

This document is consolidated into a single publication for the convenience of users. The Official Bylaw and all amendments thereto are available from the Legislative Services Department and should be consulted in interpreting and applying this Bylaw. In the case of any dispute, the original Council Meeting Procedures Bylaw and amendments must be consulted.



## CITY OF FORT SASKATCHEWAN

### A BYLAW OF THE CITY OF FORT SASKATCHEWAN, IN THE PROVINCE OF ALBERTA, TO REGULATE COUNCIL MEETING PROCEDURES

#### BYLAW C11-18

**NOW THEREFORE**, the Council of the City of Fort Saskatchewan in the Province of Alberta, enacts as follows:

1. **SHORT TITLE**

1.1 This Bylaw is called the “Procedures Bylaw”.

2. **DEFINITIONS**

2.1 “Acting Mayor” shall mean the member of Council who has been determined to act in the absence or incapacity of Mayor or Deputy Mayor.

2.2 “Administration” shall mean the City Manager or designate(s) for the City of Fort Saskatchewan.

2.3 “Agenda” shall mean the list of items and order of business for any meeting.

2.4 <sup>1</sup>“Amend” shall mean to modify the wording of a pending motion before the pending motion is acted upon.

2.5 <sup>2</sup>“Amend Something Previously Adopted” shall mean to make a change or to substitute wording in its place, for a motion which had previously been adopted by Council.

2.6 “Bylaw” shall mean an enactment made by Council in accordance with the MGA.

2.7 “Chair” shall mean the Mayor, Deputy Mayor, or other Member who has the authority to direct the conduct of a meeting.

2.8 “Challenge” shall mean an appeal of a ruling of the Chair.

2.9 “City” shall mean the City of Fort Saskatchewan.

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<sup>1</sup> Bylaw C32-18

<sup>2</sup> Bylaw C32-18

- 2.10 “City Manager” shall mean the Chief Administrative Officer (CAO) appointed pursuant to the MGA.
- 2.11 “Committee of the Whole” shall mean a meeting of all Members in which:
- 2.11.1 Council business decisions are not made;
  - 2.11.2 procedural decisions may be made;
  - 2.11.3 shall be open to the public, unless held in-camera pursuant to provisions of the FOIP Act; and
  - 2.11.4 shall provide an opportunity for less formal, open and free-flowing dialogue.
- 2.12 “Council” shall mean the municipal Council of the City of Fort Saskatchewan.
- 2.13 “Council Business Decisions” shall mean those items of business which require a Council motion to be made for approval or progression of the item.
- 2.14 “Council Committee” shall mean any committee, board or other body established by Council by bylaw or motion.
- 2.15 “Council Meeting” shall mean those meetings permitted by the MGA, and include regular, organizational, and special meetings of Council. These meetings shall:
- 2.15.1 be open to the public, unless taking place in-camera, pursuant to the FOIP Act;
  - 2.15.2 include matters which are within the jurisdiction of Council;
  - 2.15.3 be where debate and/or deliberation occurs;
  - 2.15.4 be where Council decisions may be made;
  - 2.15.5 have a quorum of Council; and
  - 2.15.6 which maintain a record of decisions.
- 2.16 “Council Procedural Decisions” shall mean those motions which are procedural in nature, such as a motion to refer, postpone, table, move to in-camera, etc.
- 2.17 “Councillor” shall mean a Member of Council duly elected and continues to hold office in the City.
- 2.18 “Councillor Inquiry” shall mean a request from a Member of Council to the City Manager for the future provision of information.
- 2.19 “Deputy Mayor” shall mean the Member who is appointed by Council, and pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor.

- 2.20 “Director, Legislative Services” shall mean the person appointed to the position by the City Manager.
- 2.21 “Electronic Communications” shall mean the alternate method Members may use to be deemed present at a Council meeting, providing that the chosen method is compatible with the premises in which the actual meeting is taking place.
- 2.22 “FOIP” shall mean Alberta’s *Freedom of Information & Protection of Privacy Act*.
- 2.23 “Group” shall mean 2 or more persons gathered together by a common interest in any matter, 1 of whom shall be appointed as spokesperson to be solely responsible for presenting the points of view or positions of the persons he or she represents.
- 2.24 “In Camera” shall mean any Council meeting which is held in the absence of the public; pursuant to the provisions of the FOIP Act; and may include others invited by Council.
- 2.25 “Inaugural Meeting” shall mean the organizational meeting immediately following the general election.
- 2.26 “Mayor” shall mean the Chief Elected Official for the City, and who is also a Member of Council.
- 2.27 “Member” shall mean a Member of Council or Committee of the Whole.
- 2.28 “MGA” shall mean the Alberta *Municipal Government Act*.
- 2.29 “Minutes” shall mean the record of decisions of a meeting.
- 2.30 “Motion” shall mean an action that is brought forward for Council’s vote.
- 2.31 “Non-Statutory Public Hearing” shall mean the portion of a Council meeting where the public may be invited to make submissions to Council, and which is not a requirement of the MGA.
- 2.32 “Organizational Meeting” shall mean the meeting held as described in Section 7 and includes the Inaugural Meeting.
- 2.33 “Pecuniary Interest” shall mean a matter that could monetarily affect a Member or a Member’s family, in accordance with the Act.
- 2.34 “Person” shall mean an individual, partnership, association, body corporate, trustee, executor, administrator, or legal representative.
- 2.35 “Point of Information” shall mean a question made by a Member to obtain information on the procedures of a Council meeting.
- 2.36 “Point of Interest” shall mean a request by a Member to share a comment, information, or commendation about an individual, group, organization or event.

- 2.37 “Point of Order” shall mean a request that the Chair enforce the rules of procedure.
- 2.38 “Point of Privilege” shall mean a request by a Member that is not related to the business on the floor and enables a member to interrupt business on the floor to state an urgent request relating to the comfort, dignity, safety, or reputation of the organization or any individual Member.
- 2.39 “Postpone” shall mean to delay the consideration of any matter to a future date.
- 2.40 “Prevailing” shall mean the Members voting in favour of a motion.
- 2.41 “Public Hearing” shall mean the portion of a Council meeting held as a requirement of the MGA.
- 2.42 “Quorum” shall mean the minimum number of Members that must be present at a meeting for business to be legally transacted.
- 2.43 “Recess” shall mean an intermission or break within a meeting at the call of the Chair, that does not end the meeting, and after which proceedings are immediately resumed at the point prior to where they were interrupted.
- 2.44 “Refer” shall mean to delay the consideration of any matter so additional information may be obtained by Administration or other body, as directed by Council.
- 2.45 <sup>3</sup>“Reconsider” shall mean to bring forward for consideration by Members a motion which has already been passed in the same meeting.
- 2.46 <sup>4</sup>“Renewing a Motion” shall mean to revisit a motion which has previously been disposed of by Council.
- 2.47 “Rescind” shall mean to revoke or repeal a motion which had previously been passed by Council.
- 2.48 “Resolution” shall mean a motion that has been approved by Council.
- 2.49 “Table” shall mean to delay consideration of any matter for an unspecified time until a motion is made by Council to lift it from the table.
- 2.50 “Two-Thirds Vote” shall mean a vote by at least two-thirds of Members present at the meeting, and who are entitled to vote on a motion.

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<sup>3</sup> Bylaw C32-18

<sup>4</sup> Bylaw C32-18

3. **APPLICATION**

- 3.1 This Bylaw shall govern the proceedings of all Council meetings, unless other provisions have been approved by Council.
- 3.2 When any matter relating to the procedures for Council meetings are not answered by this Bylaw, the most recent revision of Robert's Rules of Order shall apply.
- 3.3 In the event of conflict between the provisions of this Bylaw and Robert's Rules of Order, the provisions of this Bylaw shall apply.
- 3.4 In the absence of any statutory obligation, any provision of this Bylaw may be suspended/waived by a resolution of Council, if two-thirds of all Members present vote in favour of dealing with the matter under consideration.
  - 3.4.1 A motion to suspend/waive the rules is not debatable or amendable.
  - 3.4.2 A resolution to suspend/waive any portion of this Bylaw as provided for in Section 3.4 shall only be in effect for the meeting during which it is passed.
- 3.5 In the absence or inability of the Mayor and Deputy Mayor, an Acting Mayor may be selected based on the approved Deputy Mayor rotation. For extended periods of time, Council shall appoint another Member by resolution as Acting Mayor.

4. **QUORUM**

- 4.1 A quorum of Council is a majority of all Members.
- 4.2 As soon as there is a quorum of Council and after at scheduled time of the Council or Committee of the Whole meeting, the Chair shall call the meeting to order.
- 4.3 If quorum is not present within 30 minutes after the scheduled time for the meeting, the Director, Legislative Services shall record the names of the Members present and the meeting shall adjourn to the next regular meeting, or scheduled special meeting. Agenda items not addressed shall be included on the agenda for the next Council or Committee of the Whole meeting.
- 4.4 Council and Committee of the Whole meeting minutes shall reflect that the meeting was called to order and adjourned due to lack of quorum.
- 4.5 In the event that quorum is lost once the Council or Committee of the Whole meeting has been called to order, the meeting shall be suspended until quorum is obtained. If quorum is not obtained within 30 minutes, the meeting shall be adjourned.

5. **REGULAR COUNCIL MEETING**

- 5.1 Regular meetings of Council shall be established by resolution at the annual organizational meeting, or at a Council meeting following the organizational meeting, as required.
- 5.2 Notice of Council meetings is not required, for those meetings which have been approved by Council resolution.
- 5.3 If Council changes the date, time or place of a Council meeting, the City Manager shall give at least 24 hours' notice of the change, in accordance with Section 5.4:
  - 5.3.1 to any Member not present at the meeting at which the change was made, and
  - 5.3.2 to the public.
- 5.4 Notification of a change in time, date or location of any Council meeting, or the establishment of a special meeting of Council shall be provided:
  - to a Member by:
    - 5.4.1 e-mail, and/or
    - 5.4.2 telephone
  - to the public by:
    - 5.4.3 posting a notice on the City's website; and/or
    - 5.4.4 newspaper advertisement.

6. **SPECIAL MEETINGS**

- 6.1 The Mayor may call a special meeting of Council at any time, or shall do so if the majority of Members submit a request in writing, which shall include the purpose for the meeting.
- 6.2 A special meeting requested by Members shall be held within 14 days after a request is received.
- 6.3 No less than 24 hours' notice of a special meeting shall be provided to each Member, Administration, and to the public, stating the time, date, and place where the meeting is to be held, as well as the general nature of business to be conducted. Notification to the Members and the public shall be in accordance with Section 5.4.
- 6.4 Notwithstanding Section 6.3, the Mayor may call a special meeting without 24 hours' notice, if at least two-thirds of the Members provide written consent prior to the start of the meeting.

- 6.5 No business other than those items stated in the notice shall be conducted at any special meeting of Council, unless all Members are present and provide unanimous consent to add other items of business to the agenda.
- 6.6 Special meetings may be held for specific Council items. As such, the same legislative requirements or provisions of this Bylaw related to holding a regular meeting of Council shall apply.
- 6.7 Minutes of a special meeting shall be taken using the same method as a regular Council meeting.
- 6.8 Council may hold a special or regular Council meeting for the purpose of strategic planning initiatives.
  - 6.8.1 Special or regular meetings for the purpose of strategic planning shall be based on the following criteria:
    - i. shall require quorum to be present;
    - ii. shall follow the procedural requirements of this Bylaw;
    - iii. minutes shall be taken using the same method as a regular Council meeting;
    - iv. the meetings shall be open to the public, unless taking place in-camera, pursuant to the provisions of the FOIP Act; and
    - v. where procedural decisions may be made by Council.

## 7. **ORGANIZATIONAL MEETING**

- 7.1 An organizational meeting of Council shall be held annually, as required by the MGA.
- 7.2 The agenda for the organizational meeting shall include:
  - 7.2.1 the administration of the oath and introduction of new Members of Council at the inaugural meeting only;
  - 7.2.2 selection of the Deputy Mayor appointments, which shall be on a 4-month rotational basis, unless otherwise directed by Council;
  - 7.2.3 the establishment of the regular meeting dates for Council;
  - 7.2.4 the establishment of Council appointments to Boards, Committees and Commissions; and
  - 7.2.5 other business as required by Council or pursuant to the MGA.

8. **COMMITTEE OF THE WHOLE**

- 8.1 Committee of the Whole meetings shall be established by resolution at the annual organizational meeting, or as required at Council meetings following the organizational meeting.
- 8.2 Committee of the Whole meetings shall consist of all Members of Council. Members of Administration may attend, as required.
- 8.3 The purpose of the Committee of the Whole meetings is to:
- 8.3.1 provide a means for information sharing from Administration or the public to Members in attendance;
  - 8.3.2 to allow for open, free-flowing debate and/or deliberation to occur by all Members including the Chair in a non-confrontational environment, which may or may not be held prior to the item's presentation for action on a Council meeting agenda; and
  - 8.3.3 allow for clarifying questions to be asked.
- 8.4 Meetings shall be open to the public, unless taking place in-camera, pursuant to the FOIP Act.
- 8.5 Notice of Committee of the Whole meetings is not required, for those meetings which have been approved by Council resolution.
- 8.6 If Council changes the date, time or place of a regularly scheduled Committee of the Whole meeting, the City Manager shall give at least 24 hours' notice of the change, in accordance with Section 5.4:
- 8.6.1 to any Member not present at the meeting at which the change was made, and
  - 8.6.2 to the public.
- 8.7 Notification of a change in time, date or location of any Committee of the Whole meeting shall be provided:
- to a Member by:
- 8.7.1 e-mail, and/or
  - 8.7.2 telephone
- to the public by:
- 8.7.3 posting a notice on the City's website; and/or
  - 8.7.4 newspaper advertisement.



- 8.8 Committee of the Whole shall vote on procedural motions by raising their hands upon the call of the Chair for all those in favour or opposed.
- 8.9 The Chair shall announce the result of all votes at a meeting by stating whether the motion was carried or defeated.
- 8.10 The Deputy Mayor shall Chair the Committee of the Whole meetings on a rotation basis. In lieu of the Deputy Mayor, the Mayor shall chair the Committee of the Whole meetings.

9. **IN-CAMERA**

- 9.1 In-camera meetings may be held during any Council, Committee of the Whole, or special meeting, in accordance with the provisions of the FOIP Act.
- 9.2 Matters to be discussed in-camera, shall comply with the provisions of the MGA and FOIP Act.
- 9.3 All matters discussed while in-camera shall be kept confidential, unless directed otherwise that those matters discussed in-camera may be made public.
- 9.4 Council has no power while in-camera to make decisions or pass motions, apart from the motion to revert back to an open meeting.
- 9.5 In-camera meetings are typically the first or last item of business on an agenda. In-camera meetings which are the first item of business on an agenda shall be scheduled for 5:00 p.m., unless otherwise directed by Council.

10. **EDUCATIONAL SESSIONS**

- 10.1 Sessions for educational purposes may be held as required, based on the following criteria:
  - 10.1.1 sessions are optional and do not require quorum;
  - 10.1.2 are strictly educational (one-way information), allowing for clarifying questions;
  - 10.1.3 do not progress matters within Council`s jurisdiction;
  - 10.1.4 minutes shall not be taken;
  - 10.1.5 information provided may be shared with the public (not confidential);
  - 10.1.6 where no directions or instructions shall be given to Administration; and
  - 10.1.7 where no procedural or Council business decisions are made by the Members.

## **11. MEETINGS THROUGH ELECTRONIC COMMUNICATIONS**

- 11.1 In accordance with the MGA, a meeting may be conducted by electronic or other communication methods if:
- 11.1.1 notice of the meeting is provided to the public in accordance with Section 5.4, including the method used for electronic communication; and
  - 11.1.2 the facilities enable the public and meeting participants to watch and hear the contents of the meeting at the place specified in the notice.
- 11.2 Members participating in a meeting using an alternate means of electronic communication are deemed to be present at the meeting.

## **12. AGENDA**

- 12.1 Agendas for Council and Committee of the Whole meetings are developed by the City Manager in consultation with the Mayor and Director, Legislative Services.
- 12.1.1 In addition to the Mayor, City Manager, and Director, Legislative Services, the Deputy Mayor may also attend weekly agenda review meetings if they wish to do so.
- 12.2 <sup>5</sup>Agendas shall be made available to Members by the Director, Legislative Services prior to 4:30 p.m., 6 days before each meeting.
- 12.3 Agendas shall be made available to the public by the Director, Legislative Services after distribution to Members.
- 12.4 The order of business for each meeting shall be determined by the Chair.
- 12.5 The addition or deletion of agenda items at a Council or Committee of the Whole meeting requires a motion by Council.

## **13. COUNCIL & COMMITTEE OF THE WHOLE MINUTES**

- 13.1 The preparation and distribution of Council and Committee of the Whole meeting minutes shall be the responsibility of the Director, Legislative Services.
- 13.2 The written record of decisions for all Council and Committee of the Whole meetings shall include:
- 13.2.1 the names of Members present or absent from the meeting;
  - 13.2.2 date, time, and location of the meeting;

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13.2.3 a brief description of the subject matter;

13.2.4 the names of public members who speak to an item;

13.2.5 the names of Members voting for or against a motion, and those who are absent for the vote;

13.2.6 any Member abstentions as per the Act, and the reason for the abstention;

13.2.7 for in-camera meetings, those in attendance and their purpose for attending; and

13.2.8 the signatures of the Chair and Director, Legislative Services.

#### **14. COMMUNICATIONS TO COUNCIL**

14.1 Any public communications intended for inclusion on Council agendas shall be forwarded to the Director, Legislative Services in writing and shall:

14.1.1 be legible, coherent, and respectful;

14.1.2 be able to identify the writer and the writer's contact information;  
and

14.1.3 be submitted within the appropriate timelines for preparation and inclusion on a Council or Committee of the Whole agenda.

14.2 If the standards set out in Section 14.1 are met and the City Manager determines the communication is within the governance authority of Council, the City Manager shall:

14.2.1 if it relates to an item already on the agenda, deliver a copy of the communication or a summary of it to Council prior to or at the meeting at which the agenda is being considered; or

14.2.2 acquire all information necessary for the matter to be included on a future Council or Committee of the Whole agenda for consideration.

14.3 If the standards set out in Section 14.1 are met and the City Manager determines the communication is not within the governance authority of Council, the City Manager shall:

14.3.1 refer the communication to Administration for a report or a direct response and provide a copy of the original correspondence and the referral to Council; and

14.3.2 take any other appropriate action on the communication.

- 14.4 If a Member objects to the process determined by the City Manager, a Member may introduce a notice of motion requesting the item be included for consideration on a Council or Committee of the Whole agenda.
- 14.5 If the standards set out in Section 14.1 are not met, the City Manager may not proceed with the communication.
- 14.6 The Director, Legislative Services shall respond to the person sending the communication and advise that person of the process to be followed and any action taken on the subject of the communication.
- 14.7 During a Council or Committee of the Whole meeting, the Chair shall invite members of the public to speak under the Delegations section of the agenda to any matter that appears on that meeting's agenda. The speaker shall be granted a maximum of 5 minutes to speak to the item, followed by clarifying questions. Dialogue that pertains to a public hearing shall only be heard during the public hearing portion of the Council meeting.
- 14.8 In accordance with Section 14, members of the public may register to speak under the Presentation section of the agenda at a Council or Committee of the Whole meeting, and shall be provided with a pre-determined allotment of time.
- 14.9 Council or Committee of the Whole may approve the addition of last minute presentations for emergent or urgent items, by a majority vote of all Members present.
  - 14.9.1 Emergent or urgent items may be those items where Council decisions are required to meet legislative requirements (for Council meetings only), are time sensitive, or require prompt action by Council or Committee of the Whole.

## **15. ELECTRONIC VOTING**

- 15.1 Electronic voting technology displaying the result of the vote on motions shall be used during Council meetings. When the electronic voting technology is in operation:
  - 15.1.1 all Members shall vote using the electronic voting technology, unless excused from voting; and
  - 15.1.2 all vote results shall be recorded and publicly displayed.
- 15.2 When electronic voting technology is unavailable, Council shall vote on motions by raising their hands upon the call of the Chair for all those in favour or opposed.
- 15.3 The Chair shall announce the result of all votes at a meeting by stating whether the motion was carried or defeated.

## **16. CHAIR**

- 16.1 The Chair shall preside over the conduct of Council meetings and Committee of the Whole meetings, including the preservation of good order and decorum, ruling on points of order, replying to points of procedure and deciding all questions relating to the orderly procedure of the meeting. Any Member may appeal the decision of the Chair on a point of order or privilege, as noted in the "Appeal Ruling" Section 23 of this Bylaw.
- 16.2 The Chair shall make reasonable efforts, including the calling of a recess, to ensure all Members in attendance at a meeting are present while a vote is being taken, unless a Member abstains from voting, in accordance with the MGA or this Bylaw.
- 16.3 For Council meetings, the Chair shall ensure that each Member who wishes to speak on a debatable motion is granted the opportunity to do so, and determines the speaking order when 2 or more Members wish to speak.
- 16.4 <sup>6</sup>At Council meetings, the Chair may enter into debate on the same basis as other Members of Council on any matter before Council without relinquishing the chair.
- 16.5 The Chair may make a motion on any matter on a meeting agenda, however before doing so shall relinquish the chair to the Deputy Mayor until the vote on the motion has been taken.

## **17. RULES GOVERNING DEBATE**

- 17.1 An item of business shall first be introduced to Council, and may be followed by clarifying questions of Administration or other Members.
- 17.2 A motion shall be made by a Member before it can be debated.
- 17.3 All discussion at a Council meeting shall be directed through the Chair.
- 17.4 At a Council meeting, a Member may only speak once on any motion and once on any amendment to a motion, until each Member wishing to speak has had an opportunity to do so.
- 17.5 Notwithstanding Section 17.4:
- 17.5.1 a Member may ask clarifying questions of Administration or other Members on any motion or amendment to a motion;
- 17.5.2 a Member may speak to respond to questions or provide clarification to other Members; and
- 17.5.3 a Member who has made a motion shall have the opportunity to speak during debate and at the close of debate.

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17.5.4 <sup>7</sup>as the last speaker may present additional information in their closing statements, Members shall be given the opportunity to speak, if they wish to do so.

## **18. MEETING ETIQUETTE**

18.1 Members shall:

18.1.1 be respectful of others during the meeting;

18.1.2 obey the rules of the meeting, decision of the Chair or Members on questions of order or practice, or upon interpretation of this Bylaw;

18.1.3 remain in their seat and refrain from creating a disturbance while a vote is being taken, and until such time as the result is declared; and

18.1.4 not interrupt a Member while speaking, except to raise a point of order or question of privilege.

18.2 Members who persists in a breach of Section 18.1 after having been called to order by the Chair, may at the discretion of the Chair, be ordered to leave the meeting venue for the duration of the meeting.

18.3 At the discretion of the Chair, a Member may resume their seat following an apology.

18.4 A Member who wishes to leave a meeting prior to adjournment shall advise the Chair, and the time of departure shall be recorded in the minutes.

18.5 Members of the public in attendance at meetings:

18.5.1 shall use the presentation table to address Council or Committee of the Whole when wishing to speak, following permission of the Chair;

18.5.2 shall be respectful of Council and Committee of the Whole, and respectful of the provisions in Council's Procedures Bylaw;

18.5.3 shall not cause a disturbance, interrupt a speaker, or interfere with the actions of Council, or they may be expelled from the meeting venue; and

18.5.4 shall leave the meeting venue upon the order of the Chair.

## **19. POINT OF INFORMATION**

19.1 A point of information may be made when raised by any Member who wishes to obtain information on meeting procedures to assist a Member to:

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- 19.1.1 make an appropriate motion;
- 19.1.2 raise a point of order;
- 19.1.3 understand a procedure; or
- 19.1.4 understand the effect of a motion.

**20. POINT OF INTEREST**

20.1 A point of interest may be made by any Member who wishes to share a comment, information, or commendation about an individual, group, organization or event but which is not recorded in the minutes of that meeting.

**21. POINT OF PRIVILEGE**

- 21.1 A point of privilege may be made by any Member who wishes to note a matter concerning the rights or privileges for any Member.
- 21.2 A point of privilege shall take precedence over other matters, and while the Chair is ruling on the point of privilege, no other Member shall be considered to be in possession of the floor.

**22. POINT OF ORDER**

- 22.1 A Member who wishes to challenge the rules of procedure shall:
  - 22.1.1 raise a point of order to the Chair; and
  - 22.1.2 upon the Chair's acknowledgement, provide an explanation for the point of order.
- 22.2 The Chair shall rule on the point of order.
- 22.3 The Chair's ruling shall not be put to a vote, unless it is appealed by a Member, as noted in the "Appeal Ruling" Section 23 of this Bylaw.
- 22.4 The Member in possession of the floor when the point of order is raised shall have the right to the floor once debate resumes.

**23. APPEAL RULING**

- 23.1 The decision of the Chair shall be final, subject to an immediate appeal by a Member.
- 23.2 Any Member may put forward a motion to appeal the decision of the Chair.
  - 23.2.1 The Chair shall give reasons for the ruling.

23.2.2 Members shall, without debate, vote on the motion.

23.2.3 The ruling of Council shall be final.

23.3 The Chair may seek advice from the Director, Legislative Services on points of order or privilege, or to determine whether a matter is within jurisdiction of the Council.

## **24. MOTIONS**

24.1 Any Member may make a motion on any matter on the agenda. If the Chair wishes to make a motion, the chair shall be relinquished to the Deputy Mayor or Acting Mayor until a vote on the motion has been taken. A Member may read the motion or indicate "as presented within the agenda".

24.2 Following the introduction of an item, clarifying questions may be made by Members or Administration.

24.3 A motion shall be made by a Member and followed by debate.

24.4 Only 1 motion at a time shall be considered.

24.5 When a motion is before the Council or Committee of the Whole and the mover wishes to withdraw, modify, or substitute a different motion in its place:

24.5.1 and no debate has occurred, the Chair may grant permission with the consensus of the Members;

24.5.2 if an objection is made, the mover shall be required to make a motion to withdraw, which cannot be debated or amended, and requires a majority vote of Members; and

24.5.3 once the motion is withdrawn, the effect is the same as if the motion had never been made.

24.6 The following motions are not debatable:

24.6.1 A motion to adjourn;

24.6.2 A motion to raise a point of order;

24.6.3 A motion to suspend/waive the rules;

24.6.4 A motion to table or to lift from the table;

24.6.5 a motion to withdraw; and

24.6.6 a motion to appeal a decision of the Chair.



24.7 When a motion has been made and is being considered, no Member may make another motion except:

24.7.1 to amend a motion;

24.7.2 to postpone consideration of a motion;

24.7.3 to refer a motion;

24.7.4 to table a motion; or

24.7.5 for a Member to withdraw their motion.

24.8 **Motion to Amend:**

24.8.1 A motion to amend may be made by any Member, including the Member who moved the original motion.

24.8.2 The Chair shall allow only:

- i) 1 amendment to the main motion; and
- ii) 1 amendment to the amendment to be considered at a time.

24.8.3 Council or Committee of the Whole 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.

24.8.4 When an amendment is on the floor, Members may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.

24.8.5 Once any amendments to the main motion have been voted on, the Chair shall call for a vote on the main motion, incorporating the amendments that have been passed by Council or Committee of the Whole.

24.8.6 A “friendly amendment”:

- i) shall not extend beyond the scope of the original motion;
- ii) shall only apply if unanimous consent of Members to accept the friendly amendment is received; or
- iii) if unanimous consent is not granted, the friendly amendment shall be voted on and requires a majority vote to pass.

#### 24.9 <sup>8</sup>Motion to Amend Something Previously Adopted

- 24.9.1 A motion to amend something previously adopted may be made by any Member at any time subsequent to the meeting at which the original motion was passed.
- 24.9.2 A motion to amend something previously adopted is debatable and amendable, and requires:
- i) a two-thirds vote to pass with no notice; or
  - ii) a majority vote to pass if notice has been given.
- 24.9.3 A motion to amend something previously adopted cannot be made when the vote would cause an irrevocable action, e.g., for a contractual liability or obligation.
- 24.9.4 A change to amend something previously adopted cannot exceed the scope of the original motion.

#### 24.10 Motion to Postpone:

- 24.10.1 A motion to postpone:
- i) may be made by any Member to enable Members to deal with other more pressing matters;
  - ii) may be made to a specific time and/or date, and used if Council or Committee of the Whole would prefer to consider the motion at a later time (either at the same meeting or at another meeting);
  - iii) is debatable, and requires a majority vote to pass; and
  - iv) includes the motion being postponed and any amendments, and takes precedence over any other motion connected with the motion being postponed.
- 24.10.2 If a motion to postpone is defeated, it may only be made again after another matter of business has been addressed.
- 24.10.3 If a motion has been postponed to a specific time and/or date, the motion is automatically placed on an agenda at that time for consideration.
- 24.10.4 A postponed motion is brought back with all motions connected with it, exactly as it was when postponed.

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#### 24.11 **Motion to Reconsider:**

24.11.1 A motion to reconsider:

- i) shall be moved by a Member of the prevailing side, and the Member shall state the reason for making a motion to reconsider;
- ii) shall be made at the same meeting or during any continuation of the meeting, at which it was decided;
- iii) <sup>9</sup>(Deleted)
- iv) is debatable and shall require a majority vote to pass;
- v) if adopted by a majority vote, it shall become the next item of business; and
- vi) the motion shall be on the floor, as made by the original mover.

24.11.2 If the original mover is not present at the meeting, another Member may move the motion.

24.11.3 Motions or actions which cannot be reconsidered include:

- i) a motion to suspend the rules;
- ii) a motion to table, if adopted;
- iii) a motion to lift from the table, if adopted; or
- iv) an action that has previously been reconsidered.

#### 24.12 **Motion to Refer:**

24.12.1 A motion to refer:

- i) may be made by any Member, for a Council committee or Administration to investigate and report;
- ii) is debatable and requires a majority vote to pass;
- iii) does not allow any further amendment to the main motion until the motion to refer has been addressed;
- iv) shall include instructions indicating what the receiving body is to do and the date by which a response is required; and

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- v) may be amended only as to the body to which the motion is referred and the instructions on the referral.

24.12.2 When a response to a referral is before Council, the motion under consideration shall be the motion which was referred, including any amendments made prior to the referral.

#### 24.13 <sup>10</sup>Renewing a Motion

24.13.1 Renewing a motion permits any member to present a defeated motion to Council should new realities occur.

24.13.2 Renewing a motion is debatable and amendable, and requires:

- i) a two-thirds vote to pass with no notice; or
- ii) a majority vote to pass if notice has been given.

24.13.3 A change to amend something previously adopted cannot exceed the scope or change the intent of the previous motion.

24.13.4 Renewing a motion must be done at a meeting subsequent to when the original motion was presented.

#### 24.14 **Motion to Rescind:**

24.14.1 A motion to rescind may be made by any Member at any time subsequent to the meeting at which the original motion was passed.

24.14.2 A motion to rescind is debatable, and requires:

- i) a two-thirds vote to pass with no notice; or
- ii) a majority vote to pass if notice has been given.

24.14.3 A motion to rescind cannot be made when the vote would cause an irrevocable action, e.g., for a contractual liability or obligation.

#### 24.15 **Splitting a Motion:**

24.15.1 A Member may request that a motion be split into separate parts. The separate parts may be reworded so that the integrity of each part is maintained, but shall not change the intent of each part.

24.15.2 When a motion is split into parts, the same mover would be applicable for each part.

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#### 24.16 **Motion to Table:**

24.16.1 A motion to table:

- i) may be made by any Member;
- ii) may be used to enable Council or Committee of the Whole to address other more pressing matters on the agenda, or when Members wish to set aside discussion on a matter at that time;
- iii) is not debatable or amendable, and takes precedence over all other motions associated with the motion being tabled, which are also tabled;
- iv) requires a majority vote to pass; and
- v) may be lifted from the table at any time by a majority vote of Members.

24.16.2 When a motion is lifted from the table, it is brought back with all amendments connected with it, exactly as it was when laid on the table.

24.16.3 If a motion to lift from the table is not brought back prior to the next general election, the motion is deemed to be rescinded.

### 25. **NOTICE OF MOTION**

- 25.1 At a Council meeting, a notice of motion shall be made when a Member wishes to bring a matter forward to a future meeting for discussion, providing sufficient notice for consideration of the subject.
- 25.2 In accordance with Section 25.1, a written notice of motion shall be received by the Director, Legislative Services prior to the close of the meeting.
- 25.3 The Member shall read the notice of motion, which shall be recorded in the minutes and shall form part of the agenda at the following or alternate meeting date.
- 25.4 The Member shall provide a brief overview of the motion's subject matter. Members and Administration will be provided with an opportunity to ask clarifying questions.
- 25.5 A notice of motion shall be in writing and give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 25.6 For notice of motions which direct Administration to prepare an information report, the report shall be drafted based on readily available information, and may or may not include a recommendation.
- 25.7 The Member who submitted a written notice of motion, is not required to be present when the notice of motion is read.

## **26. PECUNIARY INTEREST**

- 26.1 A Member has a pecuniary interest if:
- 26.1.1 the matter could monetarily affect the Member or an employer of the Member; or
  - 26.1.2 the Member knows or should know that the matter could monetarily affect the Members' family.
    - i) The MGA defines a Member's family as a spouse, adult interdependent partner, children, parents, and parents of a spouse or adult interdependent partner.
- 26.2 A Member who believes they have or could have a pecuniary interest in any matter before Council, Committee of the Whole, or any other Committee or Board to which they are appointed as a representative of Council, shall:
- 26.2.1 declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter;
  - 26.2.2 abstain from discussions or voting on any question relating to the matter; and
  - 26.2.3 remove themselves from the meeting venue until the matter is concluded.
- 26.3 The minutes shall indicate the Member's declaration, the nature of the pecuniary interest, the time at which the Member left the room, and the time which the Member returned.

## **27. VOTING**

- 27.1 Every Member of Council shall vote on every matter, unless:
- 27.1.1 the Member must abstain due to a pecuniary interest;
  - 27.1.2 the Member must abstain if they were absent from all of a public hearing on that matter; or
  - 27.1.3 the Member may abstain if they were absent from a portion of a public hearing on that matter.
- 27.2 Any Member present at a meeting may request leave of the Chair to grant a recess, if they will be away from the meeting venue when a vote is imminent, unless that Member is excused from voting pursuant to this Section.

**28. TIE VOTE**

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

**29. ADJOURNMENT**

29.1 A Council or Committee of the Whole meeting shall adjourn at the conclusion of the agenda; or

29.2 Subject to Section 29.1, all matters of business which appear on the agenda and have not been addressed at adjournment, shall be included as Unfinished Business on the agenda for the next scheduled Council or Committee of the Whole meeting.

**30. BYLAWS**

30.1 The City Manager shall include the number, short title and brief description of any bylaw that appears on a Council agenda.

30.2 The following shall apply to the passage of all bylaws:

30.2.1 every proposed bylaw must have 3 distinct and separate readings, and shall specifying the bylaw number and purpose;

30.2.2 after each reading of a bylaw, Members may debate the substance of the bylaw and shall propose and consider amendments;

30.2.3 any proposed amendments shall be put to a vote and if carried, shall be considered as being incorporated into the bylaw;

30.2.4 when a bylaw is subject to a statutory public hearing, the date and time of the public hearing shall be established prior to second reading; and

30.2.5 a bylaw shall be passed when a majority of the Members vote in favour of third reading.

30.3 Granting 3 readings of a bylaw at the same meeting shall not be permitted, unless Members in attendance provide unanimous consent to proceed with third and final reading.

30.4 Once a bylaw has been given 3 readings, it shall be signed by the Mayor and Director, Legislative Services, and impressed with the corporate seal. The bylaw is considered an enactment of the City, and effective immediately, unless otherwise noted by the bylaw or any applicable provincial legislation.

30.5 Previous readings of a proposed bylaw are repealed if the proposed bylaw:

30.5.1 does not receive third reading within 2 years of first reading; or

30.5.2 is defeated on second or third reading.

### **31. STATUTORY PUBLIC HEARINGS**

31.1 The conduct of any statutory public hearing shall be governed by this Bylaw.

31.2 Public hearings shall be held in conjunction with a Council meeting, and every effort shall be given to commence the public hearing as close as possible to the advertised time.

31.3 Council may change the date, time, and place of a public hearing by resolution. If any of the date, time, or place is changed, the public hearing must be re-advertised.

31.4 Wherever possible, it is recommended that anyone interested in speaking at a public hearing should register with the Director, Legislative Services prior to the public hearing.

31.5 The Chair shall open the public hearing and outline the procedures to be followed.

31.6 Administration shall introduce the item and briefly state the intended purpose.

31.7 The Chair shall request those who wish to speak on the matter to state their name prior to their presentation. The Chair shall then open the floor to public presentations.

31.8 The Chair shall call upon those who have registered to speak first, followed by others in attendance at the meeting who wish to speak to the item. Anyone who does not identify themselves shall not be given the opportunity to speak.

31.9 Presentations by the public may be made verbally, in writing, or both. Written submissions shall be collected by the Director, Legislative Services and retained as part of the agenda.

31.10 Verbal presentations shall be limited to 5 minutes, unless there is consent by a majority of Council to extend the allotted time.

31.11 When there are no further requests for presentation, the Chair shall close the public hearing.

31.12 After the close of the public hearing, Administration shall be available for clarifying questions by the Members.

31.13 Members may debate matters which have arisen at the public hearing, and may:



31.13.1 pass a motion or bylaw; or

31.13.2 make any necessary amendments to the motion or bylaw, and pass it without further advertisement or hearing.

31.14 When a public hearing on a proposed motion or bylaw is held, a Member:

31.14.1 shall abstain from voting on the motion or bylaw if the Member was absent for the entire public hearing, or

31.14.2 may abstain from voting on the motion or bylaw if the Member was absent for a portion of the public hearing.

### **32. NON-STATUTORY PUBLIC HEARINGS**

32.1 Council may determine when to hold a non-statutory public hearing. Unless otherwise directed by Council, notification shall be in accordance with Section 5.4.

32.2 The procedures for the conduct of a non-statutory public hearing shall be the same as those for a statutory public hearing.

### **33. COUNCILLOR INQUIRIES**

33.1 Any Member may make a councillor inquiry through the Chair to the City Manager at any Council or Committee of the Whole meeting. The inquiry may be verbal or in writing.

33.1.1 The City Manager may verbally answer a councillor inquiry at the meeting at which it is made or advise that a response shall be provided to all Members in writing subsequent to the meeting.

33.1.2 If the City Manager believes responding to the inquiry shall require substantial financial or other resources, Council may direct that the inquiry be abandoned.

33.2 Councillor inquiries can be made outside of a Council or Committee of the Whole meeting and shall be directed to the City Manager for response. The City Manager may seek a decision of Council if the financial or other resources required to answer the inquiry are substantial.

33.2.1 For councillor inquiries, the City Manager shall provide a response to all Members, as required by the MGA.

33.3 <sup>11</sup>The Member who requested a councillor inquiry may request the matter not be pursued.

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**34. PRIOR BYLAWS**

34.1 This Bylaw supersedes and takes precedence over all previously passed bylaws which refer to meeting procedures, as well as any previously passed resolutions which may be in conflict with this Bylaw.

**35. INTERPRETATION**

35.1 References to provisions of statutes, rules or regulations shall be deemed to include references to such provisions as amended, modified or re-enacted from time to time.

35.2 Nothing in this Bylaw relieves any person from compliance with any other bylaw or applicable federal or provincial law, regulation or enactment.

**36. SEVERABILITY**

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

**37. MEMBER AND GENDER REFERENCES**

37.1 All references in this Bylaw shall be read with such changes in number and gender as may be appropriate according to whether the references are to a male or female person, or a corporation or partnership.

**38. EFFECTIVE DATE**

38.1 This Bylaw comes into effect upon the third and final reading.

**39. REPEAL OF BYLAWS**

39.1 Upon third reading of Bylaw C18-18, Bylaw C1-16 and any amendments thereto are hereby repealed.

**(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, R.S.A. 2000,c.M-26 and Bylaw C5-13, and printed under the Director, Legislative Service's authority)**

**Bylaw C11-18, passed by Council, April 10, 2018**

**Amendments:**

**Bylaw C32-18, October 9, 2018**