



**Town of High Level**

**BYLAW #893-10**

**COUNCIL AND COMMITTEES PROCEDURAL BYLAW**

(with amendments to June 27, 2016)

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## Town of High Level

### *Bylaw No. 893-10*

#### A BYLAW OF THE TOWN OF HIGH LEVEL IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEDURES AND TRANSACTION OF BUSINESS BY THE MUNICIPAL COUNCIL FOR THE TOWN OF HIGH LEVEL.

**Whereas** the *Municipal Government Act* governs the conduct of Councils, Councillors, Council Committees; municipal organization and administration; public participation; and the powers of a municipality;

The Town of High Level Council enacts:

#### PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

- |                    |   |  |
|--------------------|---|--|
| <b>PURPOSE</b>     | 1 | The purpose of this bylaw is to establish rules to follow in governing the Town of High Level.   |
| <b>DEFINITIONS</b> | 2 | In this bylaw, unless the context otherwise requires: <ul style="list-style-type: none"> <li>(a) <b>“Acting Mayor”</b> means the member selected by the Council to act in the absence or incapacity of both the Mayor and Deputy Mayor.</li> <li>(b) <b>“Administrative Inquiry”</b> means an inquiry made at a meeting by a Councillor relating to the business of the Town;</li> <li>(c) <b>“Agenda”</b> means the Agenda for a regular or special meeting of Council prepared pursuant to Part V.</li> <li>(d) <b>“Chair”</b> means a person who has been given authority to direct the conduct of a meeting;</li> <li>(e) <b>“Challenge”</b> means an appeal of a ruling of the Chair;</li> <li>(f) <b>“Civic Agency”</b> means all external and Town agencies, boards and commissions to which Council makes appointments, excluding Town Council Committees;</li> <li>(g) <b>“Chief Administrative Officer”</b> means the Chief Administrative Officer within the meaning of the <i>Municipal Government Act</i>;</li> </ul> |

- (h) **“Clear Days”** means the number of days between events excluding the first and the last day;
- (i) **“Council”** means the Municipal Council of the Town of High Level;
- (j) **“Council Committee”** means any committee, board or other body established by Council by bylaw or resolution under the *Municipal Government Act*;
- (k) **“Councillor”** includes the Mayor;
- (l) **“General Election”** means an election held in the Town to elect the Councillors as described in the *Local Authorities Elections Act*, S.A. 2000, c. L-21;
- (m) **“Inaugural Meeting”** means the Organizational Meeting immediately following a General Election;
- (n) **“Mayor”** means the chief elected official of the Town within the meaning of the *Municipal Government Act*;
- (o) **“Member”** shall refer to an elected or appointed official, or for the office of Mayor, Deputy Mayor, Councillor or Committee member.
- (p) **“Municipal Government Act”** means *The Municipal Government Act*, S.A. 2000, c. M.-26;
- (q) **“Orders of the Day”** means the order of business and time schedule for a meeting of Council or a Committee as set out in Schedule A;
- (r) **“Organizational Meeting”** means the meeting held as described in section 8, and includes the Inaugural Meeting;
- (s) **“Peace Officer”** shall mean a police officer, police constable, bailiff, constable, special constable, sheriff, deputy sheriff, sheriff’s officer, justice of the peace or any person employed for the preservation and maintenance of the public peace or for the service or execution of civil process;

- (t) **“Person”** includes an individual, partnership, association, corporation, trustee, executor, administrator, or legal representative;
- (u) **“Point of Order”** means a demand that the Chair enforce the rules of procedure;
- (v) **“Point of Privilege”** means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual Councillors and includes the:
  - (i) organization or existence of Council;
  - (ii) comfort of Councillors;
  - (iii) conduct of Town employees or members of the public in attendance at the meeting;
  - (iv) accuracy of the reports of Council's proceedings; and
  - (v) reputation of Councillors or Council;
- (w) **“Postpone”** means to delay the consideration of any matter either:
  - (i) to a definite time when further information is likely to be obtained, or
  - (ii) indefinitely;
- (x) **“Previous Question”** means a motion to end debate and vote on the motion under debate;
- (y) **“Public Hearing”** means a Council or a Committee meeting held for statutory hearings;
- (z) **“Signing Authority”** shall mean those members of Council and Administration who are duly appointed to sign all town documents which include (but are not limited to) agreements, bylaws, plans, etc; but shall not mean those members of Council or Administration who are duly registered with the Town banking institutions as signing authority for the Town issued cheques or other financial documents;



- (aa) **“Special Resolution”** means a resolution passed by a two-thirds majority of all Councillors or two-thirds of all members of a Committee;
- (bb) **“Table”** means a motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter; and
- (cc) **“Town”** means the Town of High Level;
- (dd) **“Two-Thirds Vote”** means a vote by at least two-thirds of Councillors present at the meeting and entitled to vote on the motion.

**RULES FOR  
INTERPRETATION**

- 3 The marginal notes and headings in this bylaw are for reference purposes only.

**PART II - APPLICATION**

**REFERENCE  
SOURCE**

- 4 If a question relating to the procedures of Council or Committees is not answered by this bylaw, the answer to the question is to be determined by referring to the most recent revision of *Robert's Rules of Order Newly Revised*.

**SUSPENSION OF  
RULES**

- 5 Council may suspend any provision of this bylaw, for a defined period of time, by Special Resolution except:
- (a) the provisions about statutory hearings; and
  - (b) the provisions for amending or repealing this bylaw.

**PARAMOUNT  
RULES**

- 6 This bylaw will prevail over any other Town bylaw.

**PART III - ORGANIZATION OF COUNCIL**

**INAUGURAL  
MEETINGS**

- 7 (1) Council must hold its Inaugural Meeting on the Monday in the first week after each General Election at the time and place fixed by the Chief Administrative Officer.
- (2) At this meeting:

- (a) the Returning Officer must report;
- (b) all Councillors must take the oath of office;
- (c) Council must confirm the seating of newly elected Councillors or any Councillors who want to change their seats; and
- (d) all other matters required by section 8 must be dealt with.

**ORGANIZATIONAL MEETINGS**

- 8 (1) An Organizational Meeting must be held each year and will be not later than 2 weeks after the third Monday in October.
- (2) At this meeting Council must establish:
- (a) rotation schedules for the positions of Deputy and Acting Mayor;
  - (b) the dates, times and places for regularly scheduled Council and Committee meetings; and
  - (c) Committee appointments and the rotating schedule for Committee membership;

and will deal with any other business described in the notice of the meeting.

## **PART IV - MEETINGS**

- |                                      |  |
|--------------------------------------|--|
| <b>DATE OF MEETINGS</b>              | 9 (1) Council will hold regular meetings on the dates established at the Organizational Meeting.   |
| <b>TIME OF MEETINGS</b>              | 10 (1) Regular Council meetings will begin at 7:00 p.m. and adjourn by 12:00 p.m., unless Council passes a motion to complete discussing an item by a Two-Thirds Vote.<br><br>(2) If it is necessary to continue the Council meeting, it will reconvene at 7:00 p.m. on the following business day unless Council changes the time or date by a Two-Thirds Vote.   |
| <b>MEETING PLACE</b>                 | 11 Regular Council meetings will be held in the Council Chambers.  |
| <b>CHANGING TIME, DATE, LOCATION</b> | 12 (1) Council may change the time, date or location of any meeting by Resolution.<br><br>(2) Notification of the change in time, date or location of any meeting must be provided in accordance with section 16.  |
| <b>CANCELLATION</b>                  | 13 Council may cancel any meeting if notice is given in accordance with section 16.  |
| <b>NOTICE OF COMMITTEE MEETINGS</b>  | 14 The Chief Administrative Officer will post, in the Main Office of the Town Hall, a monthly schedule of Committee meetings as scheduled at the Organizational Meeting, and will give any other notice of these meetings as directed by Council.  |
| <b>SPECIAL TOWN COUNCIL MEETINGS</b> | 15 (1) The Mayor may call a Special Council meeting at any time and must do so if a majority of Councillors so request in writing, including a statement of the purpose of the meeting.<br><br>(2) A special meeting requested by Councillors must be held within 14 days after the request is received.<br><br>(3) Notification of Special Council meetings must be provided in accordance with section 16. |
| <b>NOTICE PROVISIONS</b>             | 16 For all meetings requiring notice, the notice must:<br><br>(a) be issued a minimum of 24 hours prior to the meeting date;   |

- (b) be in writing and specify the time, date, location and purpose of the meeting;
  - (c) be delivered, telefaxed, or communicated by other electronic means to each Councillor;
  - (d) be posted in the Main Office of the Town Hall and
  - (e) give any other notification as requested by Council or the Committee.
- 17 (1) Special Council meetings will be held on the date and at the time and location specified in the notice of the special meeting.
- (2) If a matter is not specified in the notice of the Special Council Meeting, it may not be dealt with unless all members are present and Council passes a motion, by majority vote, to deal with the matter.

- SHORTER NOTICE OF SPECIAL MEETINGS** 18 Despite section 16, the Mayor may call a Council meeting on shorter notice and without providing notice to the public provided all Councillors are notified of the meeting and two-thirds of the whole Council gives written consent to holding the meeting before the meeting begins.
- MEETING THROUGH ELECTRONIC COMMUNICATIONS** 19
- (a) Councillors may attend a Council meeting by means of electronic communications.
  - (b) A Councillor may attend a Regular Council Meeting by means of electronic communications no more than three (3) times a year.
  - (c) A Councillor 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 such that enables all Councillors participating in the meeting to watch or hear one another.
  - (d) A Councillor attending a meeting by electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
  - (e) The Mayor shall announce to those in attendance at the meeting that the Councillor is attending the meeting by means of electronic communications.
  - (f) When a vote is called, Councillors attending by means of electronic communications shall be asked to state their vote only after all councillors present in the meeting have cast their votes by a show of hands.
  - (g) A Councillor attending an in Camera session by electronic communications must ensure that they are in a secure location.

Amended June 27, 2016 Bylaw #964-16

Quorum for Council is a majority of Councillors and for Council Committees is a majority of members of a Council Committee, unless specified otherwise by this or any other bylaw.

- COMMENCEMENT PROCEEDINGS** 20 As soon as there is quorum after the time for commencement of a Council meeting:
- (a) the Mayor must take the chair and begin the meeting; or
  - (b) if the Mayor, the Deputy Mayor and the Acting Mayor are absent, the Chief Administrative Officer must begin the meeting by calling for a motion for the appointment of a Chair.
- WHEN NO QUORUM** 21 (1) If there is no quorum within half an hour after the time set for the meeting, the Chief Administrative Officer will record the names of the Councillors present and the meeting will be adjourned to the time of the next regular Council meeting.
- (2) The agenda for the adjourned meeting will be dealt with at the beginning of the next regular meeting, unless a special meeting is called before or after the next regular Council meeting to deal with the business of the adjourned meeting.
- ORDER OF BUSINESS** 22 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 Two-Thirds 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.
- CALL FOR ORDERS OF THE DAY** 23 A motion calling for Orders of the Day (requiring Council to adhere to its schedule) is not debatable or amendable.

## PART V - AGENDAS AND RECORDS OF MEETINGS

- |                               |    |  |
|-------------------------------|----|--|
| <b>AGENDA FORMAT</b>          | 24 | The agenda orders the business for a meeting and will follow the appropriate Orders of the Day set out in Schedule A.  |
| <b>AGENDA PREPARATION</b>     | 25 | The Chief Administrative Officer or designate will prepare the Agenda  |
| <b>AGENDA DISTRIBUTION</b>    | 26 | <p>(1) The Chief Administrative Officer or designate will deliver copies of the agenda and reports to Councillors' offices, businesses, or residences, as requested, two Clear Days before each regular Council or Committee meeting.</p> <p>(2) Agendas, reports and supplementary materials that are received too late to be included with the agenda or that are intended for special Council meetings will be made available as soon as reasonably possible.</p> |
|                               | 27 | The Chief Administrative Officer will make copies of the agenda and all reports and supplementary materials (unless these must or may be withheld under the <i>Municipal Government Act</i> or other legislation) available to all Department heads, media representatives and the general public, but only after they have been delivered to the Councillors.   |
| <b>ADOPTION OF AGENDA</b>     | 28 | <p>Council must vote to adopt the agenda prior to transacting other business and may:</p> <p>(a) add new items by Two-Thirds Vote, including reports that were to be distributed when available, to the agenda; and</p> <p>(b) delete any matter from the agenda by Two-Thirds Vote.</p>   |
| <b>PREPARATION OF MINUTES</b> | 29 | <p>The Chief Administrative Officer shall cause to be prepared the minutes for all Council and Committee meetings which will include:</p> <p>(a) all decisions and other proceedings;</p> <p>(b) the names of the Councillors present at and absent from the meeting;</p>  |

- (c) the names of the Councillors voting for and against all motions and of those who are absent for the vote, upon request of Council;
  - (d) any abstentions made under the *Municipal Government Act* by any Councillor and the reason for the abstention; and
  - (e) the signatures of the Chair, the Chief Administrative Officer or Designated Officer.
- ADOPTION OF MINUTES**                      30        The minutes of each meeting must be circulated prior to the meeting at which they are to be adopted. If:
- (a) there are errors or omissions, Council must pass a motion to amend the minutes and adopt the minutes as amended; or
  - (b) there are no errors or omissions, Council must adopt the minutes as circulated.

## **PART VI - INQUIRIES AND RESPONSES**

### *Division 1 - Administrative Inquiries*

- ADMINISTRATIVE INQUIRY**                      31 (1) Any Councillor may make an Administrative Inquiry through the Chair to the Chief Administrative Officer at any regular meeting:
- (a) of Town Council; or
  - (b) the appropriate Committee.
- DIRECTION TO ABANDON INQUIRY**                      32 (1) If an inquiry is estimated by the Chief Administrative Officer that the Town would incur a cost of over \$500.00 by reason of:
- (a) time of Town employees who must be taken from performance of their regular duties or overtime that must be worked;
  - (b) the need to hire additional employees, or
  - (c) the necessity of obtaining and paying for the information from other than Town employees,



and no appropriation has been made for such expenditure in the budget; the Chief Administrative Officer shall report the anticipated cost to Council before undertaking such inquiry.

- (2) When the Chief Administrative Officer has reported the cost of an inquiry, Council may:
  - (a) direct that the Administration proceed with the investigation necessary to answer the inquiry; and make provision for the payment of the cost; or
  - (b) by a majority vote direct that Administration abandon the inquiry.
- (3) A Councillor who requested an Administrative Inquiry may, at a regular meeting, instruct Administration to abandon the Inquiry.
- (4) A request to the Chief Administrative Officer by a Councillor for a copy of a contractual document or a document that contains exceptions to disclosure under the Freedom of Information and Protection of Privacy Act; must be made by an Administrative Inquiry.

The Councillor requesting the document must put forward a motion that identifies the document and the reason why the document is being requested.

Amended June 13, 2011 Bylaw #911-11

**VERBAL RESPONSE  
OF  
ADMINISTRATIVE  
INQUIRY**

- 33 (1) The Chief Administrative Officer may verbally answer an Administrative Inquiry at the Council or Committee meeting at which it is made.
- (2) Any Councillor may request that the response be submitted to the Council or Committee in writing.

**ORDERS TO  
EMPLOYEES**

- 34 Council can only give instructions to the Chief Administrative Officer; Councillors must not give direct instructions to Town employees.

**PART VII - MOTIONS**

**MOTIONS NOT  
REQUIRING  
SECONDER**

- 35 Motions do not require a seconder.

**NOTICE OF MOTION**

36 A Councillor may make a motion introducing any new matter only if notice is given at a Council meeting.

**DETAILED NOTICE OF MOTION**

37 (1) A notice of motion must 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.

(2) A notice must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.

**DELAY IN PRESENTING MOTION**

38 (1) If a motion is not made at the meeting indicated in the notice, it will appear on the agenda for, and may be made at any of, the next two regular meetings.

(2) After the third regular meeting, the motion will be removed from the agenda and may only be made by a new notice of motion.

**STYLE AND PRESENTATION OF MOTIONS**

39 All motions must be concise and unambiguous and must either be given in writing or dictated to the Chief Administrative Officer.

40 No motion bringing a new matter before Council may be made while any other motion is pending.

**AGENDA ITEM PROCEDURES**

41 The following procedure is to be used for each agenda item:

(1) The Chair shall introduce the agenda item.

(2) The Chief Administrative Officer shall provide background information if required.

(3) The Chair shall ask for any questions by Council on the item. The Chair may limit the number of questions from Council provided each Councillor has had an equal opportunity for questions.

(4) The Chair may ask for a motion or the Chair or a Councillor may put forward a motion.

(5) A motion must be made on an agenda item before it is debated.

(6) A recommendation in a report does not constitute a motion until a Councillor has expressly moved it.

**STATING MOTIONS**

42 All motions must be presented to Council in written electronic or other form and be stated by the Chair prior to debate.

**WITHDRAWAL**

43 Once a motion has been moved and stated by the Chair, it is in the possession of Council, and may not be withdrawn without majority consent of all Councillors present at the meeting.

- REPEATING MOTIONS** 44 A motion which has been superseded or withdrawn has not been in the possession of Council and may be repeated unless it has been ruled out of order because it is improper.
- PUT BY THE CHAIR** 45 All motions must be put by the Chair before a vote is taken.
- POSTPONE INDEFINITELY** 46 A motion to postpone indefinitely is debatable and debate may deal with the merits of the motion being postponed.
- 47 A motion postponed indefinitely may only be brought back after:
- (a) more than one year from the date of the postponement;
  - (b) a General Election; or
  - (c) a Special Resolution is passed allowing it to be brought back.
- POSTPONE TO A DEFINITE TIME** 48 In sections 50, "time" includes date and time.
- 49 (1) A motion to postpone to a definite time may be made at any time during debate.
- (2) The motion to postpone to a definite time is only debatable as to advisability of the postponement and is amendable only as to the time specified.
- (3) If a motion is postponed to a definite time, it will take priority over all other unfinished business at that time, but it may not be brought back before that time without a Special Resolution.
- AMENDMENTS** 50 An amendment proposed to a motion must be relevant to its subject matter and must not propose a direct negative of the motion.
- AMENDMENTS TO AMENDMENTS** 51 (1) Only one amendment to a motion may be before the meeting at any time, but an amendment to the amendment may be before the meeting at the same time.
- (2) The amendment to the amendment must be voted on before the amendment.
- 52 An amendment to an amendment must be relevant to the amendment.
- 53 Notwithstanding section 52, when an amendment is made to change numbers, the longest time, largest sum or largest quantity must be put first.

<b>DEBATABILITY OF AMENDMENTS</b>	54	Councillors may debate the merits only of the amendment, not the merits of the motion it is applied to.
<b>CANNOT AMEND OWN MOTION</b>	55	A Councillor may not amend his or her own motion.
<b>REFERRAL MOTIONS</b>	56	<p>A Councillor may move to refer any motion to the appropriate Council Committee or the Administration for investigation and report, and the motion to refer:</p> <ul style="list-style-type: none"> <li>(a) will preclude all further amendments to the motion;</li> <li>(b) is debatable; and</li> <li>(c) may be amended only as to the body or membership of the body to which the motion is referred and the instructions on the referral.</li> </ul>
<b>REPORT FROM REFERRAL</b>	57	When a response to a referral is before Council, the motion under consideration will be the motion, which was referred, including any amendments made prior to the referral.
<b>REFERRALS REFUSED BY THE CHAIR</b>	58	The Chair may refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies (for example, due to time constraints).
<b>LIMITING OR ENDING DEBATE</b>	59	<p>Any motion to limit or end debate, including a motion for the Previous Question:</p> <ul style="list-style-type: none"> <li>(a) cannot be debated;</li> <li>(b) must be passed by a Two-Thirds Vote; and</li> <li>(c) may only be amended as to the limit to be placed on debate.</li> </ul>
<b>MOTIONS FOR PREVIOUS QUESTION</b>	60	If the Previous Question is moved, the Chair must state that the Previous Question has been moved and immediately take the vote on the motion for the Previous Question.
	61	Unless a motion to Table is made, when a motion for the Previous Question is carried, the motion to which it applies must be put without further debate or amendment.
<b>MOTION TO TABLE</b>	62	(1) A motion may be tabled to enable Council to deal with other more pressing matters.

- (2) A motion that has been tabled may be brought back at any time by a majority vote and when brought back, it will take precedence over other new motions.

**ALL CONNECTED  
MOTIONS Tabled**

- 63 A motion to Table is not debatable and takes precedence over all other motions connected with the motion being tabled, which are tabled along with the motion.

**TAKE FROM THE  
TABLE**

- 64 Any Councillor may move to take a motion from the table, provided no other motion is on the floor.
- 65 A tabled motion is brought back with all of the motions connected with it, exactly as it was when laid on the table.
- 66 The motion to take from the table is not debatable or amendable and requires a majority vote.
- 67 If a motion to take a motion from the table is defeated, it may only be made again after other business has intervened.
- 68 A motion may be taken from the table at any regular meeting, but not at a special meeting, unless prior notice was given.
- 69 If a motion is not taken from the table:
- (a) within one year after the date that it was tabled; or
  - (b) prior to the General Election held after it was tabled;
- it may not be taken from the table but may be made only as a new motion.

**MOTIONS  
DISALLOWED**

- 70 If a motion is contrary to the rules and privileges of Council, the Chair may refuse to accept it and must cite the rule or authority applicable without other comment.

**PRIVILEGED  
MOTIONS**

- 71 The following motions are privileged motions and may, if the Chair determines that they are of overriding importance, interrupt the debate on another motion:
- (a) a call for Orders of the Day;
  - (b) a Point of Privilege;
  - (c) a motion to recess;
  - (d) a motion to adjourn; and

(e) a motion to fix the time to adjourn.

**POINT OF PRIVILEGE**

- 72 (1) A Councillor may raise a Point of Privilege to remedy any pressing situation at any time.
- (2) The Chair must immediately decide whether to accept the Point of Privilege.
- (3) If the Point of Privilege is accepted, it must be dealt with immediately.

**MOTION ON POINT OF PRIVILEGE**

- 73 If a motion is made resulting from an accepted Point of Privilege, it is not debatable or amendable.

**RECESS**

- 74 (1) Any Councillor may move that Council recess for a specific period.
- (2) This motion may not be used to interrupt a speaker.
- (3) After the recess, business will be resumed at the point when it was interrupted.
- 75 A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.

**ADJOURNMENT**

- 76 A motion to adjourn is not debatable or amendable.
- 77 Council will take up a motion pending at the time of adjournment as the first item under unfinished business at the next meeting.

**NOTICES OF MOTION GIVEN PRIOR TO ADJOURNMENT**

- 78 Before putting the motion for adjournment, the Chair must allow an opportunity for any notices of motion to be given.

**ADJOURNMENT OF A MEETING**

- 79 A motion to adjourn a meeting requires a majority vote, unless Orders of the Day provide for a later adjournment and business remains unfinished, in which case a Two-Thirds Vote is required.

**POINT OF ORDER**

- 80 (1) A Point of Order which requires immediate attention may interrupt a speaker and is not debatable or amendable.
- (2) The Chair must rule on a Point of Order and no vote will be taken unless there is a Challenge.

**MOTION TO CHALLENGE**

- 81 Any ruling of the Chair may be challenged.

- 82 A motion to Challenge may be made only at the time of the ruling, whether or not another speaker has the floor.
- 83 A motion to Challenge is debatable unless it relates to decorum, the priority of business, or an undebatable pending motion.
- 84 If a motion is made to Challenge, the Chair must state the question "Is the ruling of the Chair upheld?", and may participate in debate on the Challenge without leaving the chair.
- 85 If the Chair refuses to put the question on a Challenge, the person who would preside if the individual occupying the chair were absent must put the question to Council.
- 86 Unless there is a Two-Thirds Vote against it, the ruling of the Chair will be upheld.

**OBJECTION TO  
CONSIDERATION  
OF A MOTION**

- 87 A Councillor may move to object to the consideration of a motion prior to any debate on the motion and the Chair must state the question "Will the motion be considered?"
- 88 (1) A motion to object to the consideration of a motion is not debatable or amendable.
- (2) The motion objected to will be heard unless there is a Two-Thirds Vote against hearing it.
- 89 If Council passes a motion to object to the consideration of a motion, the motion objected to may be brought before Council only by renewal in accordance with Section 93 of this bylaw.

**DIVIDING  
MOTIONS INTO  
PARTS**

- 90 (1) A Councillor may request that a motion be divided if it contains parts which stand as complete propositions.
- (2) Council must then vote separately on each proposition.

**MOTIONS  
PREVIOUSLY  
CONSIDERED**

- 91 Subject to sections 93 to 98, once Council has dealt with any matter, a motion that would have a similar result may not be made.

**RECONSIDERING  
MOTIONS**

- 92 A Councillor who voted with the prevailing side may move to reconsider a motion at the same meeting or at a future meeting if new information is presented that may affect the previous motion.

**RECONSIDERA-  
TION NOT  
ALLOWED**

- 93 A motion to reconsider may not be applied to:
- (a) a vote which has caused an irrevocable action; or

- (b) a motion to reconsider.
- 94 A motion to reconsider is only debatable when the motion being reconsidered is debatable.
- RESCINDING AND RENEWING MOTIONS**
- 95 A motion to rescind a motion which has been passed or to renew a defeated motion may be offered subsequent to the meeting at which the motion was passed or defeated if the rescinding or renewal motion is:
- (a) made by a Councillor who voted with the prevailing side;
- (b) brought more than one year after the date of the original motion; or
- (c) brought after a General Election which has taken place since the date of the original motion.
- NOTICE OF RESCISSION OR RENEWAL**
- 96 Notice of a motion to rescind or renew a motion must be given or dispensed with pursuant to the provisions of this bylaw.
- RESCISSION NOT ALLOWED**
- 97 No motion to rescind may be made when:
- (a) a vote has caused an irrevocable action; or
- (b) the question can be reached by reconsidering the motion.
- PART VIII - VOTING**
- MOTION CARRIED**
- 98 Unless otherwise specified in this bylaw, a motion will be carried when a majority of Councillors present at a meeting vote in favour of the motion.
- TIE VOTE**
- 99 A motion is lost when the vote is tied.
- FAILURE TO VOTE**
- 100 Any Councillor who fails to vote will be recorded as having voted in the affirmative, unless a statute expressly allows or requires an abstention.
- LOSS OF QUORUM (ABSTENTION)**
- 101(1) If a motion cannot be voted on because there would be no quorum due to any abstention allowed or required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular meeting of Council.



- (2) If Council is unable to achieve quorum at any meeting on an issue due to allowable abstentions, then Council must ask the Minister of Municipal Affairs for an order under the *Municipal Government Act*.

**VOTING  
PROCEDURES**

- 102 Votes on all motions must be taken as follows:
- (a) Councillors must be in their designated Council seat when the motion is put;
  - (b) the Chair must put the motion;
  - (c) Councillors must:
    - (i) vote by a show of hands;
    - (ii) vote verbally if participating by a communication facility;
  - (d) the Chair must declare the result of the vote.

**NO CHANGE TO  
VOTE**

- 103 After the Chair declares the result of a vote, Councillors may not change their vote for any reason.

**SILENCE ONCE  
QUESTION IS PUT**

- 104 From the time the question is put by the Chair until the result of the vote is declared, Councillors must be silent and must not leave their seats.

**PART IX - RULES GOVERNING DEBATE**

**ORDER OF  
SPEAKERS**

- 105 The Chair will determine the speaking order when two or more Councillors wish to speak, subject to a Challenge.

**ADDRESS CHAIR**

- 106 Councillors must address the Chair when speaking.

**INTERRUPTIONS**

- 107 Councillors who have been assigned their turn to speak may only be interrupted by other Councillors including the Chair:
- (a) when a Councillor is discussing a subject and no motion is on the floor;
  - (b) when a Councillor has exceeded the time limit to speak;
  - (c) by a call for Orders of the Day;

- (d) by a Point of Privilege;
  - (e) by a Point of Order;
  - (f) by an objection to the consideration of a motion; or
  - (g) by a Challenge.
- COUNCILLOR CALLED TO ORDER** 108(1) A Councillor who is called to order must immediately stop talking, but must be given an opportunity to Challenge before debate is closed.
- (2) Council will decide the Challenge without debate.
- PROHIBITED ACTS** 109 Councillors must not:
- (a) speak disrespectfully of the Sovereign or any of the Royal Family, or of the Governor General or of the Lieutenant Governor, or of any member of any other governing body in Canada or Council;
  - (b) use offensive words in Council Chambers, or against Council or any Councillor;
  - (c) discuss a vote of Council, unless to move to reconsider, renew or rescind;
  - (d) break the rules of Council or disturb the proceedings; or
  - (e) disobey the decision of the Chair or of the Council on any question of order, practice or interpretation.
- REQUEST TO HAVE MOTION CONSIDERED** 110 A Councillor may require that the motion being considered be read at any time during debate, but must not interrupt a speaker.
- 111
- TIME LIMITS** 112 The Chair may limit the time a Councillor may speak provided that each Councillor has the same time to speak.
- OPPORTUNITY TO BE HEARD** 113 Each Councillor will be given an opportunity to speak to a motion before it is put to a vote, unless a motion is passed to limit or end debate.
- PARTICIPATION BY CHAIR** 114 The Chair may participate in debate and must vote on every matter, unless debate or voting is expressly prohibited by statute.

## **PART X - DUTIES OF THE CHAIR**

<b>CHAIR TO MAINTAIN ORDER</b>	115	The Chair will preserve order and decorum and decide all questions of procedure.
<b>CITING REASONS FOR DECISIONS</b>	116	When the Chair makes a decision on a question of procedure, except a Parliamentary Inquiry (an Administration or legal opinion on procedure as requested by Council or Councillor), he or she must provide a reason for the decision.
<b>LEAVING CHAIR</b>	117	If the Chair wishes to leave the chair for any reason, he must call on the Deputy Mayor, or in his or her absence, the Acting Mayor, to preside.
<b>GRANTING PERMISSION TO APPROACH COUNCIL</b>	118	Anyone who is not a Councillor is not allowed to speak to any Councillor without the Chair's permission.

## **PART XI - DISCIPLINARY PROCEDURES**

<b>CALLING COUNCILLOR TO ORDER</b>	119	The Chair may call to order any Councillor who is out of order.
<b>NAMING A COUNCILLOR FOR AN OFFENCE</b>	120(1)	When a Councillor has been warned about breaches of order but continues to engage in them, the Chair may name the Councillor by stating his name and declaring the offence.
	(2)	The Chief Administrative Officer must note the offence in the minutes.
<b>EFFECT OF NAMING COUNCILLOR</b>	121	If a Councillor who has been named: <ul style="list-style-type: none"> <li>(a) apologizes and withdraws any objectionable statements, then: <ul style="list-style-type: none"> <li>(i) that Councillor may remain and continue participating in the meeting; and</li> <li>(ii) the Chair may direct that the notation of the offence be removed from the minutes; or</li> </ul> </li> </ul>

- (b) fails or refuses to apologize, then:
  - (i) that Councillor must immediately leave Council Chambers;
  - (ii) Council must, without debate, vote on a motion to expel that Councillor; and
  - (iii) a majority vote carries the motion.

**REMOVAL OF  
COUNCILLOR**

- 122(1) If a Councillor has been expelled pursuant to section 122, that Councillor must leave Council Chambers immediately.
- (2) The Chair may request a Town of High Level Peace Officer or any other Peace Officer to remove an expelled Councillor if that Councillor does not leave voluntarily.

**DISTURBANCE BY  
PUBLIC**

- 123(1) The Chair may order any member of the public who disturbs the proceedings of Council by words or actions to be expelled.
- (2) A person who refuses to leave may be guilty of an offence and liable to penalties set out by statute.
- (3) The Chair may request the Town of High Level Peace Officer or any other Peace Officer to remove the person.

**PART XII - PUBLIC AND PRIVATE MEETINGS**

- PUBLIC MEETINGS**      124      Subject to section 126, Council and Committee meetings will be held in public and no person may be excluded except for improper conduct.
- IN-CAMERA  
MEETINGS**              125      Council or a Committee may, by resolution, meet privately to discuss any matter if a statute authorizes the holding of that meeting in the absence of the public.
- NO RESOLUTIONS  
IN -CAMERA**              126      The only resolution that can be passed in-camera in a Council or Committee meeting is a resolution to revert to a public meeting.

### **PART XIII - COMMITTEE OF THE WHOLE**

<b>MOTION TO COMMITTEE OF THE WHOLE</b>	127	Any Councillor may move that an item be referred to the Committee of the Whole.
<b>CHAIR OF COMMITTEE OF THE WHOLE</b>	128	The Mayor, Deputy Mayor, or in his or her absence, the Acting Mayor, to preside over the Committee of the Whole.
<b>QUORUM</b>	129	Quorum of Committee of the Whole is a majority of Councillors.
<b>RULES OF PROCEDURE IN COMMITTEE OF THE WHOLE</b>	130	<p>Procedures in Committee of the Whole only differ from Council's in that:</p> <ul style="list-style-type: none"> <li>(a) Councillors may speak more than once, provided that all Councillors who wish to speak to the matter have been permitted to speak;</li> <li>(b) the proceedings will not be recorded except the motions; and</li> <li>(c) the only motions permitted are: <ul style="list-style-type: none"> <li>(i) to adopt reports or recommendations and to recommend amendments;</li> <li>(ii) to amend its own reports or recommendations; and</li> <li>(iii) to put forward to a Council Meeting.</li> </ul> </li> </ul>
<b>RISE AND REPORT</b>	131	<p>(1) A motion to put forward to a Council Meeting may be made at any time and must be decided without debate.</p> <p>(2) Any matter which has not been decided will be considered lost.</p>
<b>ADOPTING RECOMMENDATIONS</b>	132	Any Councillor may move to adopt the recommendations of the Committee of the Whole and debate will only be allowed on any amendments proposed by Committee of the Whole.

### **PART XIV - COUNCIL COMMITTEES**

#### *Division 1 Committees - General*

**COUNCIL  
COMMITTEES**

133 Council Committees are established by bylaw or resolution and are subject to revision by bylaw or resolution as required.

**MEMBERSHIP OF  
COMMITTEES**

134 The membership of the Committees will be determined as follows:

- (a) membership of Councillors, except the Mayor, is for a total of one year on a Committee as determined at the Organizational Meeting; and
- (b) if a Councillor vacates the office of Councillor during the term of office;
  - (i) the person elected as Councillor in a by-election must take the place of the vacating Councillor of Committee membership until the next General Election or Organizational Meeting; or
  - (ii) if no by-election is held, Council may appoint another Councillor to fill the vacancy.

135 All Councillors may attend any meeting of any Committee and participate in debate, but may not make motions or vote.

**MAYOR EX  
OFFICIO MEMBER**

136 (1) The Mayor is a member by virtue of office, of all Committees, unless Council has decided that the Mayor is an actual member of a particular Committee.

- (2) If the Mayor is a member by virtue of office and is present at a Committee meeting, the Mayor must be counted to determine quorum and has all of the rights and privileges of the other Committee members including the right to make motions and vote.

**ALTERNATE  
MEMBERS FOR  
QUORUM**

137 (1) If quorum is not possible because of the absence of one or more members of a Committee, any Councillor present at the Committee meeting will become an alternate member of the Committee and will be counted to determine quorum.

- (2) If more than one Councillor is present, priority for selection as an alternate member will be determined in accordance with the Deputy Mayor rotation schedule, beginning with the current Deputy Mayor.

- (3) Alternate membership will cease when there is a quorum of members regularly appointed under this bylaw.
- AUTHORITY OF COMMITTEES** 138 Committees have full authority to exercise or perform any power or duty delegated under this or any other bylaw.
- REQUISITION A MOTION TO COUNCIL** 139 Any member of a Committee may, prior to a vote being taken, request that an item be referred to Council and it must be referred without debate.
- DIRECT REPORTING TO COUNCIL** 140 Any Committee may submit its reports directly to Council without a Committee recommendation.
- APPROPRIATION OF FUNDS** 141 Committees must not appropriate, expend or direct the expenditure of any money not provided for in the budget approved by Council or by a special or supplementary budget adjustment approved by Council.

***Division 2 - Committees - General Duties and Responsibilities***

- COMMITTEE CHAIR** 142 (1) Each Committee will elect a Chair from among the members of the Committee at the first meeting after each Organizational Meeting.
- (2) If the Committee is unable to elect a Chair, then Council must select the Chair from among the members of the Committee at the next regular Council meeting.
- COMMITTEE VICE-CHAIR** 143 (1) The members of the Committee must elect a Vice-Chair who will preside at meetings of the Committee in the absence of the Chair.
- (2) If neither the Chair nor Vice-Chair is present at a Committee meeting, the Committee must elect a Chair from among its members for that meeting.
- DUTIES OF COMMITTEES** 144 The duties of all the Committees will be mandated by Bylaw or Resolution as desired by Council.

***Division 3 - Procedures for Council Committees***

**APPOINTING  
COUNCIL  
COMMITTEES**

- 145 (1) Council may by bylaw or resolution establish a Council Committee to investigate and report to Council on any matter.
- (2) Council may appoint, by resolution, Councillors, Town employees or other individuals to Council Committees.
- (3) When a Council Committee is established by bylaw or resolution, Council must:
- (a) name it;
  - (b) establish Terms of Reference;
  - (c) establish the term of appointment, or direct that the committee exists at the pleasure of Council;
  - (d) establish requirements for reporting to Council or a Standing Committee; and
  - (e) allocate any necessary budget or other resources.

**PROCEDURES FOR  
COUNCIL  
COMMITTEES**

- 146 The procedures outlined in Sections 148 to 154 are the minimum requirements to be followed by Council Committees.

**REGULAR  
MEETINGS OF  
COUNCIL  
COMMITTEES**

- 147 (1) A Council Committee may establish, on an annual basis, a schedule of its meetings.
- (2) An annual schedule established under (1) must be filed with the Chief Administrative Officer a minimum of three working days prior to the first meeting.

**CALL OF  
MEETINGS**

- 148 (1) The Chair may call a meeting of the Committee at any time and must do so if a majority of Committee members so request in writing, including a statement of the purpose of the meeting.
- (2) A special meeting requested by Committee members must be held within 14 days after the request is received.

**NOTIFICATION OF  
COMMITTEE OF  
COUNCIL  
MEETINGS**

- 149 Notice of Committee of Council meetings not approved in their annual schedule or cancellation of a previously called meeting must comply with section 16 of this bylaw and be filed with the Chief Administrative Officer a minimum of 48 hours prior to the meeting.



<b>QUORUM</b>	150	Quorum is a majority of members of a Council Committee unless specified otherwise by this or any other bylaw.
<b>MINUTES</b>	151	<p>(1) Minutes must be prepared for all Council Committee meetings and will include:</p> <ul style="list-style-type: none"> <li>(a) all decisions and other proceedings;</li> <li>(b) the names of the Committee members present at and absent from the meeting;</li> <li>(c) any abstentions made under the <i>Municipal Government Act</i> by any member and the reason for the abstention; and</li> <li>(d) the signatures of the Chair, and the Recording Secretary.</li> </ul> <p>(2) Minutes must be retained in a safe manner and must be made available upon request.</p>
<b>ADOPTION OF MINUTES</b>	152	<p>The minutes of each meeting must be circulated prior to the meeting at which they are to be adopted:</p> <ul style="list-style-type: none"> <li>(a) if there are errors or omissions, the Committee must pass a motion to amend the minutes and adopt the minutes as amended; or</li> <li>(b) if there are no errors or omissions, the Committee must adopt the minutes as circulated.</li> </ul>
<b>COUNCIL RULES TO SUPPLEMENT COUNCIL COMMITTEE RULES</b>	153	Council Committees may adopt any of the other procedural rules of Town Council other than the ability to ask Administrative Inquiries.

***Division 4 - Procedures when a Committee Sits as a Quasi-Judicial Tribunal (Subdivision and Development Appeal Board or Assessment Review Board)***

<b>MEMBERSHIP</b>	154	Membership of a Committee sitting as a Quasi-Judicial Tribunal needs to be an odd number.
	155	<p>When a Committee acting as a Quasi-Judicial Tribunal needs to increase its membership to create an odd number, the following procedures will be used:</p> <ul style="list-style-type: none"> <li>(a) the Mayor will be requested to attend the meeting while the Committee is sitting as a Quasi-Judicial Tribunal; or</li> </ul>

- (b) when the Mayor is not available or already in attendance, then the Quasi-Judicial membership will be augmented by using the Deputy Mayor Roster beginning with the current Deputy Mayor.
- PARTICIPATION IN QUASI-JUDICIAL TRIBUNAL HEARINGS** 156 While the Committee is sitting as a Quasi-Judicial Tribunal, only members of the Committee, appellants or effected parties may participate in the meeting.
- RETURN TO NORMAL COMMITTEE MEMBERSHIP** 157 Once the Quasi-Judicial Tribunal has completed hearing the appeal(s), the additional member of the Committee, other than the Mayor, will no longer be part of the Committee nor be able to make motions and vote.
- SCHEDULING OF APPEAL HEARINGS** 158 Appeal hearings will be scheduled pursuant to the *Municipal Government Act* within the time guidelines as stated by that Act.
- PROCEDURES** 159 The following procedures will be used when hearing an Appeal:
- (a) the Clerk will call the appeal;
  - (b) the Committee will hear from presenters in attendance in the following order:
    - (i) the appellant or his agent;
    - (ii) other effected parties; and
    - (iii) the Administration;
  - (c) after a person has spoken, any committee member may ask that speaker relevant questions;
  - (d) the Appellant will have an opportunity to respond to any new information;
  - (e) if required, the Committee can ask the Appellant clarification questions prior to its deliberation and decision on the appeal; and
  - (f) the Committee will then make its decision on the appeal.
- TIME LIMITS** 160 (1) Each presenter will have five minutes to make a presentation.

- (2) Presenters may be given additional time at the discretion of the Committee.

**NOTIFICATION OF DECISION**

- 161 Written notification of the decision will be forwarded to the Appellant or his Agent at the address provided within the time guidelines as given in the *Municipal Government Act*.

**PART XV - BYLAWS**

**APPROVAL OF FORM BY CHIEF ADMINISTRATIVE OFFICER**

- 162 The Chief Administrative Officer must approve the form of every proposed bylaw prior to its submission to Council.

**TITLE AND BYLAW NUMBER**

- 163 All proposed bylaws must have a bylaw number assigned by the Chief Administrative Officer or designate and a concise title.

**NOTICE OF PROPOSED BYLAW**

- 164 The bylaw number and the title of a proposed bylaw must be included on the agenda, and the Chief Administrative Officer must provide all Councillors with a copy of the proposed bylaw prior to any motion for first reading.

**FIRST READING**

- 165 (1) A proposed bylaw must be introduced at a Council meeting by a motion that "Bylaw Number (specify the number assigned by the Chief Administrative Officer) be read for a first time".
- (2) Council may hear an introduction of the proposed bylaw from the Administration.

**SECOND READING**

- 166 After first reading has been given, any Councillor may move that "Bylaw Number (specifying the proposed bylaw number) be read a second time".

**AMENDMENT PRIOR TO THIRD READING**

- 167 (1) Any amendments to the bylaw which are carried prior to the motion for third reading being put will be considered to have been given first and second reading and will be incorporated into the proposed bylaw.
- (2) If amendments to the proposed bylaw have been carried:
- (a) all Councillors must be given an opportunity to review the full text of the amendments; and

- (b) the Chair must put the question that "Bylaw Number (specify the bylaw number), as amended, be given third reading".
- THIRD READING** 168 After second reading has been given, any Councillor may move that "Bylaw Number (specifying the bylaw number) be read a third time".
- NUMBER OF READINGS ALLOWED AT A MEETING** 169 Council may not give a bylaw more than two readings at a meeting unless all Councillors present at the meeting vote in favour of allowing a third reading at that meeting.
- FAILURE OF A READING** 170 (1) If any reading of a proposed bylaw fails:
- (a) any previous readings are rescinded; and
  - (b) first reading of the proposed bylaw may not be dealt with again except in accordance with sections 93 to 98.
- (2) Subject to the Land Use Bylaw, failure of any reading of a proposed bylaw will not preclude the introduction of another proposed bylaw with similar terms and effect.
- SIGNING AND SEALING BYLAWS** 171 The Chair and the Chief Administrative Officer or Designated Officer must sign and seal the bylaw as soon as reasonably possible after third reading is given.
- EFFECTIVE DATE** 172 A bylaw is effective from the beginning of the day it is signed, unless the bylaw or any applicable statute provides for another effective date.

**AMENDMENT AND  
REPEAL**

173

Once a bylaw has been passed, it may only be amended or repealed by another bylaw made in the same way as the original bylaw, unless another method is specifically authorized by provincial legislation.

## PART XVI - DELEGATIONS AND STATUTORY PUBLIC HEARINGS

### *Division 1 - Delegations*

- |   |     |   |
|---|-----|---|
| <b>PERSONS WISHING TO ADDRESS COUNCIL</b>       | 174 | If a person wishes to speak to Council or a Committee on any matter, that person must notify the Chief Administrative Officer in writing six days prior to the meeting and must state the reason for the request to speak.  |
| <b>REFERRAL BY CHIEF ADMINISTRATIVE OFFICER</b> | 175 | After receiving the request to speak on an item, the Chief Administrative Officer will place the request on the agenda.   |
| <b>COUNCIL CONSIDERATION OF REQUEST</b>         | 176 | <p>Council may:</p> <ul style="list-style-type: none"> <li>(a) refer the matter to a Committee for a hearing;</li> <li>(b) hear from the person making a direct request to be heard by Council; or</li> <li>(c) refuse to hear from the person making a direct request to be heard by Council.</li> </ul>   |
| <b>COMMITTEE CONSIDERATION OF REQUEST</b>       | 177 | <p>(1) A Committee may hear any person referred to it by Council.</p> <p>(2) A Committee may:</p> <ul style="list-style-type: none"> <li>(a) hear from a person making a direct request to be heard by that Committee; or</li> <li>(b) refuse to hear from a person making a direct request to be heard by that Committee.</li> </ul>   |
| <b>PROCEDURAL RULES FOR DELEGATIONS</b>         | 178 | <p>(1) When hearing from the public, Council does not require a motion on the floor.</p> <p>(2) The following procedures will apply to delegations before Council or a Committee:</p> <ul style="list-style-type: none"> <li>(a) the Chair will introduce the delegation;</li> <li>(b) the delegation shall present from delegation table;</li> <li>(c) the delegation addressing Council should: <ul style="list-style-type: none"> <li>i) state their name and address</li> </ul> </li> </ul> |

- ii) indicate if they are speaking on their own behalf, a client, company, a group of citizens i.e. club or organization
- (d) after a delegation has spoken, any Councillor may ask that speaker relevant questions; and
- (e) any Councillor may ask the Chief Administrative Officer relevant questions after the delegation spoken.

### *Division 2 - Statutory Hearings*

<b>STATUTORY HEARINGS WHICH MAY BE DELEGATED BY COUNCIL</b>	179	When Council is permitted to delegate a hearing by statute, Council may delegate the responsibility to hold the hearing to any Committee.
<b>TIME FOR A STATUTORY HEARING ON A BYLAW</b>	180	The statutory hearing on any proposed bylaw or resolution must be held before the Chair has put: <ul style="list-style-type: none"> <li>(a) a motion on the resolution; or</li> <li>(b) a motion for the second reading of a bylaw.</li> </ul>
<b>CALLING THE BYLAW OR RESOLUTION</b>	181	To begin a statutory hearing, the Chair must ask if anyone is present to speak to the proposed bylaw or resolution.
<b>WHEN SPEAKER PRESENT</b>	182	If a person indicates their presence to speak to the proposed bylaw or resolution, then the following procedures will apply: <ul style="list-style-type: none"> <li>(a) the Administration will introduce the proposed bylaw or resolution;</li> <li>(b) persons will be allowed five minutes to speak; those in favour will speak first, followed by those opposed;</li> <li>(c) persons addressing Council should; <ul style="list-style-type: none"> <li>i) state their name and address</li> <li>ii) indicate if they are speaking on their own behalf, a client, company, a group of citizens i.e. club or organization</li> </ul> </li> </ul>

- (d) after a person has spoken, any Councillor may ask that speaker relevant questions;
- (e) any Councillor may ask the Chief Administrative Officer through the Chair relevant questions after all persons who wish to speak have been heard;
- (f) Council must allow an opportunity to all persons to respond to any new information that has arisen; and
- (g) if Council wishes to make amendments to the proposed bylaw or resolution, Council will:
  - (i) direct the Chief Administrative Officer to amend the bylaw or resolution;
  - (ii) give second reading to the bylaw with amendments; or
  - (iii) move the resolution and amend;

**WHEN NO  
SPEAKER PRESENT**

- 183 If no one is present to speak to a proposed bylaw or resolution which requires a statutory hearing, Council may hear an introduction of the matter from the Administration, ask relevant questions, and then must vote to close the statutory hearing.
- 184 After the close of the statutory hearing, Council may debate the proposed bylaw or resolution and may:
- (a) pass the bylaw or resolution; or
  - (b) defeat the bylaw or resolution.

**ABSTENTION**

- 185 (1) A Councillor who was absent for all of a public statutory hearing on a proposed bylaw or resolution must not vote.
- (2) A Councillor who was absent for part of a statutory hearing may choose not to vote.
- (3) If a Councillor does not vote, the abstention must be recorded under section 112.

***Division 3 - Representatives***



**WRITTEN  
AUTHORIZATION  
TO SPEAK FOR  
ANOTHER**

- 186 (1) If a person is unable to attend a hearing, that person may authorize an individual to speak on his behalf.
- (2) The authorization must:
- (a) be in writing;
  - (b) name the individual authorized to speak;
  - (c) indicate the proposed bylaw or resolution to be spoken to; and
  - (d) be signed by the person giving the authorization.

**STATEMENT OF  
AUTHORIZATION**

- 187 The authorized speaker must state the name of the person that the speaker represents and must present the written authorization to the Chief Administrative Officer.

**REPRESENTING  
MORE THAN ONE  
PERSON**

- 188 Notwithstanding sections 179(2) (c) and 183(b), if an authorized speaker represents more than one person, the speaker will be allowed only five minutes to speak, unless Council decides otherwise.

**PART XVII - COMMUNICATIONS**

**REQUIREMENTS  
FOR  
COMMUNICATIONS  
SENT TO TOWN  
COUNCIL**

- 189 Any communication intended for Council or a Committee which reaches the Chief Administrative Officer must:
- (a) be legible and coherent;
  - (b) be able to identify the writer, the writer's address and preferably telephone number;
  - (c) be either on paper, in a printable format or a playable format; and
  - (d) not be libellous, impertinent or improper.

**CHIEF  
ADMINISTRATIVE  
OFFICER TO  
PROCESS  
COMMUNICATIONS**

- 190 If the standards set out in section 190 are met, the Chief Administrative Officer must:
- (a) refer the communication to the Administration for a report or a direct response, and inform the Councillors of the referral;

- (b) if it relates to an item already on an agenda, deliver a copy of the communication or a summary of it to Councillors prior to or at the meeting;
  - (c) send a copy of the communication or a summary of it to all Councillors for information; or
  - (d) take any other appropriate action on the communication.
- DISPOSAL OF COMMUNICATIONS** 191 (1) If the standards set out in section 190 are not met, the Chief Administrative Officer may file the communication, or dispose of it, unless the Chief Administrative Officer determines the communication to be libellous, impertinent or improper, in which case the Chief Administrative Officer must summarize the communication and inform Council that it is being withheld.
- (2) Council may direct that any communication withheld under this section be forwarded to members of Council.
- ADVISE COMMUNICATOR** 192 The Chief Administrative Officer must make reasonable efforts to respond to the person sending the communication and to advise that person of any action taken on the subject of the communication.
- DEBATE ON COMMUNICATIONS** 193 (1) Council may:
- (a) refer any communication to the Administration for a report; and
  - (b) give other instructions on the communication.
- (2) Council may not debate the subject of a communication without a Two-Thirds Vote in favour of debate, or without prior notice.
- COMMUNICATIONS ON PREVIOUS DECISIONS** 194 When a communication requests Council or a Committee to reconsider, rescind or renew a previous decision, the Chief Administrative Officer must inform the person sending the communication that the request can only be dealt with in accordance with sections 93 to 98.
- PETITIONS** 195 Any matter required to be brought to Council by way of petition must be supported by a petition that complies with the *Municipal Government Act* or other legislation.
- COUNCILLOR'S COMMUNICATIONS** 196 Within a Regular Council Meeting, Councillors must present in writing or verbally:

- (a) notices of motion; and
  - (b) reports on any meetings attended or matters dealt with at the request of Council;
- 197.1 Councillors must submit to the Chief Administrative Officer for the municipal records as soon as they become available:
- (a) all minutes of a Non-municipal Committee in which they sit; and
  - (b) any report or records of a meeting

Amended May 25, 2010 Bylaw #900-10

**PART XVIII - GENERAL**

**AMENDING OR  
REPEALING THIS  
BYLAW**

- 197 To amend or repeal this bylaw, Council must:
- (a) pass a bylaw at a regular or special meeting of Council at which all Councillors are present; or
  - (b) pass a bylaw at a regular meeting of Council following written notice of motion openly announced at a meeting of Council held at least five days prior to presentation of the bylaw for first reading.

Read a first time this 25<sup>th</sup> day of January, 2010.

Read a second time this 25<sup>th</sup> day of January, 2010.

Read a third time this 25<sup>th</sup> day of January, 2010.

SIGNED AND PASSED this 3<sup>rd</sup> day of February, 2010.

<<MAYOR>>

<<MUNICIPAL CLERK>>

**SCHEDULE A - ORDERS OF THE DAY**

***Part 1 - Town Council Order of Business***

Call to Order  
Adopt Agenda  
Public Hearing (if required)  
Delegations (if any)  
Adopt Minutes  
Delegation Business (if any)  
Mayor's Report  
Council Committee Reports  
Administration Reports  
Administrative Inquiries  
Old Business  
New Business  
Correspondence for Action  
Correspondence for Information  
Notices of Motion  
Question Period  
In-Camera Items  
Adjournment

**MOTIONS**

For information only. Does not form part of Bylaw.

**A Main Motion** brings a question before Council for consideration.

**A Subsidiary Motion** is for the purpose of modifying or disposing of the Main Motion under consideration.

**A Privileged Motion** has no connection to the main motion but is of such importance to demand immediate attention.

**An Incidental Motion** is a miscellaneous motion which cannot be placed in any of the three groups listed above.

**RANK OF MOTIONS**

The Motions listed below are arranged in the order of precedence or rank.

The Incidental Main Motions have no precedence.

No two Main Motions may be pending at the same time.

Incidental Motions have no precedence among themselves. Any of them may be proposed whenever a situation arises that requires it. They yield to privileged motions.

	<b>Interrupt another Speaker</b>	<b>Debatable</b>	<b>Amendable</b>	<b>Vote Required</b>	<b>Reconsiderable</b>
<b>PRIVILEGED MOTIONS</b>					
Set or Change Date and Times of Meetings	No	Yes	Yes	Majority	Yes
Adjourn	No	No	No	Majority	No
Recess	No	No	Yes	Majority	No
Question of Privilege	Yes	No	No	Majority	No
<b>SUBSIDIARY MOTIONS</b>					
Lay on the Table	No	No	No	Majority	No
Call for Previous Question (to end the debate)	No	No	No	2/3	Only before vote taken
Limit or Extend Limits of debate	No	No	Yes	2/3	Yes
Postpone Definitely	No	Yes	Yes	Majority	Yes
Refer to Committee	No	Yes	Yes	Majority	Yes
Amend	No	Yes	Yes	Majority	Yes
Postpone Indefinitely	No	Yes	No	Majority	Only to affirm vote
<b>MAIN MOTIONS</b>					
Main Motion	No	Yes	Yes	Majority	Yes
Incidental Main Motion					
Take from the Table	No	No	No	Majority	No
Rescind	No	Yes	Yes	Majority	No
<b>INCIDENTAL MOTIONS</b>					
Raise Point of Order	Yes	No	No	Ruled by Chair	No
Call for a Division of the Question	No	No	Yes	Majority	No
Withdraw a Motion (by person who moved motion)	Yes	No	No	Majority	No
Withdraw a Motion (by a person other	Yes	Yes	No	Majority	No

than the person who moved the motion)	
<b><u>Amendment Date</u></b>	<b><u>Bylaw Number</u></b>
May 25, 2010	#900-10
June 13, 2011	#911-11