

**BYLAW 11-2019- A BYLAW OF THE TOWN OF BRUDERHEIM IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF COUNCIL MEETINGS AND THE TRANSACTING OF BUSINESS BY COUNCIL FOR THE MUNICIPALITY.**

**WHEREAS**, it is Council's desire to establish and follow a process and procedure of municipal governance that reflects an open, transparent government where decisions are made after all information has been provided;

**WHEREAS**, pursuant to the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, Council may pass bylaws in relation to the procedures of Council and Council Committees, and the conduct of elected officials and members of Council committees; and

**WHEREAS**, the Council hereby establishes the following rules and regulations for the order and conduct in which the business of all Council meetings shall be transacted.

The Council of the Town of Bruderheim in the Province of Alberta hereby enacts as follows:

**PART 1: SHORT TITLE**

1.1 This Bylaw is called "*The Meeting Procedures Bylaw*".

**PART 2: DEFINITIONS**

- 2.1 "Act" means the Municipal Government Act, RSA 2000, c. M-26;
- 2.2 "Acting Mayor" is the Councillor who is appointed by resolution of Council to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor;
- 2.3 "Agenda" is the list of items and orders of business for any meeting;
- 2.4 "Bylaw" is a Bylaw of the Town;
- 2.5 "Chairman" or "Chair" is the person presiding at meetings, and, when in attendance at a Council meeting, shall mean the Mayor;
- 2.6 "Chief Administrative Officer" is the person appointed by Council as the Chief Administrative Officer pursuant to the Act or his designate;
- 2.7 "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;
- 2.8 "Council" is the Councillors of the Town of Bruderheim elected pursuant to the provisions of the Local Authorities Election Act, RSA 2000, c. L-21;
- 2.9 "Council Priorities" is a period of time set aside on the Agenda when emergent issues raised by Council will be debated;
- 2.10 "Councillor" is a member of Council and includes the Mayor;
- 2.11 "Councillor Inquiries" is that period of time set aside on an Agenda when Councillors may:
- (a) Make Information Requests; and
  - (b) Present Notices of Motion.
- 2.12 "Deputy Mayor" is a member of Council who is appointed pursuant to the Municipal Government Act to act as Mayor in the absence or incapacity of the Mayor;
- 2.13 "Director" is the Director of Planning and Legislative Services, or designate, for the Town of Bruderheim;
- 2.14 "Electronic Recording" is a recording that contains machine generated and readable, as



opposed to human-generated and readable, information. This includes audio and/or video recordings.

- 2.15 "Group" means 2 or more Persons gathered together by a common interest in any matter, one 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;
- 2.16 "Information Request" is an inquiry which can be dealt with either at a Meeting or which may require some interpretation of current policies, bylaws or budget but which can be responded to within ten (10) business days by e-mail;
- 2.17 "Mayor" is the Chief Elected Official of the Town;
- 2.18 "Meeting" means an Organizational Meeting, Regular Meeting and Special Meeting of Council held in accordance with the Act and includes a meeting of a Committee established by Council;
- 2.19 "Order of Business" means the order of business and time schedule for a Meeting of Council as set out in Schedule "A";
- 2.20 "Organizational Meeting" is a Council Meeting held in accordance with the Act;
- 2.21 "Person" shall include an individual, partnership, association, body corporate, trustee, executor, administrator or legal representative;
- 2.22 "Point of Information" is a request directed through the Chairman to another Councillor or to staff for information relevant to the business at hand but not related to a Point of Procedure;
- 2.23 "Point of Privilege" refers to all matters affecting the rights and privileges of Council collectively or any of its Councillors individually;
- 2.24 "Point of Procedure" is the raising of a question by a Councillor, directed to the Chairman, to call attention to any departure from The Meeting Procedure Bylaw or to obtain information on a matter of parliamentary law or the rules of the Town bearing on the business at hand in order to assist a Councillor to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion;
- 2.25 "Presiding Officer" means the Mayor or in the absence of the Mayor, the Deputy Mayor, or in the absence of both, the Acting Mayor, or any other person so appointed to chair the meeting proceedings;
- 2.26 "Program Request" is a request from a Councillor which:
- (a) has political, budgetary or policy impacts; and/or
  - (b) involves a significant amount of administrative time and resources to effectively respond to; and
  - (c) requires a resolution of Council to approve before any work is initiated.
- 2.27 "Public Hearing" is a pre-advertised meeting of Council convened to hear matters pursuant to:
- (a) the Municipal Government Act, or
  - (b) any other Act; and
- and is separate from a Regular Meeting of Council;
- 2.28 "Quorum" is a majority of those Councillors elected and serving on Council, except where special Committee policies have been passed;
- 2.29 "Recorded Vote" is the call, by a member, prior to the vote on a motion, for a record to be kept of the members voting for and against a motion;
- 2.30 "Recording Secretary" means the individual recording the proceedings of the meeting.



- 2.31 "Regular Meeting" is a meeting of Council held in accordance with the Act;
- 2.32 "Special Meeting" is a meeting of Council held in accordance with the Act.;
- 2.33 "Special Resolution" is a resolution passed by a two-thirds majority of all Council members;
- 2.34 "Substantive Motion" is a motion put on the floor to deal with Council's business matters but does not include motions relating to procedural matters such as motions to recess, points of procedure, points of privilege or other purely procedural issues.
- 2.35 "Town" is the Town of Bruderheim;

### **PART 3: APPLICATION**

- 3.1 This Bylaw shall govern the proceedings of Council Meetings and meetings of other Committees established by Council and shall be binding upon all Committee members whether a member of Council or a member of the public appointed by Council to a Committee of Council.
- 3.2 When any matter relating to the meeting proceedings is not addressed in this Bylaw, Robert's Rules of Order, if applicable, 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.

### **PART 4: CONDUCT OF MEETINGS**

#### 4.1 Quorum

- (a) As soon as there is a Quorum of Councillors after the hour fixed for the meeting, the Chairman shall take the chair and call the Meeting to order.
- (b) Unless a Quorum is present within 30 minutes after the time appointed for the Meeting, the Meeting shall stand adjourned until the next regular Meeting date or until a Special Meeting is called to deal with the matters intended to be dealt with at the adjourned Meeting. The Director shall record the names of the Councillors present at the expiration of the 30 minute time limit and such record shall be appended to the next Agenda.
- (c) The only action that can legally be taken in the absence of Quorum is to extend the time to which to adjourn (if more than 30 minutes is being allowed), adjourn, recess or to take measures to obtain a Quorum.
- (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 30 minutes, the meeting shall stand adjourned.

#### 4.2 Chairman

- (a) The Chairman shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on Points of Procedure and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any Councillor from any ruling of the Chair.
- (b) The Chairman 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 in accordance with the Act or this Bylaw.
- (c) When the Chairman wishes to participate in the debate on a question or motion properly before the Meeting, the Chairman shall vacate the Chair and request the Deputy Mayor to assume the Chair.
- (d) The Chairman may invite Persons forward from the audience to speak with the



permission of Council if it is deemed to be within the best interests of the issue being discussed, the public, and the conduct of good business.

4.3 Conduct

- (a) Refer to Bylaw 11-2018, the Councillor Code of Conduct Bylaw

4.4 Disturbance by Public

- (a) The Chair may order any member(s) of the public who disturbs the proceedings of Council by words or actions to be expelled.
- (b) The Chair may request the Royal Canadian Mounted Police to remove the person(s).

4.5 Points Of Privilege:

- (a) A Councillor who desires to address the meeting upon a matter which concerns the rights or privileges of the Councillors collectively, or of himself/herself as a Councillor personally, shall be permitted to raise such Point of Privilege.
- (b) A Point of Privilege shall take precedence over other matters and while the Chairman is ruling on the Point of Privilege, no one shall be considered to be in possession of the floor.

4.6 Points Of Procedure:

- (a) A Councillor who desires to call attention to a violation of this Bylaw shall ask leave of the Chairman to raise a Point of Procedure. When leave is granted, the Councillor shall state the Point of Procedure with a concise explanation and shall attend the decision of the Chairman upon the Point of Procedure. The speaker in possession of the floor when the Point of Procedure was raised shall have the right to the floor when debate resumes.
- (b) A Councillor called to order by the Chairman shall immediately vacate the floor until the Point of Procedure is dealt with, and shall not speak again without the permission of the Chairman unless to appeal the ruling of the Chair.

4.7 Appeal Ruling

- (a) The decision of the Chairman shall be final, subject to an immediate appeal by a Councillor of the meeting.
- (b) If the decision is appealed, the Chairman shall give concise reasons for his ruling and must state the question "Is the ruling of the Chair upheld?"
- (c) A majority of the Councillors present at the Meeting, without debate, shall decide the question. The ruling of the Councillors shall be final.

4.8 Pecuniary Interest

- (a) Councillors who have a reasonable belief that they have a pecuniary interest (as defined in the Act) in any matter before Council, any committee of Council or any board, commission, committee or agency to which they are appointed as a representative of Council, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions or voting on any question relating to the matter and shall remove themselves from Council Chambers until the matter is concluded.
- (b) The Minutes shall indicate the declaration of disclosure, the time at which the Councillor left the room and the time the Councillor returned.

**PART 5: AGENDAS AND MINUTES**

- 5.1 The Order of Business at a Meeting is the order of the items on the Agenda except:



- (a) when 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;
  - (b) when Council alters the Order of Business for the convenience of the Meeting by a majority vote;
  - (c) when the same subject matter appears in more than one place on an Agenda and Council decides, by motion, to deal with all items related to the matter at the same time; and
  - (d) when Council decides not to deal with an item on the Agenda and no motion is made about it.
- 5.2 The Agenda orders the business for a Meeting and will follow the appropriate Order of Business as set out on Schedule "A".
- 5.3 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.
- 5.4 Consent Agenda
- (a) The consent agenda portion of a Meeting is moved and voted on without debate as one item regardless of the number of reports included.
  - (b) A Councillor may add any item or items to the Consent Agenda or may exempt any item or items from the motion and the vote;
  - (c) Bylaw items that have been selected for consent may be voted on together.
  - (d) Council will deal with items for debate in the order that they appear on the Agenda, unless otherwise decided in accordance with Section 5.1.
  - (e) A motion must be made before any exempted item is discussed.
- 5.5 Delegations
- Delegations appearing before council may be addressed by any member of Council through the Presiding Officer, 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 only be:
- (a) Received as information without debate;
  - (b) Referred without debate to a committee or the Chief Administrative Officer for a report;
  - (c) Limited to 15 minutes unless there is a Special Resolution to extend the allotted time.
- 5.6 Minutes
- The Director must prepare all Council minutes which will include:
- (a) All decisions and other proceedings;
  - (b) Name of Council members presented and absent from the meeting;
  - (c) Any abstention pursuant to a declaration of pecuniary interest made under the Municipal Government Act by an Council member and any other abstention permitted by statute;
  - (d) The signatures of the Presiding Officer and the Chief Administrative Officer or their designate.



- (e) Recorded without note or comment and shall record the names of the Councillors present at the Meeting and shall be presented to Council for adoption at a subsequent Meeting.
- (f) Preparation and distribution of minutes of Council Meetings shall be the responsibility of the Director.
- (g) Clerical, typographical and grammatical errors in Minutes may be corrected by the Director.

#### 5.7 Recording of Council Meetings

- i) When audio recording facilities are available, the Recording Secretary will make a re-playable recording of all Council meetings.
- j) Any Councillor or Town Official may have access to the recordings under the supervision of the Recording Secretary. No one will be entitled to make any changes to or copies of the recordings; access is for verification purpose only.
- k) Recording of Council meetings will be for the purpose to confirm motions prior to acceptance of the meeting minutes and are considered draft recordings.
- l) The Director must retain all recordings of meetings until the minutes have been adopted or as otherwise directed by the Chief Administrative Officer or the Town's Solicitor. Once the minutes are adopted, the recordings are to be destroyed in accordance to the Town's retention and disposition schedule.
- m) No recordings will be made of Closed Meeting sessions.

#### 5.8 Electronic Participation in Meetings

- n) A Member of Council may participate in a specific item(s) at a Council meeting by using the approved communication facility if:
  - i) Prior notice has been given to establish and test communication connection to a known and agreed upon phone number;
  - ii) There is a valid reason for being unable to attend;
  - iii) The Member of Council participating electronically is not the Chair of the meeting;
  - iv) There is a quorum of other members of Council situated in the actual meeting place to ensure the meeting could continue if communication is lost.
- o) Members of Council participating in a meeting held by means of communication facility are deemed present at the meeting.
- p) If technology problems prevent participation, the Member shall be marked absent.
- q) If communication is lost during the meeting and cannot be reconnected, the minutes shall reflect when the Member of Council left the meeting or when the lost communication was discovered, whichever takes place first.

### PART 6: COUNCIL MEETINGS

#### 6.1 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 Oath of Office for Mayor and Council will occur at the first meeting of council following a general municipal election;
  - (ii) resolution for the appointment of the Deputy Mayor and Acting Mayor for a one



year term;

- (iii) the establishment of the Regular Meeting dates for Council and the Priorities Committee;
  - (iv) appointment of Councillor membership on committees and boards and Commissions; and
  - (v) any such other business as is described in the notice of the meeting.
  - (vi) Establish the signing authority for all banking matters.
- (c) The Director shall ensure a schedule of Meetings as scheduled at the Organizational Meeting is posted as directed by Council.

#### 6.2 Regular Meetings

- (a) Notice of Regular Meetings need not be given.
- (b) If Council changes the date, time or place of 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, and
  - (ii) the public.

#### 6.3 Special Meetings

- (a) A Special Meeting shall be scheduled by the Director when required to do so by the Mayor or a majority of the Councillors of Council.
- (b) Where a Special Meeting is required by a majority of Council the Mayor shall call such meeting 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 it is to be held and stating in general terms the nature of the business to be transacted at the meeting 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 of Council 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.

#### 6.4 Closed Sessions

- (a) Council and Council Committees 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, RSA 2000, c. F-25;
- (b) When a Meeting is closed to the public, the Meeting may include any person or persons invited to attend by Council;
- (c) When a Meeting is closed to the public pursuant to this Section, no resolution or bylaw may be passed at the Meeting, except a resolution to revert to a Meeting held in public.

#### 6.5 Public Hearings

- (a) Public Hearings will be held whenever possible, at a time to accommodate members of the public.
- (b) Persons interested in speaking at a Public Hearing should register with the



Director's office prior to the Public Hearing.

- (c) The Chairman shall declare the Public Hearing in session and the Director shall outline Public Hearing Procedures.
- (d) The Director or department representative shall introduce the resolution or bylaw and shall briefly state the intended purpose. Department presentations shall follow the introduction of the bylaw or resolution.
- (e) The Chairman shall then open the floor to presentations from the public.
- (f) The Chairman shall call upon those persons who have registered with the Director's office to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. 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.
- (g) Presentations by the public may be made verbally, in writing, or electronically. Written submissions shall be collected by the Director and retained for record purposes.
- (h) Presentations shall be limited to 5 minutes unless there is consent by Council to extend the allotted time.
- (i) Questions of clarification will be addressed during the Public Hearing.
- (j) Following public presentations, the Chairman shall close the Public Hearing and open the floor for debate.
- (k) When a Councillor is absent from a Public Hearing on a proposed Bylaw or resolution, that Councillor must declare and disclose the reason for the abstention prior to any discussion of the matter and abstain from discussions or voting on any question relating to the matter.
- (l) Where a Councillor is absent for a portion of a Public Hearing on a proposed Bylaw or resolution, that Councillor may declare and disclose the reason for the abstention prior to any discussion of the matter and abstain from discussions or voting on any question relating to the matter.
- (m) The Minutes shall indicate all declarations of abstention.

## **PART 7: COUNCILLOR INQUIRIES AND REPORTS**

### **7.1 Information Requests**

- (a) A Councillor wishing to request information from the Chief Administrative Officer shall present it as an Information Request.
- (b) If the Chief Administrative Officer is unable to answer the Information Request at the meeting, the Chief Administrative Officer will forward the request to the appropriate Town department for response.
- (c) Unless the Information Request specifies that the Councillor wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all members of Council.
- (d) The Chief Administrative Officer may determine that an Information Request is a Program Request.

### **7.2 Notices of Motion**

- (a) A Councillor wishing to introduce any new matter may do so only if notice is given at a Council Meeting.
- (b) A Notice of Motion must be in writing and give sufficient detail so that the subject





of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made.

- (c) A Notice of Motion must be given without discussion of the matter, but written copies distributed may include explanatory paragraphs.
- (d) If the subject matter and proposed action contained in the Notice of Motion is determined by the Chairman to be a Program Request, the Motion shall be presented as a Program Request.
- (e) A Notice of Motion introduced in accordance with this Section shall be included under Council Priorities on the Agenda of the next available Regular Meeting or other Meeting date as specified by the Councillor.
- (f) A Notice of Motion may be received by the Director prior to the closing of the Meeting. In this event, the Councillor shall read the Notice of Motion which shall be recorded in the minutes.
- (g) Councillor who hands a written Notice of Motion to the Director to be read at any Regular Meeting need not necessarily be present during the reading of the Notice.
- (h) A Program Request may not be made by way of Notice of Motion.

#### PART 8: MOTIONS

- 8.1 A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
- 8.2 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 Presiding Officer calls for those in favor and against. The Recording Secretary shall, whenever a recorded vote is requested by a member of Council, record in the minutes the names of each member of Council present and whether the member of Council voted for or against the matter and the Presiding Officer shall announce the results of the vote.
- 8.2 A recommendation in a report does not constitute a motion until a Councillor has expressly moved it.
- 8.3 Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 8.4 The mover of a motion must be present when the vote on the motion is taken.
- 8.5 When a matter is under debate, no motion shall be received other than a Motion to:
  - (a) Fix the Time for Adjournment;
  - (b) Adjourn;
  - (c) Recess;
  - (d) Withdraw;
  - (e) Call the Question (that the vote must now be taken);
  - (f) Postpone to a certain time or date;
  - (g) Refer;
  - (h) Amend;
  - (i) Postpone indefinitely;which in declining order shall be the order of precedence.
- 8.6 Motion to Withdraw


- (a) Enables the mover to withdraw or modify a motion or substitute a different one in its place.
- (b) The mover of a motion may withdraw that motion without permission so long as the motion has not been stated by the Chair.
- (c) If the motion has been stated by the Chair and is formally before the meeting the mover may ask to withdraw, substitute or modify it and the Chairman shall grant permission with the unanimous consent of Council; however, if any objection is made, it is necessary to obtain leave by Motion to Withdraw and this motion cannot be debated or amended. Once a motion is withdrawn, the effect is the same as if it had never been made.

8.7 Motion to Postpone to a Certain Time or Date

- (a) Is used if Council would prefer 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.

8.8 Motion to Refer

- (a) Is used to send a pending question to a committee, department or selected persons so that the question may be carefully investigated and put into better condition for Council to consider.
- (b) Shall be clear as to the information required and shall provide direction as to the Person or Group to which it is being referred.
- (c) Is debatable.

8.9 Motion to Amend

- (a) Is used to modify the wording of a motion before the motion itself is voted on.
- (b) Is debatable whenever the motion to which it applies 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.
- (e) The amendment to the amendment must be voted on before the amendment.
- (f) An amendment to an amendment must be relevant to the amendment.
- (g) 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.
- (h) Nothing in this Section shall prevent other proposed amendments being read for the information of the Councillors.
- (i) 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.
- (j) The Chair may accept an amendment as a Friendly Amendment if no member of Council objects.
- (k) "Friendly Amendment" means a change that does not affect the substance of a motion and clarifies the motion's intent.



8.10 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.

8.11 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, and shall require the votes of a majority of Councillors present to carry it, unless otherwise required by this Bylaw.

8.12 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 Notice of Motion 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.

8.13 Motion to Suspend the Rules

- (a) Is used to temporarily suspend the rules of procedure in order to allow Council to take up a question or do something that would be in violation of this Bylaw and is not debatable.
- (b) In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council if 2/3 of all Councillors of Council present vote in favour of dealing with the matter under consideration.
- (c) If passed, Council may proceed to deal with the matter in question.
- (d) A resolution waiving any provision of this Bylaw as provided for in this Section shall only be effective for the meeting during which it is passed.

8.14 Motion to Recess

- (a) Any Councillor may move that Council recess for a specific period.
- (b) The motion may not be used to interrupt a speaker.

- (c) After the recess, business will be resumed at the point when it was interrupted.
- (d) A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.

#### 8.15 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; or
  - (ii) it is brought after a general election which has taken place since the date of the original motion; or
  - (iii) the Councillor who wishes to have Council renew a motion provides prior Notice of Motion setting out in writing what special circumstances or significant new developments have occurred in respect of the issue to warrant further consideration.
- (b) A motion to renew may not be introduced where the vote on the original motion has caused an irrevocable action.

#### 8.16 Motion to Adjourn

- (a) A Motion to Adjourn the meeting shall be in order except:
  - (i) when a Councillor is in possession of the floor; or
  - (ii) when it has been decided that the vote now be taken; or
  - (iii) during the taking of a vote.
- (b) Adjournment time is at the conclusion of the Agenda as adopted by Council or when a Motion to Adjourn has been passed.

### PART 9: SPEAKING TO MOTIONS AND LIMITS ON DEBATE

- 9.1 No Councillor is permitted to speak unless and until recognized by the Chair.
- 9.2 Unless otherwise provided by this Bylaw, Councillors may speak only twice on any motion; however, Council may give permission to speak again.
- 9.3 Councillors may not speak more than once until every Councillor has had the opportunity to speak except:
  - (a) in the explanation of a material part of the speech which may have been misunderstood; or
  - (b) in reply, to close debate, after everyone else wishing to speak has spoken, provided that the Councillor presented the motion to the Meeting.
- 9.4 Supplementary questions or a series of questions relating to the matter before the Meeting may be raised by a Councillor, but each such question requires the consent of the Chair.
- 9.5 Through the Chairman, a Councillor may ask:
  - (a) questions of another Councillor or of staff on a Point of Information relevant to the business at hand.
  - (b) questions to obtain information relating to the Minutes presented to the Meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.
- 9.6 All questions or debate shall be directed through the Chair.



**PART 10: VOTING**

**10.1** Votes on all motions must be taken as follows:

- (a) The Chair must put forth the motion.
- (b) Councillors must vote by show of hands.
- (c) Every Councillor present, including the Mayor, shall vote on every matter, unless:
  - (i) the Councillor is required to abstain from voting under this or any other bylaw or enactment; or
  - (ii) the Councillor is permitted to abstain from voting under this or any other bylaw or enactment.
- (d) 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 Council present, unless required or permitted to abstain from voting, shall vote as the Presiding Officer calls for those in favour and against. The Recording Secretary shall, whenever a recorded vote is requested by a member of Council, record in the minutes the names of each member of Council present and whether the member of Council voted for or against the matter and the Presiding Officer shall announce results of the vote.
- (e) A Councillor present at a meeting shall make a request for a recess if for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent, unless that Councillor is excused from voting pursuant to this Section.
- (f) As the Chairman calls for those Councillors in favour or against, votes shall be made by the raising of hands.
- (e.1) When a vote is taken on a Substantive Motion by the raising of hands, the Chair will:
  - (i) call for those in favour of the motion, verbally stating the name of each Councillor voting in favour.
  - (ii) call for those opposed to the motion, verbally stating the name of each Councillor voting in opposition to the motion; and
  - (iii) then declare the result of the vote.
- (e.2) If the vote is unanimous, the Chair may, in the discretion of the Chair, either:
  - (i) verbally state the names of each Councillor voting and declare the result, or
  - (ii) declare that the vote is carried or defeated unanimously.
- (e.3) A Councillor who disagrees with the Chair's declaration of the vote must immediately object to the declaration and the vote will be retaken.
- (g) If there are an equal number of votes for and against a resolution or Bylaw, the resolution or Bylaw is defeated.

**10.2** Call the Question

- (a) When a Motion that a Vote be Taken (Call the Question) is presented, it shall be put to a vote without debate and, if carried by a majority vote of the Councillors present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.
- (b) When the Chairman, having ascertained that no further information is required, commences to take a vote, no Councillor shall speak to or present another



motion until the vote has been taken on such motion or amendment.

### 10.3 Voting On Bylaws

- (a) Where a Bylaw is presented to a Meeting for enactment, the Director shall cause the number, short title and brief description of the Bylaw to appear on the Agenda.
- (b) The following shall apply to the passage of all Bylaws
  - (i) A Bylaw shall be introduced for First Reading by a Motion that it be read a first time specifying the number of the Bylaw.
  - (ii) 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.
  - (iii) 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.
  - (iv) When all amendments have been accepted or rejected, the Chairman shall call the Question on the Motion for First Reading of the Bylaw.
  - (v) When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established before first or second reading.
  - (vi) All aspects of the passage of a Bylaw at First Reading shall apply to second and third readings of any Bylaw.
  - (vii) 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.
  - (viii) 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.
  - (ix) 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.
- (c) 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.
- (d) After passage, a Bylaw shall be signed by the Mayor or Mayor's designate and by the Director and shall be impressed with the corporate seal of the Town.
- (e) Clerical, typographical and grammatical errors in bylaws may be corrected by the Director.
- (f) The Director may consolidate a bylaw by incorporating all amendments to it into one Bylaw.
- (g) A copy of any bylaw, resolution or record certified by the Director as a true copy of the original is prima facie proof of the bylaw, resolution or record.

### PART 11: REPEAL

11.1 Bylaw 02-2019 is hereby repealed upon third and final reading of Bylaw 11-2019.



**PART 12: EFFECTIVE DATE**

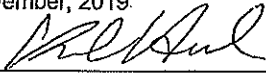
12.1 This Bylaw becomes effective on third and final reading and upon being signed.

Read a first time this 23 of October, 2019

Read a second time this 06 of November, 2019

Read a third time and finally passed this 06 of November, 2019.

Mayor



Administration



Date Signed:

Nov 6 / 2019

**SCHEDULE "A"**

**REGULAR MEETING OF COUNCIL ORDER OF BUSINESS**

1. Call to Order
2. Public Hearing
3. Additions / Deletions/ Changes to Agenda
4. Adopt Agenda
5. Delegations / Proclamations
6. Adopt Minutes
7. Council Priorities
  - Information Requests
  - Program Requests
8. Requests for Decision
9. Reports
  - Council Committee Reports
  - Mayor Report
  - Chief Administrative Officer Report
10. Correspondence and Information Items
11. Closed Session
12. Adjournment