- (b) a Motion to Rescind a previous motion, if passed by a majority vote of the Councillors present, renders the previous motion referred to be null and void.
- (c) A Motion to Rescind is debatable into the merits of the question it is proposed to rescind.
- (d) If a Motion to Rescind relates to an action taken at a previous meeting and the matter does not appear on the agenda, a motion to add the item to the agenda shall precede the Motion to Rescind.
- (e) A Motion to Rescind will not undo actions which have already been taken as a result of the motion previously passed.

7.12 Motion to Renew

- (a) If a motion fails, the same, or substantially the same, motion may not be renewed unless:
 - (i) it is brought more than one year after the date of the original motion;
 - (ii) it is brought after a general election which has taken place since the date of the original motion;
 - (iii) the Councillor who wishes to have Council renew a motion must provide what special circumstances or significant new developments have occurred in respect of the issue to warrant further consideration;
 - (iv) A motion to renew may not be introduced where the vote on the original motion has caused an irrevocable action.

7.13 When the motion under consideration contains distinct propositions, a Councillor may request that the vote upon each proposition be taken separately, which request may be granted at the discretion of the Chairman.

Part 8-Voting

8.1 Votes on all motions must be taken as follows:

- (a) The Chair must call the motion for a vote.
- (b) Councillors must vote by:
 - (i) show of hands;
 - (ii) if attending the meeting by electronic means, verbally stating their vote.

8.2 Vote on a motion

- (a) When a chair calls for a vote on the motion, it shall be put to a vote without debate and, no Councillor shall speak to or present another motion until the vote has been taken on such motion or amendment.

8.3 Every Councillor present, including the Mayor, shall vote on every matter, unless:

- (a) the Councillor is required to abstain from voting under this or any other bylaw or enactment; or
- (b) the Councillor is permitted to abstain from voting under this or any other bylaw or enactment.

8.4 Before Council takes a vote, a member of Council may request that the vote be recorded. When a member of Council requests a recorded vote, all members of the Council present, unless required or permitted to abstain from voting, shall vote as the Chair calls for those in favor and against. The name of each Councillor and whether the Councillor voted for or against the motion shall be recorded in the minutes

8.5 If there are an equal number of votes for and against a resolution, the resolution is defeated.

8.6 Voting On bylaws

- (a) Where a bylaw is presented to a Meeting for enactment, the CAO shall cause the number, short title and brief description of the Bylaw to appear on the agenda.
- (b) A bylaw shall be introduced for first reading by a motion that it be read a first time specifying the number of the bylaw.
- (c) After a motion for first reading of the bylaw has been presented, Councillors may debate the substance of the bylaw and propose and consider amendments to the Bylaw.
- (d) Any proposed amendments shall be put to a vote, and if carried, shall be considered as having been incorporated into the Bylaw at first reading.
- (e) When all amendments have been accepted or rejected, the Chair shall call for a vote on first reading of the bylaw;
- (f) When a bylaw is subject to a statutory public hearing or council wishes to hold a public hearing, a date and time shall be established before first or second reading.
- (g) All aspects of the passage of a bylaw at first reading shall apply to second and third readings of any bylaw.
- (h) A bylaw shall not be given more than two readings at one meeting unless the Councillors present at the meeting unanimously agree that the bylaw may be presented

for third reading at the same meeting at which it received two readings.

- (i) A bylaw shall be passed when a majority of the Councillors present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
- (j) When a bylaw has been given three readings and is signed and dated in accordance with the Act, it is considered an enactment of the Town and is effective immediately, unless the bylaw or an applicable provincial statute provides otherwise.
- (k) The previous readings of a proposed Bylaw are rescinded if the proposed Bylaw
 - (i) does not receive third reading within 2 years of first reading; or
 - (ii) is defeated on second or third reading.
 - (iii) After passage, a bylaw shall be signed by the Mayor or Deputy Mayor and the CAO. and shall be impressed with the corporate seal of the Town.
 - (iv) Clerical, typographical and grammatical errors in bylaws may be corrected by the CAO.
 - (v) The CAO may consolidate a bylaw by incorporating all amendments to it into one bylaw.
 - (vi) A copy of any bylaw, resolution or record certified by the CAO as a true copy of the original is prima facie proof of the bylaw, resolution or record.

Part 9: Repeal

9.1 Bylaw 729 is hereby repealed.

Read a first time on March 1, 2022

Read a second time on March 1, 2022.

Read a third time with unanimous consent on March 1, 2022.

March 1/22
Date



Mayor

MARCH 3/22
Date



CAO