



BYLAW NO. 29.07

*BEING A BYLAW OF YELLOWHEAD COUNTY IN THE PROVINCE OF ALBERTA,
TO ADOPT A MEETINGS PROCEDURES BYLAW*

WHEREAS, pursuant to the provisions of the Municipal Government Act, being Chapter M-26, R.S.A., 2000 and amendments thereto, a council may pass bylaws in relation to the establishment and functions of council committees and other bodies; and the procedures and conduct of council, council committees and other bodies established by council.

NOW THEREFORE, the Council of Yellowhead County, duly assembled, hereby enacts as follows:

1. **SHORT TITLE:**

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

2. **DEFINITIONS:**

2.1 "Act" means the Municipal Government Act, R.S.A., 2000, c.M-26 and amendments thereto.

2.2 "Gender" means any reference to the male gender herein shall also include the female gender, where appropriate.

2.3 "Acting Mayor" is the Councillor who is appointed by resolution of Council from time to time to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor.

2.4 "Agenda" is the list of items and orders of business for any meeting.

2.5 "Bylaw" is a Bylaw of the County.

2.6 "Chairman" is the person appointed from among committee members to preside at committee meetings only.

2.7 "Clear Days" as set out in the Interpretation Act, R.S.A., 2000, c.I-8, as amended, means, in calculating the number of days that the days on which the events happened shall be excluded.

2.8 "Chief Administrative Officer" is the person appointed by Council as the Chief Administrative Officer or his designate, pursuant to the Municipal Government Act.



- 2.9 “Committee of the Whole” is a committee consisting of all Members of Council.
- 2.10 “Council” is the Mayor and Councillors of Yellowhead County elected pursuant to the provisions of the Local Authorities Election Act, R.S.A., 2000, c.L-21.
- 2.11 “Council Meeting” means an Organizational Meeting, Regular Meeting and Special Meeting.
- 2.12 “Councillor” is a member of Council and includes the Mayor.
- 2.13 “County” is Yellowhead County.
- 2.14 “Deputy Mayor” is the Councillor who is appointed pursuant to the Municipal Government Act to act as Mayor in the absence or incapacity of the Mayor.
- 2.15 “Group” means two (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 represents.
- 2.16 “Mayor” is the Chief Elected Official of the County.
- 2.17 “Meeting” means a Council Meeting and a meeting of a Committee established by Council.
- 2.18 “Member-at-Large” means a member of the public appointed by Council to a Committee of Council.
- 2.19 “Organizational Meeting” is a meeting of Council held in accordance with Section 192 of the Municipal Government Act.
- 2.20 “Person” shall include an individual, partnership, association, body corporate, trustee, executor, administrator or legal representative.
- 2.21 “Point of Information” is a request directed through the Mayor/Chair to another member or to staff for information relevant to the business at hand but not related to a Point of Procedure.
- 2.22 “Point of Order” is the raising of a question by a member to call attention to any departure from The Meeting Procedure Bylaw.
- 2.23 “Point of Procedure” is a question directed to the Mayor/Chair to obtain information on a matter of parliamentary law or the rules of the County bearing on the business at hand in order to assist a member to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion.



- 2.24 “Public Hearing” is a pre-advertised meeting of Council convened to hear matters pursuant to:
 - 2.24.1 the Municipal Government Act;
 - 2.24.2 any other Act;
 - 2.24.3 any other matter at the direction of Council and is separate from the Regular Meeting of Council.
- 2.25 “Question of Privilege” is the raising of a question which concerns a Member, or Council collectively, when a Member believes that another Member has spoken disrespectfully towards him or Council, or when he believes his comments have been misunderstood or misinterpreted by another Member.
- 2.26 “Quorum” is a majority of those members elected and serving on Council, except where special Committee policies have been passed.
- 2.27 “Recorded Vote” is the calling 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.
- 2.28 “Regular Meeting” is a meeting of Council held in accordance with Section 193 of the Municipal Government Act.
- 2.29 “Special Meeting” is a meeting of Council held in accordance with Section 194 of the Municipal Government Act.
- 3. **APPLICATION:**
 - 3.1 This Bylaw shall govern Organizational Meetings, Regular Meetings and Special Meetings, and Committees established by Council and shall be binding upon all Committee members whether Councillors or Members-at-Large.
 - 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.
 - 3.4 In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council if two-thirds (2/3) of all members of Council present vote in favor of dealing with the matter under consideration.
 - 3.5 A resolution waiving any provision of this Bylaw as provided for in Section 3.4 shall only be effective for the meeting during which it is passed.
- 4. **MUNICIPAL OFFICE:**



- 4.1 In accordance with Section 204 of the Municipal Government Act, the municipal office shall be the administration office located in Edson.

5. **CHIEF AND DEPUTY CHIEF ELECTED OFFICIAL**

- 5.1 In accordance with Section 155 of the Municipal Government Act, the chief elected official shall have the title of Mayor and the deputy chief elected official shall have the title of Deputy Mayor.
Annually, at the organizational meeting of Council, Council shall appoint the Deputy Mayor.

6. **QUORUM:**

- 6.1 As soon as there is a Quorum of Councillors after the hour fixed for the meeting, the Mayor shall take the Chair and call the meeting to order.
- 6.2 Unless a Quorum is present within 30 minutes after the time appointed for the meeting, the meeting may, at the discretion of the Mayor 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 names of the Councillors present at the expiration of the 30-minute time limit shall be recorded and such record shall be appended to the next Agenda. The only action that can legally be taken in the absence of Quorum is to fix the time to which to adjourn (if more than 30 minutes is being allowed), adjourn, recess or to take measures to obtain a Quorum.
- 6.3 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.

7. **ATTENDANCE:**

- 7.1 A Councillor is disqualified from Council if the Councillor is absent from regular Council meetings held during any period of eight (8) consecutive weeks, starting with the date that the first meeting is missed, unless (7.2) applies;
- 7.2 A Councillor is not disqualified by being absent from regular Council meetings under (7.1) if the absence is authorized by a resolution of Council passed any time before the end of the last regular meeting of the Council in the eight (8) week period, or if there is no other regular meeting of the Council during the eight (8) week period at any time before the end of the next regular meeting of the Council.

8. **MEETINGS OF COUNCIL:**

Organizational Meetings:

- 8.1 An Organizational Meeting of Council shall be held annually as required by the Municipal Government Act.
- 8.2 The agenda for the Organizational Meeting shall be:
- 8.2.1 if the Organizational Meeting follows the general municipal election; the first order of business on the agenda will be the administration of oaths and introduction of the elected Mayor and elected Councillors;
 - 8.2.2 selection of the Deputy Mayor;
 - 8.2.3 the establishment of the regular meeting dates for Council;
 - 8.2.4 establishment of Council committees and boards and the conduct of Council and its committees and boards;
 - 8.2.5 establishment of membership on committees and boards;
 - 8.2.6 any such other related business as is required by the Municipal Government Act.

Regular Meetings:

- 8.3 The regular meetings of Council shall be established by resolution at the annual Organizational Meeting or at a Regular Meeting of Council following the Organizational Meeting, as may be appropriate.
- 8.4 Notice of regularly scheduled meetings need not be given.
- 8.5 If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change:
- 8.5.1 to any Councillor not present at the meeting at which the change was made; and
 - 8.5.2 to the public.
- 8.6 The following applies to the preparation of the regular meeting agenda:
- 8.6.1 Items initiated by Councillors are submitted to the office of the Chief Administrative Officer in accordance with the guidelines established for submission.

- 8.6.2 Items initiated by or referred to Administration shall be delivered to the office of the Chief Administrative Officer in accordance with the guidelines established for submission.
- 8.6.3 An agenda listing the order of business for the use of Councillors shall be prepared by the Chief Administrative Officer and the Mayor.
- 8.6.4 The agenda preparation, reviews, distribution and meeting follow-up will be coordinated through the office of the Chief Administrative Officer in accordance with timing policies or resolutions approved by Council.
- 8.6.5 Addition of items to the agenda after the agenda has been set shall require the approval of the Chief Administrative Officer.

Special Meetings:

- 8.7 A Special Meeting shall be scheduled by the Chief Administrative Officer when required to do so by the Mayor or a majority of the Councillors of Council.
- 8.8 Where a Special Meeting is required by a majority of Council the Mayor shall call such a meeting within 14 days of the date on which the request was made.
- 8.9 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.
- 8.10 A Special Meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if at least TWO-THIRDS (2/3) of the whole Council agrees to this in writing before the beginning of the meeting.
- 8.11 No business other than that stated in the notice shall be conducted at any Special Meeting of Council unless all the members of Council are present, in which case, by unanimous consent, any other business may be transacted.

Notice of Meetings:

- 8.12 Upon adoption of this Bylaw, the regular Council meeting dates shall be advertised to the public.
- 8.13 Except as provided in Section 8.8, notice of all special meetings shall be advertised to the public.
- 8.14 Notice of a Council meeting is deemed to have been given to a Councillor if the notice is delivered to an adult person at the Councillors' home or place of business or by phone contact.



- 8.15 Notice of a Council meeting to the public shall be an advertisement in the local newspaper or if insufficient time exists, notice of the time, place and purpose of the meeting will be posted within the main office and sub office.

Electronic Communication System Meetings:

- 8.16 In addition to ordinary public meetings, Council meetings can be held by means of electronic or other communication facilities if:
- 8.16.1 it is to be a public meeting, public notice is given on the meeting, the way in which it is to be conducted and where they can watch or listen to it;
 - 8.16.2 the facilities allow the public to watch or listen to the meeting at a place specified in the public notice of the meeting, and at least one designated officer is in attendance at that place;
 - 8.16.3 the facilities allow all the Councillors at the meeting to participate in it and to hear or watch, as the case requires, the discussion by all of the other participants at the meeting, and to vote.
- 8.17 A Councillor participating in a meeting described above is considered to be present at the meeting.

In-Camera Meetings

- 8.18 Council and Council Committees may close all or part of the meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, R.S.A., 2000, F-25.
- 8.19 When a meeting is closed to the public, the meeting may include any person or persons invited to attend by Council.
- 8.20 A subdivision authority, development authority or subdivision & development appeal board established under Part 17 of the Municipal Government Act, R.S.A., 2000, c.M-26.1, may deliberate and make its decisions in a meeting closed to the public.
- 8.21 When a meeting is closed to the public pursuant to Section 8.20, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting held in public.

9. **COUNCIL COMMITTEES:**

- 9.1 **Committee of the Whole**

- 9.1.1 There shall be a Committee of the Whole comprising of the Mayor and all Councillors.
 - 9.1.2 Council may by resolution schedule a meeting of Committee of the Whole.
 - 9.1.3 Subject to Section 203(2) of the Municipal Government Act, Committee of the Whole may consider any matter that Council may consider, including but not limited to detailed consideration of the matters such as the transportation issues, development issues, budget and audit issues, strategic planning, legislative reform, public meetings, and policy formulation.
 - 9.1.4 The Committee of the Whole may receive delegations and submissions; and meet with other municipalities and levels of government.
 - 9.1.5 Council hereby delegates to the Committee of the Whole the power to review matters raised by the Council, by a Councillor, by a member of the public, or by the Chief Administrative Officer.
 - 9.1.6 The Chief Administrative Officer and the Mayor will formulate the agendas of the Committee of the Whole.
 - 9.1.7 The Committee of the Whole will consider all matters included in the agenda and has the authority to make recommendations to Council, give direction to Administration, and/or seek further information on any matter referred to it.
- 9.2 **Standing Committees**
- 9.2.1 All Standing Committees of Council will be formed by bylaw.
 - 9.2.2 Each Standing Committee to be established will be established by bylaw and the bylaw will include the name of the Standing Committee, the purpose, the legislative authority, membership, term of office, chairmanship, number of meetings, remuneration, administrative responsibility, establish reporting requirements, and terms of reference.
 - 9.2.3 Council will determine the necessary resources and allocate them to each Standing Committee.



9.3 Special (Select or Ad Hoc) Committees

- 9.3.1 Council may from time to time establish Special (Select or Ad Hoc) Committees to review matters referred to them by Council.
- 9.3.2 Council may form Special Committees by resolution.
- 9.3.3 Each Special Committee established by resolution of Council shall include in the resolution, the name of the committee, the purpose, the legislative authority, membership, estimated term of office, chairmanship, number of meetings estimated, remuneration, administrative responsibility, establish reporting requirements, and terms of reference.
- 9.3.4 Council will determine the necessary resources and allocate them to each Special Committee.

9.4 General – Committees

- 9.4.1 The Mayor is a member by virtue of office, of all Standing and Special Committees, unless otherwise provided for in the Municipal Government Act. If the Mayor is a member by virtue of office and is present at a Committee meeting, the Mayor must be counted to determine the quorum and has all of the rights and privileges of the other Committee members including the right to make motions and vote.
- 9.4.2 Quorum of any Committee is a majority of members.
- 9.4.3 Unless otherwise stated, the following rules apply to all Committees:
 - a) Motions need not be seconded;
 - b) There is no limit to the number of times a member may speak to a question;
 - c) A motion for the Previous Question will not be allowed;
 - d) Informal discussion of a subject is permitted when no motion has been made; and
 - e) The Chair may make motions, participate in debate and vote on all motions.
- 9.4.4 Unless specific rules for a Committee procedure exist, Committees must follow the procedural rules of Council.

10. MINUTES OF COUNCIL MEETINGS:



- 10.1 The preparation and distribution of minutes of Council meetings shall be the responsibility of the Chief Administrative Officer or his designate.

11. **PUBLIC PRESENTATIONS:**

Individuals or groups can make public presentations to Council by appointment as follows:

- 11.1 Individuals or groups will be required to make an appointment with Council when making a request to Council for support or funding, making a presentation to Council for Council's information, or making a presentation to Council regarding a specific policy issue.
- 11.2 Requests for appointments with Council from individuals or groups shall be made to the Office of the Chief Administrative Officer in writing at least twelve (12) days prior to a regular meeting. Requests received less than twelve (12) days before a regular meeting of Council shall be included on the Agenda for the next regular meeting immediately following. Exceptions may be made at the discretion of the Mayor and Chief Administrative Officer.
- 11.3 Debate concerning matters raised during public presentations shall take place at the next regular meeting of Council unless a report from Administration has been prepared offering a recommendation, or Council unanimously agrees to debate the issue.
- 11.4 Information presented by an individual or group, during a Public Presentation, shall relate only to the subject matter for which the presentation was originally requested.

Public Input on Subdivision Applications:

- 11.5 As per Bylaw, Council may act as the Subdivision Authority for Yellowhead County. When Council is considering a Subdivision Application, Council will follow the following procedure for receiving public input:
 - 11.5.1 Administration along with any consultants the Administration deems necessary, will introduce the subdivision application.
 - 11.5.2 The Mayor will invite any interested member(s) in the public gallery to speak. The speaker will provide to Council their name and address, so if Council or Administration needs to follow-up, the presenter can be contacted. Presenters will have a maximum of 5 minutes to make their presentation.
 - 11.5.3 Council may ask questions of the presenters.



11.5.4 Council may ask questions of Administration.

Public Input on Specific Agenda Items:

11.6 When the Mayor is of the opinion that input from those present in the public gallery will facilitate the decision-making process for Council, the Mayor may recognize individuals present to speak on specific agenda items.

12. **PUBLIC INPUT SESSIONS:**

12.1 Council may schedule a Public Input Session during a Regular Meeting for the purpose of obtaining public opinion on any resolution, bylaw, issue or other matter.

12.2 Wherever possible, Persons or Groups interested in speaking at a Public Input Session should register with the Chief Administrative Officer prior to the Public Input Session.

12.3 The Mayor shall call upon those persons who have registered with the Chief Administrative Officer to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. Persons who do not identify themselves will not be given an opportunity to speak.

12.4 Presentations made by Persons or Groups may be made verbally, in writing or both. Written submissions shall be collected by the Chief Administrative Officer and retained for information purposes.

12.5 Verbal presentations shall be limited to 5 minutes unless Council, by resolution, extends the allotted time.

12.6 Council shall limit questions of clarification to an aggregate total of 5 minutes, unless Council, by resolution, extends the allotted time.

12.7 Debate concerning matters raised at a Public Input Session shall take place at the discretion of Council.

13. **PUBLIC HEARINGS:**

13.1 Public Hearings will be held during Regular Meetings or Special Meetings of Council at the discretion of Council.



- 13.2 Wherever possible, persons interested in speaking at a Public Hearing should register with the Chief Administrative Officer's Office prior to the Public Hearing. Names of registered speakers for a Public Hearing will not be released to the public prior to the Public Hearing.
- 13.3 The Mayor shall declare the Public Hearing in session and shall outline Public Hearing Procedures.
- 13.4 The Chief Administrative Officer, 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.
- 13.5 The Mayor shall request those who wish to make presentations to identify themselves. The Mayor shall then open the floor to public presentations.
- 13.6 The Mayor shall call upon those persons who have registered with the Chief Administrative Officer's office to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. A person who does not identify himself or herself will not be given the opportunity to speak.
- 13.7 Presentations by the public may be made verbally, in writing, or both. Written submissions shall be collected by the Chief Administrative Officer and retained for information purposes.
- 13.8 Verbal presentations shall be limited to five (5) minutes unless there is consent by Council to extend the allotted time.
- 13.9 Council shall limit questions of clarification to a total of five (5) minutes, unless there is consent by Council to extend the allotted time.
- 13.10 Following the public presentations, the Mayor shall close the Public Hearing.
- 13.11 Debate concerning matters raised at the Public Hearing shall take place during the regular Council meeting following the Public Hearing or the next regularly scheduled Council Meeting at the discretion of Council.
- 13.12 The following shall apply with respect to the passage of Bylaws following a Public Hearing:
 - 13.12.1 A Bylaw shall be introduced for second reading by a Motion that it be Read a Second Time specifying the number of the Bylaw.
 - 13.12.2 After a Motion for Second Reading of the Bylaw has been presented, Members may debate the substance of the Bylaw and propose and consider amendments to the Bylaw.



13.12.3 Any proposed amendments shall be put to vote if required, and if carried, shall be considered as having been incorporated into the Bylaw at second reading.

13.12.4 When all amendments have been accepted or rejected, the Mayor shall call the Question on the Motion for Second Reading of the Bylaw.

13.12.5 All aspects of the passage of a Bylaw at second reading shall apply to third reading of any Bylaw.

13.13 When a Public Hearing on a proposed Bylaw or resolution is held, a Councillor:

13.13.1 must abstain from voting on the Bylaw or resolution if the Councillor was absent from all of the Public Hearing; and

13.13.2 may abstain from voting on the Bylaw or resolution if the Councillor was only absent from a part of the Public Hearing.

14. **EXTENSION OF TIME LIMITS:**

14.1 Extensions of time limits for any verbal presentations during Public Presentations to Council and Public Hearings may be granted by consent of Council, based on any one or more of the following:

14.1.1 the issue or Bylaw under discussion is deemed by Council to be contentious or complex and the allotted time is not sufficient, in the opinion of Council, to give the matter due consideration;

14.1.2 the granting of an extension of time will not prejudice the rights of other presenters to their allotted presentation time as prescribed by this Bylaw.

15. **MAYOR:**

15.1 The Mayor shall preside over the conduct of the meeting, 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, subject to an appeal by any Councillor from any ruling of the Chair.

15.2 The Mayor 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 Municipal Government Act or this Bylaw.



- 15.3 When the Mayor wishes to participate in the debate on a question or motion, properly before the meeting, he may do so. The Mayor will take care to see that all Councillors are given the opportunity to speak to a question or motion, properly before the meeting.
- 15.4 The Mayor 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.

16. **COUNCILLOR DEBATING:**

- 16.1 Councillors wishing to speak on a matter before the meeting should indicate their intention by raising their hand and being recognized by the Mayor and should not speak more than once until every Councillor has had the opportunity to speak except:
 - 16.1.1 in the explanation of a material part of the speech which may have been misunderstood; or
 - 16.1.2 in reply, to close debate, after everyone else wishing to speak has spoken, provided that the Councillor presented the motion to the meeting.
- 16.2 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 Mayor.
- 16.3 Through the Mayor, a Councillor may ask:
 - 16.3.1 questions of another Councillor or staff on a Point of Information relevant to the business at hand.
 - 16.3.2 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 minutes or clause.
- 16.4 All questions or debate shall be directed through the Mayor.

17. **PROHIBITIONS:**

- 17.1 Councillors shall not:
 - 17.1.1 use offensive words or unparliamentary language in the meeting;
 - 17.1.2 disobey the rules of the meeting or decision of the Mayor or Councillors on questions of order or practice, or upon the interpretation of the rules of the meeting;



17.1.3 leave their seat or make any noise or disturbances while a vote is being taken and result is declared;

17.1.4 interrupt a Councillor while speaking, except to raise a Point of Order or Question of Privilege;

17.1.5 pass between a Councillor who is speaking and the Mayor.

17.2 Councillors who persist in a breach of the foregoing section, after having been called to order by the Mayor, may, at the discretion of the Mayor, be ordered to leave their seat for the duration of the meeting.

17.3 At the discretion of the Mayor, a Councillor may resume their seat following an apology.

17.4 A Councillor who wishes to leave the meeting prior to adjournment shall so advise the Mayor and the time of departure shall be noted in the minutes.

18. **QUESTIONS OF PRIVILEGE:**

18.1 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, thereof shall be permitted to raise such Question of Privilege.

18.2 A Question of Privilege shall take precedence over other matters and while the Mayor is ruling on the Question of Privilege, no one shall be considered to be in possession of the floor.

19. **POINTS OF ORDER:**

19.1 A Councillor who desires to call attention to a violation of the rules of procedure shall ask leave of the Mayor to raise a Point of Order. When leave is granted, the Councillor shall state the Point of Order with a concise explanation and shall attend the decision of the Mayor upon the Point of Order. The speaker in possession of the floor when the Point of Order was raised shall have the right to the floor when debate resumes.

19.2 A Councillor called to order by the Mayor shall immediately vacate the floor until the Point of Order is dealt with, and shall not speak again without the permission of the Mayor unless to appeal the ruling of the Mayor.



20. **APPEAL RULING:**

- 20.1 The decision of the Mayor shall be final, subject to an immediate appeal by a Councillor of the meeting.
- 20.2 If the decision is appealed, the Mayor shall give concise reasons for his ruling and the Councillors, without debate, shall decide the question. The ruling of the Councillors shall be final.

21. **MOTIONS:**

- 21.1 When a motion is before the meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no one objects, the Mayor shall grant permission; 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.
- 21.2 Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 21.3 The mover of a motion must be present when the vote on the motion is taken.
- 21.4 When a matter is under debate, no motion shall be received other than a Motion to:
 - 21.4.1 fix the Time for Adjournment;
 - 21.4.2 adjourn;
 - 21.4.3 withdraw;
 - 21.4.4 Lay on the Table;
 - 21.4.5 call the Question (that the vote must now be taken);
 - 21.4.6 postpone to a certain time or date;
 - 21.4.7 refer;
 - 21.4.8 amend;
 - 21.4.9 postpone indefinitely;which order shall be the order of precedence.
- 21.5 A motion relating to a matter not within the jurisdiction of the Council shall not be in order.



- 21.6 A Motion to Lay on the Table enables Council to lay the pending Question aside temporarily when something else of immediate urgency has arisen. The motion is not debatable or amendable and, when passed, the Question may only be resurrected by a Motion to Take from the Table. If the Question is not taken from the Table prior to the close of the next regular Council meeting, the Question dies.
- 21.7 A Motion to Refer shall require direction as to the Person or Group to which it is being referred and is debatable. A Motion to Refer is generally 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.
- 21.8 A Motion to Postpone to a Certain Time or Date is debatable. Debate on the motion must be confined to its merits only, and cannot go into the main question except as necessary for debate of the immediate pending question. A Motion to Postpone to a Certain Time or Date is generally used if Council would prefer to consider the main motion later in the same meeting or at another meeting.
- 21.9 A Motion to Postpone indefinitely must include a reason for postponement and is debatable. Debate can go into the main question. A Motion to Postpone indefinitely is generally used as a method to dispose of a question without bringing it to a direct vote.
- 21.10 Motion to Amend
- 21.10.1 Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. 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 Mayor shall rule on disputes arising from amendment.
- 21.10.2 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.
- 21.10.3 Nothing in this section shall prevent other proposed amendments being read for the information of the Councillors.
- 21.10.4 When the motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any Councillor, be taken separately.
- 21.11 Motion to Reconsider



21.11.1 After a motion has been voted upon, and before moving to the next item on the Agenda or at any time before the Mayor declares the meeting adjourned, any Councillor who voted with the prevailing side may make a Motion to Reconsider and shall state the reason for making a Motion to Reconsider.

21.11.2 Debate on a Motion to Reconsider must be confined to reasons for or against reconsideration.

21.11.3 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.

21.11.4 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.

21.12 Motion to Rescind

21.12.1 A Motion to Rescind a previous motion may be accepted by the Mayor; and, if passed by a majority vote of the Councillors present, the previous motion referred to would be declared null and void.

21.12.2 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.

21.12.3 A Motion to Rescind will not undo actions, which have already been taken as a result of the motion previously passed.

22. **NOTICE OF MOTION:**

22.1 Notice of Motion must be used to introduce a new matter for consideration by Council, which does not appear on the Agenda.

22.2 In accordance with Section 23.1, a Notice of Motion may be received by the Chief Administrative Officer prior to closing of the meeting. In this event, the Councillor shall read the Notice of Motion, which shall be recorded in the minutes and shall form part of the Agenda for the next meeting or other meeting date as specified by the Councillor.

22.3 A Councillor may present and describe a Notice of Motion for consideration at the next meeting or other meeting date as specified by the mover.

22.4 A Councillor who hands a written Notice of Motion to the Chief Administrative Officer to be read at any regular meeting need not necessarily be present during the reading of the Notice.

23. **VOTING – QUESTION:**

- 23.1 When a Motion that a Vote be Taken (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.
- 23.2 When the Mayor, 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.
- 23.3 A Councillor who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.

24. **VOTING – PECUNIARY INTEREST (CONFLICT):**

- 24.1 Councillors who have a reasonable belief that they have a pecuniary interest (as defined in the Municipal Government 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. The minutes shall indicate the declaration of disclosure, the time at which the Councillor left the room and the time the Councillor returned.

25. **REQUIREMENT TO VOTE:**

- 25.1 Every Councillor present, including the Mayor, shall vote on every matter, unless:
- 25.1.1 the Councillor is required to abstain from voting under this or any other bylaw or enactment; or
- 25.1.2 the Councillor is permitted to abstain from voting under this or any other bylaw or enactment.
- 25.2 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.
- 25.3 Votes shall be made by the raising of hands as the Mayor calls for those in favour or against.



25.4 The minutes of Council meetings will record if a motion is carried, defeated, or carried unanimously.

26. **RECORDED VOTE:**

26.1 Before a vote is taken by Council, a Councillor may request that the vote be recorded.

26.2 When a Councillor requests a Recorded Vote, all Councillors present, unless required or permitted to abstain from voting, shall vote as the Mayor calls for those in favour and against.

26.3 The Chief Administrative Officer shall, whenever a Recorded Vote is requested by a Councillor, record in the minutes the names of each Councillor present and whether the Councillor voted for or against the matter and the Mayor shall announce the results of the vote.

27. **TIE VOTE:**

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

28. **RECORDING DEVICES – COUNCIL MEETINGS:**

28.1 The use of audio and video recording devices at meetings of Council by Members of Council, the Administration, the press or the public is prohibited unless otherwise authorized by resolution of Council.

29. **ADJOURNMENT:**

29.1 A Motion to Adjourn the meeting shall be in order except:

29.1.1 when a Councillor is in possession of the floor; or

29.1.2 when it has been decided that the vote now be taken; or

29.1.3 during the taking of a vote.

30. **ADJOURNMENT TIME:**

30.1 Adjournment time is at the conclusion of the Agenda as adopted by Council or when a Motion to Adjourn has been passed.

31. **BYLAWS:**

- 31.1 Where a Bylaw is presented to a meeting for enactment, the Chief Administrative Officer shall cause the number, short title and brief description of the Bylaw to appear on the agenda.
- 31.2 The following shall apply to the passage of all Bylaws:
 - 31.2.1 A Bylaw shall be introduced for first reading by a Motion that it be Read a First Time specifying the number of the Bylaw.
 - 31.2.2 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.
 - 31.2.3 Any proposed amendments shall be put to a vote if required, and if carried, shall be considered as having been incorporated into the Bylaw at first reading.
 - 31.2.4 When all amendments have been accepted or rejected, the Mayor shall call the Question on the Motion for First Reading of the Bylaw.
 - 31.2.5 When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established following first reading.
 - 31.2.6 All aspects of the passage of a Bylaw at first reading shall apply to second and third readings of any Bylaw.
- 31.3 Three Readings
 - 31.3.1 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.
 - 31.3.2 A Bylaw shall be passed when a majority of the Councillors present vote in favor of third reading, provided that any applicable Provincial Statute does not require a greater majority.
- 31.4 When a Bylaw has been given three readings and is signed in accordance with the Municipal Government Act, it is considered an enactment of the County and is effective immediately, unless the Bylaw or an applicable provincial statute provides otherwise.



- 31.5 The previous readings of a proposed Bylaw are rescinded if the proposed Bylaw:
 - 31.5.1 does not receive third reading within 2 years of first reading; or
 - 31.5.2 is defeated on second or third reading.
- 31.6 After passage, a Bylaw shall be signed by the Mayor or Mayor’s designate and by the Chief Administrative Officer or his designate and shall be impressed with the corporate seal of the County.
- 31.7 Clerical, typographical and grammatical errors in bylaws may be corrected by the Chief Administrative Officer or his designate.
- 31.8 The Chief Administrative Officer or his designate may consolidate a bylaw by incorporating all amendments to it into one Bylaw.
- 31.9 A copy of any bylaw, resolution or record certified by the Chief Administrative Officer or his designate as a true copy of the original is prima facie proof of the bylaw, resolution or record.

32. **EFFECTIVE DATE:**

32.1 This Bylaw comes into effect on October 15, 2007.

33. **REPEAL OF BYLAW NO. 16.06**

33.1 Bylaw No. 16.06 is hereby repealed.

READ a first time this _____ day of _____, A.D., 2007.

READ a second time this _____ day of _____, A.D., 2007.

READ a third time this _____ day of _____, A.D., 2007.

SIGNED this _____ day of _____, A.D., 2007.

Mayor

Chief Administrative Officer