



## BYLAW NO. 13 – 2019

# TOWN OF VEGREVILLE

**THIS BYLAW NO. 13-2019 OF THE TOWN OF VEGREVILLE, IN THE PROVINCE OF ALBERTA TO GOVERN AND REGULATE THE PROCEEDINGS AND THE REGULAR BUSINESS OF COUNCIL AND COUNCIL COMMITTEES**

**WHEREAS** section 145 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended provides that Council may pass bylaws in relation to the establishment and functions of Council Committees, and the procedures of Council and Council Committees;

**AND WHEREAS** pursuant to Section 203 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, Council may by bylaw delegate its powers, duties or functions to a Council Committee;

**AND WHEREAS** Council has deemed it necessary to regulate the procedure and conduct at Meetings of Council and Committees established by Council:

**NOW THEREFORE**, the municipal Council of the Town of Vegreville in the province of Alberta, duly assembled enacts as follows:

### 1. SHORT TITLE

1.1 This Bylaw may be cited as the **Council Procedural Bylaw**.

### 2. DEFINITIONS

2.1 In this Bylaw:

- (a) **Act** means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended
- (b) **Agenda** means the list and order of business items for any Meeting of Council or Committees.
- (c) **Adjourn** used in relation to any Meeting, except a Public Hearing, means to end the Meeting, and used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing later in the same Meeting or at another Meeting. A Motion to Adjourn must be without comment, debate or amendment.
- (d) **Applicant** means person who receives a written Enforcement Order
- (e) **Bylaw** means a Bylaw of the Town of Vegreville.
- (f) **Chair** means the Mayor, Deputy Mayor or presiding officer who presides over Council and/or Committee Meetings.
- (g) **CAO** means the Chief Administrative Officer for the Town of Vegreville or his/her designate.
- (h) **Chief Elected Official** means the Mayor.

- (i) **Closed Session** means a part of a Meeting which is closed to the public at which no Resolution or Bylaw may be passed, except a Resolution to revert to a Meeting held in public.
- (j) **Committee** means a Committee, Board, Commission, Authority, Task Force or any other public body established by Council under the MGA, entirely of Council Members, entirely of other persons, or a combination thereof appointed by Council under Section 146 of the MGA to provide advice and make recommendations to Council [excepting the Library Board].
- (k) **Community Peace Officer** means a bylaw enforcement officer or a community peace officer appointed by the Municipality to enforce bylaws of the Municipality as defined in the Peace Officers Act, RSA 2016, Chapter P-3.5
- (l) **Council** means the duly elected Council of the Town of Vegreville.
- (m) **Delegation** means one or more persons who have formally requested or have been requested to appear before Council at a Meeting, in accordance with this Bylaw.
- (n) **Deputy Mayor** means the Member of Council appointed by Resolution to act as Mayor in the absence or incapacity of the Mayor.
- (o) **Electronic Communication** refers to attending Meetings via teleconference or video conferencing, which allows all Members to hear and/or see the Member attending via electronic means.
- (p) **Emergent** means those items of an emergency nature time sensitive matter that cannot be left until the next Meeting that require Council's or a Committee's immediate and urgent consideration and where previous notice is not practical.
- (q) **Enforcement Order** means a written municipal Enforcement Order issued pursuant to sec 545 of the Municipal Government Act.
- (r) **FOIP** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25, as amended.
- (s) **Legislative Committee** means Meeting of the Committee of the Whole.
- (t) **Majority** of Council means fifty percent (50%) plus 1 of those present.
- (u) **Mayor** is the Chief Elected Official of the Town of Vegreville duly elected.
- (v) **Meeting** means an Inaugural Meeting, 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.
- (w) **Member** means a Member of Council, duly elected and continuing to hold office or a Member of a Committee duly appointed by Council.
- (x) **Motion** means a standard terminology used by Council to describe the original statement whereby business is brought before a Meeting, and may also mean Resolutions.
- (y) **Notice of Motion** is the means by which a Member of Council brings business before Council.
- (z) **Open Session** means a part of a Meeting which is open to the public.
- (aa) **Order** means municipal Enforcement Order
- (bb) **Organizational Meeting** means the Meeting held for the purpose of scheduling Council Meetings and to make Council appointments to Committees of Council, to be held annually no later than the second regular Council Meeting in October.

- (cc) **Point of Information** means a request or statement directed to the Chair, or through the Chair, to another Member or to the CAO, for or about information relevant to the business at hand, but not related to a Point of Procedure.
- (dd) **Point of Order** means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business.
- (ee) **Point of Privilege** means all matters affecting the rights and exemptions of Council collectively or the propriety of the conduct of individual Members and includes but is not limited to:
  - (i) Organization and existence of Council
  - (ii) Comfort of Members
  - (iii) Conduct of employees or Members of the public in attendance at the Meeting.
  - (iv) Accuracy of the reports of Council's proceedings
  - (v) Reputation of the Council and Members
- (ff) **Point of Procedure** means a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council to assist a Member to:
  - (i) Make an appropriate Motion
  - (ii) Raise a Point of Order
  - (iii) Understand a procedure, or
  - (iv) Understand the effect of a Motion
- (gg) **Postpone** means to delay the consideration of any matter, either:
  - (i) to later in the Meeting
  - (ii) to a specified time and/or date
  - (iii) until the occurrence of an event
  - (iv) indefinitely
- (hh) **Public Hearing** means a Meeting that Council is required to hold in accordance with Section 230 of the Act or any other enactment during which Members of the public make representations to Council.
- (ii) **Quorum** is the Majority of all Members, fifty percent (50%) plus one (1). The Town of Vegreville Council consists of seven (7) elected officials, therefore a Quorum is four (4) Members.
- (jj) **Reconvene** means to resume the Meeting that has been convened and then Recessed.
- (kk) **Recess** means to take a break in the order of business or an agenda item of a Meeting with the intent of returning to that order of business or agenda item at the same Meeting.
- (ll) **Repeal** means to revoke and annul an existing Bylaw. A Repeal of a Bylaw must be made in the same way as the original Bylaw and is subject to the same consents, conditions, or advertising requirements as the passing of the original Bylaw. Refer to Section 191 of the Act.
- (mm) **Rescind** means to bring forward a previously successful Motion with the intent of revoking the original Motion.
- (nn) **Resolution** means a Motion passed by the Majority of Council.
- (oo) **Senior Management** is comprised of the following Members of Administration:
  - (i) Chief Administrative Officer
  - (ii) Community Services Director
  - (iii) Corporate Services Director
  - (iv) Infrastructure, Planning and Development Director
  - (v) Legislative Coordinator
- (pp) **Special Meeting** means a Meeting called by the Mayor pursuant to the Act.

- (qq) **Table** means to Motion to delay consideration of any matter until a Majority decides to address the matter again by means of a Motion to raise from the Table. A Table Motion does not set a specific time to resume consideration of the matter. A Table Motion is not debatable.
- (rr) **Town** is the municipal corporation of the Town of Vegreville.
- (ss) **Website** is the Town of Vegreville Website at [www.vegreville.com](http://www.vegreville.com)

### 3. PRECEDENCE

- 3.1 The precedence of the rules governing the procedure of Council is:
- (a) The *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26
  - (b) Other Provincial legislation
  - (c) This Bylaw, and
  - (d) The current edition of *Robert's Rules of Order and Parliamentary Procedure*.

### 4. APPLICATION

- 4.1 This Bylaw shall govern the conduct of Council Meetings and Meetings of other Committees established by Council and shall be binding upon all Members whether a Councillor or a Member of the public appointed by Council to a Committee of Council.
- 4.2 When a matter relating to the Meeting proceedings is not addressed in this Bylaw, *Robert's Rules of Order and Parliamentary Procedure*, if applicable, shall apply.
- 4.3 In the event of conflict between the provisions of this Bylaw and *Robert's Rules of Order and Parliamentary Procedure*, the provisions of this Bylaw shall apply.
- 4.4 To the extent that a matter is not dealt with in the Act or this Bylaw, Council shall have regard to *Robert's Rules of Order and Parliamentary Procedure*.
- 4.5 Subject to the appeal process described in this Bylaw, the Mayor or Chair shall interpret procedure.

### 5. GENERAL

- 5.1 The general duties of Council shall adhere to the duties and responsibilities contained in Section 153 of the Act and Council Code of Conduct Bylaw 03-2018.
- 5.2 The general duties of the Chief Elected Official shall adhere to the duties and responsibilities contained in Section 154 of the Act.
- 5.3 No Member of Council shall direct or interfere with the performance of any work for the Town, and shall seek all information through the office of the CAO or their designate.
- 5.4 The breach of this Section of the Bylaw by any Member of Council may place the Member of Council in the position of censure by Council.
- 5.5 Public Hearings, when required or requested by Council, will be held prior to the second reading of a Bylaw, or prior to the proposed Resolution. Public Hearing shall be conducted in accordance with the procedures set out in Appendix 5.
- 5.6 Motions of Council and any questions of parliamentary procedures shall be dealt with in the manner described in this Bylaw and the current edition of *Robert's Rules of Order and Parliamentary Procedure*.

### 6. GENERAL CONDUCT AT MEETINGS

- 6.1 The Mayor shall:

- (a) maintain order and preserve decorum and may, if necessary, call a Member to order
- (b) decide Points of Information, Points of Order, Points of Principle and Points of Procedure without debate or comment
- (c) determine which Member has a right to speak
- (d) ensure all Members who wish to speak on a Motion have spoken, that the Members are ready to vote and shall subsequently call the vote
- (e) rule when a Motion is out of order
- (f) rule when a Motion is contrary
- (g) have the same rights and be subject to the same restrictions, as to participation in debate, as all other Members

6.2 The Chair assumes the role of the Mayor at Committees for procedural purposes.

6.3 Conduct of Members

- (a) A Member wishing to speak at a Meeting shall obtain the approval of the Mayor before speaking.
- (b) When a Member is addressing the Mayor, every other Member shall:
  - (i) remain quiet and seated; and
  - (ii) not interrupt the speaker, except on a Point of Order, Point of Privilege or Point of Procedure; and
  - (iii) not carry on private conversation.
- (c) A Member addressing the Meeting shall:
  - (i) not speak disrespectfully of Her Majesty the Queen, her official representatives or her government; and
  - (ii) not use offensive words in referring to a Member, or to an official of the Town or Member of the public; and
  - (iii) not reflect on a vote except when moving to reconsider it, and shall not comment on the motives of the Member who voted on the Motion or the mover of the Motion; and
  - (iv) not shout, use an immoderate tone of voice, profane, vulgar or offensive language, break the rules of the Council, or disturb the proceeding; and
  - (v) assume personal responsibility for a statement quoted and, upon request of the Members, shall give the source of information.

6.4 Point of Information

- (a) When a Point of Information is raised, the Mayor shall answer or direct the Point to the CAO or designate.

6.5 Point of Order

- (a) When a Point of Order arises:
  - (i) It shall be considered immediately
  - (ii) The point shall be stated without unnecessary comment
  - (iii) The Mayor shall state the rule or authority applicable
  - (iv) As soon as the Mayor decides on the Point raised, the Member raising the Point may be granted permission by the Mayor to explain
  - (v) The Mayor shall advise the Members immediately when a decision that a Motion is contrary to procedures is made, quoting the rule or authority applicable.
- (b) The decision of the Mayor shall be final.

6.6 Point of Privilege

- (a) When a Point of Privilege arises, the Mayor shall rule upon the admissibility of the question and, if the Mayor rules favourably, the Member, who raised the Point of Privilege, shall be permitted to pursue the point.

6.7 Point of Procedure

- (a) When the Mayor is called upon to answer a Point of Procedure:
  - (i) The point shall be stated without unnecessary comment
  - (ii) The Mayor shall state the rule or authority applicable
  - (iii) After raising the Point, the Member speaking shall be seated
  - (iv) As soon as the Mayor decides on the Point raised, the Member raising the Point may be granted permission by the Mayor to explain
  - (v) The Mayor shall advise the Members immediately when a decision that a Motion is contrary to procedures is made, quoting the rule or authority applicable.
- (b) The decision of the Mayor shall be final.

6.8 The Mayor is permitted to make a Motion and/or debate under the same rights and restrictions as other Members.

6.9 Members of the public in attendance at a Meeting:

- (a) shall not address Council without permission; and
- (b) shall maintain order and quiet; and
- (c) shall not applaud or otherwise interrupt any speech or action of the Members, or any other persons addressing Council.

6.10 The Mayor may, in accordance with the Act, expel and exclude any person who creates a disturbance or acts improperly.

6.11 A Member wishing to leave while a Meeting is in progress shall await the recognition of the Mayor before leaving. The absence of this Member from the Meeting will be noted in the Minutes.

## 7. GENERAL MEETING PROCEDURES

7.1 Call to Order

7.2 Adoption of the Agenda

- (a) The Agenda shall be adopted at the start of every Meeting.
- (b) When a change in the order of business is desired, the Members may Table, bring forward or refer an item prior to the adoption of the Agenda.

7.3 Adoption of the Minutes

- (a) The Mayor shall request a Motion to adopt the Minutes.
- (b) The Minutes of a previous Meeting shall not be read out loud unless directed by unanimous consent of the Members present.

7.4 Recess and Reconvene

- (a) The Mayor may declare a Recess at any time during the Meeting and must include a time to Reconvene. The Mayor shall Reconvene the Meeting at the predetermined time.

7.5 Adjournment

- (a) A Regular Council Meeting shall Adjourn at the time determined at the Organizational Meeting or at 10:00 PM, whichever is the latest. If in session at

that time, Council may, by unanimous consent of the Members present, extend the Meeting by one (1) hour only.

- (b) Council must, by Resolution, set a date and time to Reconvene the Regular Meeting at a date and time determined by Council to complete any unfinished business remaining at the time of the adjournment.
- (c) A Member may move to Adjourn a Meeting at any time, except when:
  - (i) another Member has the floor;
  - (ii) a call for a vote has been made;
  - (iii) the Members are voting; or
  - (iv) a previous Motion to Adjourn has been defeated and no other intervening proceedings have taken place.
- (d) A Meeting is deemed to be Adjourned when at a Meeting, the number of Members is reduced to less than the number required for Quorum.
- (e) Any unfinished business remaining at the time of the adjournment due to loss of Quorum shall be considered at the next Regular Meeting or at a Special Meeting called for the purpose of the unfinished business.
- (f) A Motion to Adjourn a Meeting shall be made without comment or debate.

## **8. INAUGURAL MEETING**

- 8.1 The first Meeting immediately following a general municipal election shall be called the Inaugural Meeting. This may also be referred to as the Swearing-In Ceremony.
- 8.2 The CAO will set the date, time and location of the Inaugural Meeting.
- 8.3 Each Member of Council shall take the prescribed Oath of Office as the first order of business at the Inaugural Meeting.
- 8.4 The CAO shall Chair the Inaugural Meeting until the Mayor has taken the Oath of Office.
- 8.5 At the Inaugural Meeting, each Member of Council shall affirm the Code of Conduct as approved from time to time by Council.
- 8.6 The Mayor may deliver an inaugural address at the Inaugural Meeting.
- 8.7 The first Organizational Meeting after the Inaugural Meeting shall occur either immediately following the Inaugural Meeting or at the next Meeting date following the Inaugural Meeting.
- 8.8 Refer to Appendix 1.

## **9. ORGANIZATIONAL MEETING**

- 9.1 Pursuant to Section 192 of the Act, Council must hold an Organizational Meeting annually not later than two (2) weeks after the third Monday in October.
- 9.2 The business of the Organizational Meeting must include:
  - (a) The schedule of the Regular Council Meetings
  - (b) The schedule of the Legislative Committee Meetings
  - (c) The roster of Deputy Mayor appointments
  - (d) The appointment of Members to Council Committees and external agencies
- 9.3 Council Member seating:
  - (a) The Mayor will occupy the centre of the head table of the Council table

(b) The Mayor will assign the seating for the Members of Council

9.4 Appointments of Members of Council to Boards and/or Committees shall be for a one year term.

9.5 Refer to Appendix 2.

## 10. REGULAR MEETINGS

10.1 All Meetings of Council will be held in the Council Chambers in the Town Administration Building unless notice is given in accordance with the Act and this Bylaw that the Regular Meeting will be held elsewhere in the community.

10.2 The dates and times of the Meetings will be established at the Organizational Meeting annually.

10.3 If a Regular Meeting of Council falls on a Statutory Holiday, the Meeting will take place on the Wednesday of that week.

10.4 Refer to Appendix 3.

## 11. LEGISLATIVE COMMITTEE MEETINGS

11.1 The membership of the Legislative Committee shall consist of all Members of Council and Senior Management.

11.2 The function of the Legislative Committee is to allow for discussions, in a more informal manner, of significant or complex items, including but not limited to, matters that may require a substantial amount of time to analyze and consider, in order to bring recommendations to Council for final consideration and decision.

11.3 The dates and times of the Meetings will be established at the Organizational Meeting annually.

11.4 Subject to the Act, the Legislative Committee may consider any matter that Council may consider.

11.5 The Legislative Committee may:

- (a) Receive Delegations and submissions;
- (b) Meet with other municipalities and levels of government; and
- (c) Provide instructions and direction to Senior Management.

11.6 The Legislative Committee may only pass the following Motions:

- (a) Adoption of the Agenda
- (b) Adoption of the Minutes from the previous Meeting
- (c) To Close the session
- (d) To Open the session

11.7 Meetings of the Legislative Committee are open to the public.

11.8 Refer to Appendix 4.

## 12. SPECIAL MEETINGS

12.1 Special Meetings, for which twenty-four (24) hours' notice has been provided in accordance with the Act, will state the location, time and purpose of the Meeting.

- 12.2 A Special Meeting with less than twenty-four (24) hours' notice will commence at the call of the Mayor. Each Member will be required to sign a Waiver of Notice at the commencement of the Special Meeting.
- 12.3 The CAO will ensure Notice of a Special Meeting is provided in accordance with the Act, whenever possible.
- 12.4 Notice of a Special Meeting will be posted at the Town Administration Building, posted on the Town's Website, and emailed to each Member of Council and Senior Management, whenever possible.

### 13. CANCELLATION OF MEETINGS

- 13.1 A Regular Meeting may be cancelled:
- (a) By a Resolution of Council at a previously held Meeting; or
  - (b) By written consent of a Majority of Council, provided that twenty-four (24) hours' notice is provided to Members and the public and Senior Management; or
  - (c) By written consent of two-thirds (2/3) of the whole Council if less than twenty-four (24) hours' notice is not provided to the public and Senior Management.
  - (d) Where an emergency arises that precludes Council's ability to meet.
- 13.2 If Council cancels a regularly scheduled Meeting, the CAO shall, if possible, give at least 24 hours' notice of the change to:
- (a) any Member of Council not present at the Meeting at which the cancellation was made; and
  - (b) the public; and
  - (c) Senior Management
- 13.3 A Legislative Committee Meeting may be cancelled as per Section 13.1.
- 13.4 A Special Meeting may be cancelled by the Mayor.
- 13.5 Notice of Meeting Cancellation
- (a) Notice is deemed to have been given to a Member of Council if the notice is:
    - (i) delivered in person; or
    - (ii) sent to the Member by facsimile or electronic mail; or
    - (iii) left at the usual place of business or residence of the Member
  - (b) Notice is deemed to have been given to the public if the notice is:
    - (i) posted at the Town Administration Building; or
    - (ii) posted on the Town of Vegreville Website; or
    - (iii) posted through social media; or
    - (iv) if time permits, a notification may be placed in the newspaper

### 14. CHANGE OF MEETING DATE, TIME AND PLACE

- 14.1 Council may change the date, time or place of a Regular Meeting by Resolution.
- 14.2 If Council changes the date, time or place of a Regular Meeting, the CAO shall give 24 hours' notice of change to:
- (a) any Member of Council not present at the Meeting at which the cancellation was made; and
  - (b) the public; and

(c) Senior Management

14.3 Notice to change the date, time or place of a Regular Meeting shall be the same as Section 13.5.

## 15. AGENDA

15.1 The Agenda items shall list the items and order of business for the Meeting.

15.2 All submissions for the Regular Council Agenda, including Council Reports, must be received by the CAO no later than 4:00 PM on Thursday prior to the Council Meeting.

15.3 The CAO shall ensure copies of the draft Regular Council Agenda are available on the Website for Council and Senior Management no later than 4:00 PM on the Friday prior to the Council Meeting.

15.4 All submissions for the Legislative Committee Agenda must be received by the CAO no later than 4:00 PM on Friday prior to the Legislative Committee Meeting.

15.5 The CAO shall ensure copies of the draft Legislative Committee Agenda are available on the Website for Council and Senior Management no later than 4:00 PM on the Monday prior to the Legislative Committee Meeting.

15.6 Only material which has been received in accordance with Subsections 15.2 and 15.4 of this Bylaw shall be considered at the Meeting for which the Agenda was prepared.

15.7 If an emergent or time sensitive matter needs to be brought before Council at any Meeting, the item shall:

(a) be accompanied by a brief explanation from the Mayor indicating the reasons for and the degree of urgency of the item; and

(b) be permitted to be added by the Mayor considered as an addendum to the Agenda upon Majority vote of Council.

15.8 The items on a Closed Session Agenda are approved by the CAO in accordance with the provisions of the Act and the FOIP Act. The Closed Session portion of the Agenda may be distributed to Members and Senior Management with the Agenda package.

15.9 The standard order of business on the Regular Council Agenda shall be in accordance with Appendix 3 unless Council otherwise determines by a Majority vote a change in order.

15.10 The standard order of business on the Legislative Committee Agenda shall be in accordance with Appendix 4 unless Council otherwise determines by a Majority vote a change in order.

## 16. MINUTES

16.1 The CAO shall:

(a) ensure the Minutes of Meetings are recorded in the English language, without note or comment.

(b) prepare the Minutes of every Meeting, in accordance with Section 208 of the Act, and distribute a copy to each Member in a subsequent Agenda for adoption at the Meeting.

(c) Record the name of each Member that abstains from voting and the reasons for the abstention, including, in the case of an abstention as a result of a Pecuniary Interest, the nature of the Pecuniary Interest that has been declared by the Member.

(d) Record the Sections of the Act and/or FOIP Act that apply to an item being discussed in the Closed Session.

- 16.2 Only minor changes may be made to correct errors in grammar, spelling and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change shall be allowed which would alter or affect, in a material way, the actual decision made by Council.

## 17. CORRESPONDENCE

- 17.1 When a person wishes to have a letter or other communication considered by Council or a Committee, it shall be addressed to the Mayor and/or Town Council or the CAO, and shall:
- (a) clearly set out the matter at issue and the request; and
  - (b) for written correspondence; must be printed, typewritten or legibly written, be signed with the name of the writer and contain the mailing address of the writer; or
  - (c) for electronic communication; must contain the name of the writer and both the mailing and electronic address of the writer.
- 17.2 A communication received by the CAO which does not meet the criteria in subsection 17.1 above, or is abusive, non-factual or vexatious in nature may be filed by the CAO.
- 17.3 On receipt of a communication, the CAO may:
- (a) include it on the Agenda of the next Regular Meeting, in full or in summary form; or
  - (b) refer it to Administration for a report to Council; or
  - (c) refer it to Administration for reply.

## 18. MOTIONS IN COUNCIL

- 18.1 When a Motion has been made by a Member of Council and is being considered, no Member may make another Motion except to:
- (a) amend the Motion; or
  - (b) amend the amendment to the Motion; or
  - (c) refer to the main Motion; or
  - (d) Table the main Motion; or
  - (e) move a Motion which has Privilege, that is:
    - (i) Motion to Recess; or
    - (ii) a Motion to Adjourn; or
    - (iii) a Motion to set the time for adjournment; or
    - (iv) a Motion to extend the time of the Meeting, or raise:
      - (A) A Point of Information; or
      - (B) A Point of Order; or
      - (C) A Point of Privilege; or
      - (D) A Point of Procedure.
- 18.2 Except as provided elsewhere in this Bylaw, the Member making a Motion, after the Motion has been moved, may with the unanimous consent of Council:
- (a) on the Member's initiative, while speaking on the Motion; or
  - (b) when requested by another Member speaking on the Motion;

- (c) make minor changes to the Motion wording or agree to a minor change proposed by another Member, if the change does not alter the intention of the Motion.

### 18.3 Amendments to Motions

- (a) No amendments shall be made to the following Motions:
  - (i) to refer, except as to time
  - (ii) to Table, except as to time
  - (iii) to Adjourn
  - (iv) to first and second readings or authorization for a third reading of a Bylaw
  - (v) to Recess, except as to time to return; or
  - (vi) to suspend a section of this Bylaw.
- (b) A Member may not move an amendment which:
  - (i) does not relate to the subject matter of the main Motion; or
  - (ii) is contrary to the main Motion.
- (c) At any given time, only one amendment to the main Motion and only one amendment to that Motion shall be allowed. The Mayor shall rule on disputes arising from any amendments.
- (d) A Member who moved a Motion may not make an amendment to it.
- (e) The main Motion shall not be debated until all amendments to it have been put to a vote.
- (f) Amendments shall be put in the reverse order to which they have been moved.
- (g) When all amendments have been voted on, the main Motion shall be put to a vote incorporating all adopted amendments.

### 18.4 Motion to Postpone

- (a) To state the time the Motion or Agenda item will be removed.
- (b) Must be passed by a Majority of Members present.
- (c) It shall appear on the Agenda for the Meeting date specified as an item of Unfinished Business

### 18.5 Motion to Recess

- (a) A Motion to Recess may be made at any time and has precedence. The Motion must include a time to Reconvene.
- (b) A Motion to Recess may not be debated.
- (c) A Motion to Recess may be amended only as to the time to Reconvene.

### 18.6 Motion to Rescind

- (a) A Motion to Rescind may be made by any Member present at any time, subsequent to the Meeting at which the original Motion was passed.
- (b) A Motion to Rescind is debatable, and requires:
  - (i) A two-thirds vote of the Members present with no notice; or
  - (ii) A Majority vote of the Members present if notice has been given,
- (c) A Motion to Rescind cannot be made when the vote would cause an irrevocable action [i.e.: for a contractual liability or obligation].

### 18.7 Motion to Table

- (a) A Motion may be Tabled by a Majority vote of Council to enable Council to deal with other more pressing matters.

- (b) A Motion to Table is not debatable.
  - (c) A Motion that has been Tabled must be brought back before the conclusion of the Meeting.
  - (d) A Motion to remove from the Table is not debatable or amendable and requires a Majority vote of Council.
  - (e) If a Motion to remove from the Table is defeated, it may only be made again at the next Regular Council Meeting.
- 18.8 Any Motion made in the negative shall be ruled out of order.
- 18.9 The Mayor shall put the Motion to a vote when the debate is closed. This decision is final unless overruled by a Majority vote of the Members present at the Meeting.
- 18.10 No Member shall leave the Council Chambers after a question is put to a vote until the vote is taken.
- 18.11 Votes on all Motions must be taken as follows:
- (a) The mayor must declare the Motion and call for the vote;
  - (b) Members must vote by a show of hands;
  - (c) The Mayor must declare the result of the vote.
- 18.12 After the Mayor has declared the result of a vote, the Members may not change their vote for any reason.
- 18.13 A Motion shall be declared defeated when:
- (a) the Motion does not receive the required Majority of votes; or
  - (b) the Motion receives an equal number of votes.
- 18.14 Each Member present shall vote on every Motion as prescribed by the Act, unless the Act or other provincial or federal enactment requires or permits the Member to abstain, in which case, the Member shall cite the legislative authority for abstaining, and the CAO shall record the abstention and reasons in the Minutes.
- 18.15 A Member shall not vote on a matter if they are absent from the Council Chambers when the vote was taken.
- 18.16 The outcome of every vote shall be incorporated into the official Minutes.

## **19. RECORDED VOTE**

- 19.1 A Councillor may request that a vote be recorded prior to Council taking the vote.
- 19.2 When a Councillor requests a recorded vote, all Members of Council present, unless required or permitted to abstain from voting, shall vote as the Mayor calls for those in favour or against.
- 19.3 If a vote is recorded, the CAO shall record in the Minutes the names of each Member who voted for or against the matter and the Mayor shall announce the results of the vote.

## **20. BYLAWS**

- 20.1 Draft Bylaws shall be prepared by the appropriate Administration Member and shall be reviewed at a Legislative Committee Meeting before being presented at a Regular Council Meeting.

- 20.2 The CAO shall publish the number and title of the Bylaw in the Agenda when a Bylaw is presented to Council for enactment.
- 20.3 The CAO shall provide a copy of the proposed Bylaw in full and include it in the Agenda package.
- 20.4 Every Bylaw shall have three (3) readings. Only the Bylaw number and title must be read at each reading.
- 20.5 Prior to first reading of a proposed Bylaw, a Member may ask questions of clarification concerning the proposed Bylaw.
- 20.6 A Bylaw shall be introduced for first reading by a Motion that the Bylaw be read for a first time.
- 20.7 Council shall vote on the Motion for first reading without amendment or debate.
- 20.8 After first reading, Council may:
- (a) debate the substance of the Bylaw; and
  - (b) propose and consider amendments to the Bylaw
- 20.9 A Bylaw shall be introduced for second reading by a Motion that it be read for a second time.
- 20.10 After second reading, Council may:
- (a) debate the substance of the Bylaw; and
  - (b) propose and consider amendments to the Bylaw
- 20.11 A Bylaw shall not be given more than two (2) readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for a third reading.
- 20.12 When a Council unanimously agrees that a Bylaw may be presented for third reading:
- (a) Motion for third reading of the Bylaw shall be made; and
  - (b) Council shall vote on the Motion without amendment or debate
- 20.13 A Bylaw shall be passed when a Majority of the Members voting on third reading vote in favour, provided that some other Provincial Statute or Bylaw does not require a greater Majority.
- 20.14 Upon being passed, a Bylaw shall be signed by the Mayor or Deputy Mayor and the CAO or designate. The corporate seal shall be affixed to the signed Bylaw.
- 20.15 Bylaws shall come into effect as soon as they are passed unless the Bylaw contains a deferred date for implementation.

## **21. CLOSED SESSION**

- 21.1 A Member may make a Motion to Close the public session of the Meeting which must be in accordance with the Act or FOIP, and include the Section number of the applicable statute reference.
- 21.2 The Mayor will announce to the Members of the public in attendance that Council will be moving into the Closed Session of the Meeting.
- 21.3 The minutes of the Council Meeting must record the Resolution providing for the specific matter to be heard by Council and the names of those persons and the reason(s) for their attendance.

- 21.4 In accordance with the Act and FOIP Act, all Members are required to keep in confidence matters discussed in the Closed Session until the items discussed in a Meeting held in public.
- 21.5 Council has no power at such a Meeting to pass any Bylaw or Resolution apart from the Resolution necessary to revert back to the Open Session.
- 21.6 The Mayor will call a short Recess after the session is opened to allow the public to return to the Meeting.

## 22. NOTICE OF MOTION

- 22.1 A Notice of Motion is made to serve notice of intent and must give sufficient detail in order that the subject of the Motion and any proposed action can be determined, must state the date of the Meeting at which the Motion will be made, and must meet the following requirements:
- (a) Any Member may make a Motion introducing any new matter of municipal business for consideration provided that the Notice of Motion has been brought forward at a prior Meeting of Council.
  - (b) A Notice of Motion must stand on its own and cannot have attachments. Supporting documents may be distributed at the indicated Meeting with the approval of the Mayor.
  - (c) A Member who submits a written Notice of Motion to the CAO, to be read at a Meeting, need not to be present during the reading of the notice.
  - (d) When notice has been given, the CAO will include the proposed Motion in the Agenda of the Meeting for the date indicated in the Notice of Motion.
  - (e) If the Member is not present for the indicated date, the Motion will be deferred to the next Regular Council Meeting. If the Member is not present at the next Regular Council Meeting, the Motion will be removed from the Agenda and may only be made by a new Notice of Motion.

## 23. QUORUM

- 23.1 The Mayor shall call the Meeting to Order
- (a) A Meeting is called to Order when:
    - (i) sufficient Members are present to form a Quorum at the time set for the start of the Meeting. The Mayor shall take the Chair and call the Meeting to Order; and
    - (ii) there are sufficient Members present to form a Quorum at the time set for the start of the Meeting but the Mayor and Deputy Mayor are absent, the CAO shall call the Meeting to Order and shall call for an Acting Mayor to be appointed by Resolution.
  - (b) If there are insufficient Members present to form a Quorum after fifteen (15) minutes from the time set for the start of the Meeting, the CAO shall record the names of the Members present and the Meeting shall be adjourned until the next Regular Meeting, unless a Special Meeting is called earlier. The Agenda delivered for that Meeting shall be considered at the next Regular Meeting prior to the consideration of the Agenda for the subsequent Meeting, or it shall be the Agenda for a Special Meeting called for that purpose.

## 24. PERSONS WISHING TO ADDRESS COUNCIL

- 24.1 A person, or a representative of any Delegation or group of persons, who wish to speak to Council must submit the Town's Delegation Form or other written communication to the CAO by 4:00 on the Thursday before the Meeting.

24.2 The correspondence must include:

- (a) Name and address of the writer
- (b) Number of persons attending
- (c) Purpose of the presentation
- (d) Action requested of Council
- (e) Requested time allotment for the presentation
- (f) Any presentation materials or equipment requirements

24.3 The CAO may strike out extra personal information prior to including the correspondence in the Meeting Agenda.

24.4 Presentations shall not address Council on the same subject matter more than once every six (6) months.

## **25. PUBLIC HEARING**

25.1 Any person who claims to be affected by the subject matter of the Public Hearing shall be provided an opportunity to be heard by Council either by themselves or an agent.

25.2 Any person wishing to file a written submission related to the Public Hearing may file a submission to the CAO.

25.3 Refer to Appendix 5 for the Public Hearing Procedure.

## **26. MEETING PARTICIPATION THROUGH ELECTRONIC COMMUNICATIONS**

26.1 A Member of Council may attend the following Meetings by means of electronic communications:

- (a) Regular Council
- (b) Legislative Committee
- (c) Special Meeting

26.2 A Member of Council shall not attend the following Meetings by means of electronic communications:

- (a) Inaugural
- (b) Organizational

26.3 A Member of Council shall only be permitted to attend a Meeting by means of electronic communications if the location in which the Meeting is to be held is equipped in a manner that enables all Members of Council participating in the Meeting to watch and/or hear one another.

26.4 A Member of Council attending a Meeting by means of electronic communications is deemed to be present at the Meeting for whatever period of time the connection via electronic communications remains active.

26.5 A Member of Council attending a Meeting must have a connection by means of electronic communications before the Meeting is Called to Order. The Mayor or Deputy Mayor shall announce to those in attendance at the Meeting that the Member(s) of Council is/are attending the Meeting by means of electronic communications.

- 26.6 Quorum of Council must be in attendance at the location of the Meeting. The number of Member(s) of Council attending a Meeting by means of electronic communications must be less than Quorum.
- 26.7 When a vote is called, Members of Council attending by means of electronic communications shall be asked to state their vote only after all Members of Council present in the Meeting have cast their votes by a show of hands.
- 26.8 The Chair of the Meeting is not permitted to attend the Meeting by means of electronic communications.
- 26.9 The maximum number of Meetings that a Member of Council may attend by means of electronic communications is two (2) per year.
- 26.10 The attendance at a Meeting by means of electronic communications by a Member of Council is applicable to both the public and closed sessions of the Meeting.

## **27. RECORDING OF MEETINGS VIA ELECTRONIC MEANS**

- 27.1 Members of the Public may record, by means of electronic communications, portions of Meetings that are open to the public, unless the Mayor determines that electronic recording of a Meeting by the public will not be permitted.
- 27.2 A Member of the Public who is recording the Meeting by means of electronic communications in accordance with Section 27.1 shall remain in the public gallery or viewing area, and shall not approach the Council table, or other location where Members are seated, unless the Mayor has given that Member of the public express permission to do so.
- 27.3 All electronic devices, including cellular telephones, that are present at the Meeting, must be in silent mode while a Meeting is being conducted.

## **28. BYLAW ENFORCEMENT ORDER REVIEW**

- 28.1 Statement of purpose
- (a) The Bylaw Enforcement Order Review process shall review Orders issued under Town Bylaws; and any Orders issued pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26, (the Act) as amended, but not Orders issued pursuant to Part 17 of the Act or the Town of Vegreville Community Standards or Land Use Bylaw.
- 28.2 Duties and Powers
- (a) Council has the authority to review Orders under the Act, and to confirm, vary, substitute or cancel the Orders.
- 28.3 Refer to Appendix 6

## **29. REPEAL**

- 29.1 That Bylaw 08-2019 is hereby repealed.

## **30. EFFECTIVE DATE**

- 30.1 This Bylaw shall come into effect upon third and final reading.

READ for a first time this 24<sup>th</sup> Day of April , 2018 A.D.

READ for a second time this 24<sup>th</sup> Day of April , 2018 A.D.

UNANIMOUS CONSENT RECEIVED FOR THIRD AND FINAL READING

READ for a third time this 24<sup>th</sup> Day of April , 2018 A.D.



TIM MACPHEE, Mayor



CLIFF CRAIG CLGM, Town Manager

APPENDIX 1

ORDER OF BUSINESS AT THE INAUGURAL MEETING

1. Call to Order
  - a. The CAO will call the Meeting to order
2. The Mayor Elect is to take the Oath of Office and be sworn in by a Barrister or Solicitor
3. After the Mayor Elect is sworn in as Mayor, the Mayor assumes Chair of the Meeting.
4. Each Councillor Elect is to take the Oath of Office and sworn in, in alphabetical order of surname, by a Barrister or Solicitor
5. Optional – Mayor may deliver an Inaugural Address
6. Adjournment

APPENDIX 2

ORDER OF BUSINESS AT ORGANIZATIONAL MEETINGS

1. Call to Order
2. Adoption of the Agenda
3. Regular Meetings of Council
  - a. Date
  - b. Time
  - c. Place
4. Legislative Committee Meetings
  - a. Date
  - b. Time
  - c. Place
5. Deputy Mayor Appointment
  - a. Rotation Schedule
6. Board and Committee Appointments
7. Council Structure
8. Review of Code of Conduct Bylaw
9. Review of Council Procedural Bylaw
10. Adjournment

APPENDIX 3

ORDER OF BUSINESS AT REGULAR COUNCIL MEETINGS

1. Call to Order
2. Adoption of the Agenda
3. Adoption of Minutes
4. Delegations
5. Unfinished Business
6. Correspondence
7. Financial
8. Memoranda
9. Board Motions
10. Bylaw
11. Council Reports
12. Closed Session
13. Adjournment

APPENDIX 4

ORDER OF BUSINESS AT LEGISLATIVE COMMITTEE MEETINGS

1. Call to Order
2. Adoption of the Agenda
3. Adoption of Minutes
4. Delegations
5. Community Services Correspondence & Discussion Items
6. Corporate Services Correspondence & Discussion Items
7. Infrastructure, Planning & Development Correspondence & Discussion Items
8. Town Manager Correspondence & Discussion Items
9. Council Correspondence & Discussion Items
10. Round Table Discussions
  - a. Council
  - b. Directors
  - c. Town Manager
11. Upcoming Events
12. Closed Session
13. Adjournment

APPENDIX 5

PUBLIC HEARING PROCEDURE

TOWN OF VEGREVILLE

PUBLIC HEARING

DATE

TIME

LOCATION

SUBJECT

---

INTRODUCTIONS & PROCEDURES

[Mayor] This Public Hearing is held pursuant to the Municipal Government Act.

I hereby declare the Public Hearing relating to [SUBJECT] now open at [TIME].

The following rules of conduct will be followed during the Public Hearing:

- Presentation should be brief and to the point and will be limited to [NUMBER] of minutes in length.
- The order of the presentation will be:
  - Administration
  - Those in favour of the [SUBJECT]
  - Those opposed to the [SUBJECT]
  - Any other person deemed to be affected by the [SUBJECT]
- Council may ask questions of the speakers after each presentation for clarification purposes.
- The Public Hearing purpose is to receive comments from any interested parties on the proposed [SUBJECT].
- There will be no debating of the [SUBJECT].
- Interested parties are only permitted to speak once at the Public Hearing unless asked to answer a question directly.

[CAO] The purpose of [SUBJECT] is to [INSERT DESCRIPTION HERE]

First Reading was given on [DATE]

Notice of this Public Hearing was advertised in the [DATE & NEWSPAPER]

[LIST ANY OTHER PUBLIC NOTICE POSTINGS – i.e. website, social media]

Letters were circulated to [NUMBER] of adjacent properties by regular Canada Post mail on [DATE].

[Mayor] Does Administration have any comments?

Is there anyone present who supports this [SUBJECT] who wishes to speak?

Is there anyone present who opposes this [SUBJECT] who wishes to speak?

Is there anyone present deemed to be affected by this [SUBJECT] who wishes to speak?

Are there any written submissions related to this Public Hearing?

[CAO] To date, [NUMBER] written submission have been received. There are [NUMBER] in favour of and [NUMBER] opposed to the subject matter of the Public Hearing.

Do the Members of Council have any (further) questions?

Are there any others wishing to speak to this [SUBJECT]?

Does Administration have any further comments?

[Mayor] If not, I hereby declare this Public Hearing for [SUBJECT] closed at [TIME].

APPENDIX 6

BYLAW ENFORCEMENT ORDER REVIEW HEARINGS

1. A person (hereinafter referred to as the Applicant) who receives a written Order under a Town of Vegreville Bylaw or Section 545 or 546 of the Act may, by written application within fourteen (14) days of the day on which the Order is received, request Council to review the Order via separate meeting.
2. Council shall hold a review hearing within thirty (30) days of receiving a written request for review. The Applicant shall be provided at least seven (7) days notice of the date of the review hearing.
3. At the review hearing, Council shall hear:
4. the Applicant or where the Applicant is not the Owner or Occupant, the Owner and/or Occupant shall also be entitled to be heard via written submission; and
  - a. the Community Peace Officer who issued the Order.
  - b. Council may review and/ or request any information it deems necessary.
5. Council's decision in respect of a review hearing shall be in writing and mailed within seven (7) days of the date of the review hearing to the applicant and any other person who was entitled to make submissions.
6. Council shall keep a record of its proceedings.
7. Decision of Council is final.