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TAMRMS#: B05

INFORMATION REQUEST (IR) - Procedure Bylaw History

Requested by: Councillor Brodhead

Date of Request: February 4, 2025

Date Response Due: March 5, 2025

Confidential Response: No

QUESTION

Please provide the legislative history, including amendments, to the City of St. Albert Procedure Bylaw from its inception to the current enacted Bylaw 24/2022.

RESPONSE

Administration has done a deep dive into the municipal bylaw records which date back to 1935. It has been determined that the first Procedure Bylaw was passed in 1981.

Since 1981 there have been numerous Procedure Bylaws which have undergone various amendments or have been repealed and replaced by a new Procedure Bylaw. Below is a snapshot of the amendments related to the respective Procedure Bylaws. For a more detailed review, please see the document entitled "St. Albert Procedure Bylaw Amendments" attached to this report. The Procedure Bylaws and all associated amending bylaws have also been attached to this report.

Procedure Bylaw 25/81

- Governed the proceedings of Council.
- Dealt with rules of Council meetings, Deputy Mayor roster, quorum, appointments to boards, agenda preparation, chairing of meetings, debate, questions of privilege and points of order, various motions and notices of motion, and meeting minutes.
- Amended by Bylaw 37/83 to change how seating in Council chamber would be determined.
- Amended by Bylaw 24/86 to add Development and Capital Recreation Contribution Agreements to the Council meeting agenda and add that if third reading of bylaws is not given within two years of first and second reading, then first and second reading are rescinded.

Procedure Bylaw 12/99

- Repealed and replaced Bylaw 25/81.
- In addition items dealt with in Bylaw 25/81, Bylaw 12/99 applied to all committee of the whole meetings. The bylaw also included information about duties of the CAO and the legislative officer. There was an expanded section regarding conduct of aldermen in the council chamber, and the Priorities and Planning and Nominating Committees were established.

- Amended by Bylaw 2/2001 to adding a period of time set aside for public appointments at Council meetings and to add that a Committee of the Whole Meeting may be set by resolution.

Procedure Bylaw 20/2006

- Repealed and replaced Bylaw 12/99.
- Very similar in substance to Bylaw 12/99.
- This bylaw introduced the concept of electronic voting, the concept of holding non-statutory public hearings, and contained a section for information requests.

Procedure Bylaw 35/2009

- Repealed and replaced Bylaw 20/2006.
- Very similar in substance to Bylaw 20/2006.
- The bylaw did not contain a Priorities and Planning Committee.
- Amended by Bylaw 23/2010 to add a definition of “Notice of Motion” and how these will be dealt with.
- Amended by Bylaw 28/2013 to add a definition of “consent agenda” and to establish rules for consent agendas, changed the term length of councillors in relevant sections from three years to four years, clarified rules around notices of motion, and changed the Nominating Committee section.

Procedure Bylaw 22/2016

- Repealed and replaced Bylaw 35/2009.
- Very similar in substance to Bylaw 35/2009. This bylaw introduced the concept of Notices of Motion requiring 13 days’ advance notice prior to them being moved.

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Procedure Bylaw 03/2018

- Repealed and replaced Bylaw 22/2016.
- Very similar in substance to Bylaw 22/2016. This Bylaw had an expanded section for public hearings and public presentations to Council. In this bylaw, the process for the requirement to provide three weeks’ advance notice prior to moving a Notice of Motion was codified
- Amended by Bylaw 40/2021 to add definitions of “agent”, “chair” at Public Hearings, “group” and “new information”, as well as expanded the process for how to register to speak at public hearings (including for groups and agents). The amendment also allowed all meetings to be conducted electronically.
- Amended by Bylaw 27/2022 directly related to the repealing of the Community Living Standing Committee Bylaw 39-2019 and the Community Growth and Infrastructure Standing Committee Bylaw 40-2019.

Procedure Bylaw 24/2022

- Repealed and replaced Bylaw 03/2018. Substantively similar to Bylaw 03/2018, but reorganized for ease of use. Concepts of “friendly amendments” and “general consent” added to the bylaw. The section related to the conduct of meetings electronically was expanded.
- Amended by Bylaw 11/2023 to provide authority to the Standing Committee of the Whole, to require that a council member shall provide rationale as to why the council member is removing an item off the consent agenda, and to make amendments regarding public hearings and public presentations. The days of notice required for Notices of Motion was changed from

21 to 20.

Report Date: March 3, 2025
Author: Cheryle Wong, Deputy City Clerk
Department: Legal, Legislative & Records Services
Department Director: Marta Caufield
Chief Administrative Officer: Bill Fletcher

St. Albert Procedure Bylaw Amendments

PROCEDURE BYLAW 25/81

Amending Bylaw 37-83:

Delete Section 7 - "Prior to the Organizational Meeting in each General Election year, the Aldermen shall determine the order of seating by lot. The Mayor shall be seated in the centre."

Amending Bylaw 24-86:

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|-----------------|--|
| Introduction | 1. That the introductory paragraph be amended by deleting therefrom "Section 117 of". |
| Agenda | 2. That Section 29 be amended by the introduction of the following subsection: " (8) Development Agreements In this section shall be placed Development Agreements and Capital Recreation Contribution Agreements." and by renumbering the balance of Section 29. |
| By-laws | 3. That Section 64 be amended by adding the following subsection: " (2) When third reading of a by-law is not received within two years of the date of first reading, all previous readings are deemed to be rescinded." |
| Reconsideration | 4. That Section 72 be deleted in its entirety and the following substituted therefor: "72. (1) A by-law which has been defeated at first or second reading may be subject to a motion to reconsider and Section 48 shall apply. |

PROCEDURE BYLAW 12-99 (Repealed Bylaw 25-81)

Amending Bylaw 2-2001:

2. Section 4.2 is amended by:
 - (a) striking the words “and the regular committee of the whole meetings; and” from subsection 4.2.3, and
 - (b) adding the following after subsection 4.2.3,
“4.2.3.1 the period of time set aside for public appointments at regular council meetings; and”.
3. The following Section is added after Section 23.1:
“23.1.1 Council may by resolution schedule a meeting of committee of the whole.”
4. Section 24 is amended by:
 - (a) adding the word “COMMITTEE” after the word “PLANNING” to the heading, and
 - (b) in subsection 24.1 striking the words “committee of the whole” and replacing them with the words “Priorities and Planning Committee”.

PROCEDURE BYLAW 20-2006 (Repealed Bylaw 12-99) – no amendments

PROCEDURE BYLAW 35-2009 (Repealed Bylaw 20-2006)

Amending Bylaw 23-2010:

- i. inserting the following as a new section 2. k.

“notice of motion” is the means by which a Councillor may bring a topic before Council.”

and renumbering the subsequent sections
- ii. replacing section 16.1 in its entirety with the following

“16.1 A councillor may make a motion introducing any new matter if:
 - a. The motion is a recommendation from a council committee;
 - b. The motion is made at a council meeting and was given in writing to the chief administrative officer in writing at least seven days before the council meeting at which the motion is to be considered; or
 - c. A motion is passed dispensing with notice”
- iii. inserting the following after section 16.18

“16.19 Before calling the vote on a motion that, if passed, would result in a requirement for an action to be completed by a specified date or within a specific amount of time, the Mayor shall consult with the City Manager regarding the practicality of the date specified in the motion.”
- iv. deleting section 17.9
- v. inserting the following after section 17.1

“17.2 Notwithstanding 17.1, a councillor who has moved a motion may restate the motion to include a proposed amendment if no other councillor objects.”

and renumbering the subsequent sections
- vi. inserting “annual” after “recommend” in section 25.4

Amending Bylaw 36-2011:

- i. replacing section 22 (Notice of Motion) in its entirety with section 22 as included in Schedule A

SCHEDULE A

Notice of Motion

- 22.1 Prior to council adjourning a regular council meeting, councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and by providing the chief administrative officer with a written copy of the notice.
- 22.2 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 22.3 A notice of motion may state the date of the regular council meeting at which the motion will be included in the agenda.
- 22.4 If no date is provided in the notice of motion as allowed by section 22.3, the agenda committee will determine which council meeting agenda will include the motion for which the notice of motion was provided.
- 22.5 A date included in a notice of motion as per section 22.3, or determined by the agenda committee as per section 22.4, shall be no less than 13 days later than the date of the council meeting at which the notice of motion was provided.
- 22.6 If a motion for which a notice of motion was provided is not made at the meeting that was either indicated in the notice of motion or determined by the agenda committee, it will appear on the agenda for, and may be made at any of, the next two regular meetings. After the third regular meeting, it will not appear on subsequent agendas unless a new notice of motion is provided.
- 22.7 A notice of motion cannot be made at a special council meeting.
- 22.8 A motion on notice is not debatable until a councillor moves the motion.

ii. replacing “12.9” (Rules Governing Debate) with “12.10” in section 12.11

12.11 Where a councillor has left the meeting under section 12.9:

- a. the reason for and time of the councillor's departure, and return, if any, shall be recorded in the minutes;

- b. if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavour to advise the councillor who has left the meeting of the amendment so that the councillor may determine whether he/she continues to have a pecuniary interest; and
- c. council shall not consider any other agenda item until the chief administrative officer has endeavoured to advise the councillor who left the meeting because of a pecuniary interest that there is a new agenda item before the meeting.

Amending Bylaw 28-2013:

2. Section 2 is amended by:
 - i) adding a new subsection 2.g. as follows:

“g. “consent agenda” means that portion of a regular council meeting that contains reports from committees which received unanimous support at the committee prior to forwarding to council; councillor reports; reports that are for information only or part of a process of regular quarterly or annual reporting; or any other business items, other than bylaws, that do not require debate. Items on the consent agenda may be adopted by an omnibus motion”;
 - ii) in subsection 2.x. deleting “lift” and inserting “raise”;
 - iii) renumbering the remaining subsections accordingly.
3. Subsection 5.4.b is amended by deleting “three-year” and inserting “four-year”.
4. The following is inserted as a new Section 22:

“Consent Agenda

- 22.1 The consent agenda portion of a meeting is moved and voted upon without debate as one item regardless of the number of reports included.
- 22.2 If a councillor wishes to debate an item included in the consent agenda, a request to exempt the item must be made before the Chair calls the question.
- 22.3 Approval of the consent agenda shall include approval of all the recommendations contained in the respective reports.
- 22.4 Council will deal with items for debate in the order that they appear on the agenda, unless otherwise decided in accordance with Section 11.

22.5 A motion must be made before any exempted item is discussed.”

and the subsequent sections renumbered accordingly.

5. Former Section 22 Notice of Motion is amended by inserting the following:

“23.7.1A notice of motion can be given outside of a council meeting by providing notice in writing to the chief administrative officer and other members of council at least thirteen days prior to the council meeting at which the motion is to be considered”.

6. Former Section 26 Nominating Committee is deleted in its entirety and replaced by the following on November 4, 2013:

“27.1 There shall be a nominating committee of council composed of the mayor and three members of council.

27.2 The mayor is the permanent chair of the nominating committee.

27.3 In each council term, each member of council shall have an opportunity to serve for two years on the nominating committee.

27.4 The first three councillors named to the nominating committee shall serve for years 1 and 3 of the council term and the other three councillors shall serve for years 2 and 4 of the council term.

27.5 The term of the members of the nominating committee shall expire on October 15.

27.6 The nominating committee shall make recommendations to council on the appointment of councillors to council committees, to other City committees and to bodies on which the City is entitled to have representation.”

PROCEDURE BYLAW 22-2016 (Repealed Bylaw 35-2009) – No amendments

PROCEDURE BYLAW 03-2018 (Repealed Bylaw 22-2016)

Amending Bylaw 40-2021:

2. Section 2.1 is amended by:

a. adding a new subsection 2.1 (b.3) immediately after subsection 2.1 (b.2) as follows:

b. 3 *"Agent" means an individual who acts on behalf of another affected party*

in accordance with the procedure outlined in this bylaw;

b. adding a new subsection 2.1 (c.1) immediately after subsection 2.1 (c) as follows:

c. 1 "Chair" means the person who preside-s over a Public Hearing;

c. adding a new subsection 2.1 (1.1) immediately after subsection 2.1 (l) as follows:

l. 1 "Group" means two or more persons who wish to advocate for the sam,e or substantially the same position, and have chosen one of their number to speak for all; and

d. adding a new subsection 2.1 (n.,1) immediately after subsection 2.1 (n) as follows:

n. 1 "New Information" includes statements of a factual nature made by another speaker during the cOU(Se of their presentation at a Public Hearing, but does not include expressions of opinion made by another speaker.

3. The following is added immediately after section 29.6 under the "Public Hearings" heading:

Process to Register to Speak

29.7 Individuals or Groups wishing to address Council on their own behalf at a Public Hearing must register with Legislative Services by 3:00 p.m. on the day preceding the Public Hearing if the Public Hearing is being conducted electronically. Otherwise, individuals and Groups wishing to address Council on their own behalf at a Public Hearing may register with Legislative Services up to the day of the Public Hearing and a sign-in sheet will be available at the entrance to Council chambers for individuals and Groups who have not registered but wish to address Council on their own behalf at a Public Hearing.

29.8 Individuals wishing to address Council in the capacity of Agent for one or more other persons at a Public Hearing must:

a. register with Legislative Services by 5:00 p.m. on the Thursday preceding the Public Hearing and declaring their intention to act as an Agent at the Public Hearing; and

b. submit a separate, completed, and signed Agent Declaration form, which may be obtained from Legislative Services, for each affected party that they will be representing. An Agent Declaration form must be signed and dated by the

individual being represented, and must be submitted to Legislative Services no later than 5:00 p.m. on the Thursday preceding the Public Hearing.

Written Submissions

29.9 Whether or not an individual is making a verbal presentation at a Public Hearing, the following rules govern how written submissions to Council must be made with respect to a Public Hearing:

- a. written submissions must be emailed to Legislative Services not later than 12:00 noon on the Wednesday preceding the Public Hearing. Written submissions received by this deadline will be included in the meeting Agenda Package that is distributed to Council members and posted on the City's public website. It is open to members of the public who have missed the written submission deadline to register to speak at a Public Hearing;
- b. written submissions received either by administration or Councillors after the deadline noted in section 29.9(a) will not be considered by Council at the Public Hearing; and
- c. written submissions must include the name of the person making the submission.

4. A new subheading titled "Public Hearing Procedure" is inserted immediately above section 30.1.

5. Section 30.5 is amended by:

- a. deleting subsection 30.5(a) in its entirety and replacing it with the following:
 - a. the Chair will declare the Public Hearing open and advise of the process to be followed;
- b. deleting subsection 30.5(e) in its entirety and replacing it with the following:
 - e. the Chair will then call upon those who have properly registered with Legislative Services in accordance with the procedures outlined in this bylaw, in the order in which they registered to speak;
- c. adding a new subsection 30.5(e.1) immediately after subsection 30.5(e) as follows:
 - e. 1 immediately prior to any verbal presentation made by an Agent, the Chair will read out which members of the public are being represented by the Agent;
- d. deleting subsection 30.5(f) in its entirety and replacing it with the following:
 - f. Groups and individuals, including Agents who have registered to represent four

or fewer other affected parties in accordance with this bylaw, shall be allotted a maximum of five minutes to make their presentations. Agents who have registered for represent at least five other affected parties in accordance with this bylaw shall be allotted a maximum of ten minutes to make their presentations. Council may at any time during a Public Hearing pass a motion to extend time limits. Presenters may enhance their presentations by circulating or providing a report containing more detailed information;

e. deleting the words "of the members of the public who have come forward to speak to the bylaw" in subsection 30.5(g) and replacing them with "of persons who have addressed Council at the Public Hearing, at the conclusion of each presentation;" and

f. deleting subsections 30.5(h), 30.5(i), 30.5(j), and 30.5(k) in their entirety and replacing them with the following:

h. once Council has heard from all persons who registered to speak and made a presentation, a Councillor may ask questions of administration on any matter raised in a presentation that was not answered to the Councillor's satisfaction in previous questioning.

i. the Chair will ask if there is any person registered to speak who wishes to address New Information. Any such person will be given up to three minutes to do so, and must not use this second speaking opportunity only to repeat points they have previously made;

j. the procedures in sections 30.5(g), 30.5(h) and 30.5(i) will be repeated until no further Councillor questions remain and no further requests by registered speakers are made to address anything said by another registered speaker; and

k. when all verbal presentations by registered speakers have been heard and all questions by Councillors have been answered, the Chair will ask for a motion to Close the Public Hearing or Adjourn the Public Hearing until a later meeting of Council.

6. A new section 30.51 is added immediately after section 30.5 as follows:

30.51 The Chair may, in their discretion, cut off speakers who are redundant, rude, inflammatory, or otherwise disturb the Public Hearing.

7. The "Communications" heading is deleted and replaced with "Electronic Meeting Format".

8. Section 34.1 is deleted in its entirety and replaced with the following:

34.1 All meetings of Council, including Public Hearings, Committee of the Whole, and Standing Committees may be conducted electronically according to the provisions of the Act and associated regulations, and policies and procedures adopted by Council.

9. A new section 34.2 is added immediately after section 34.1 as follows:

34.2 Presenters and speakers at meetings of Council, including Public Hearings, Committee of the Whole, and Standing Committees must not make use of the chat feature while in the meeting. Use of the chat feature by speakers or presenters during a meeting of Council, including Public Hearings, Committee of the Whole, or Standing Committee may result in an individual being removed from the meeting.

Amending Bylaw 27-2022:

Various amendments were directly related to the repealing of the Community Living Standing Committee Bylaw 39-2019 and the Community Growth and Infrastructure Standing Committee Bylaw 40-2019.

PROCEDURE BYLAW 24-2022 (Repealed Bylaw 03-2018)

Amending Bylaw 11-2023:

2. Section 24 is amended by:

a. Adding the following phrase immediately after the word "Officer" and before the word "regarding" in subsection 24(i):

"in the preparation and continued development of a matter being reviewed by the Committee of the Whole or Standing Committee of the Whole, including but not limited to";

b. Deleting the word "and" from the end of subsection 24(i)(ii);

c. Adding the word "and" after the semicolon in subsection 24(i)(iii); and

d. Adding a new subsection 24(i)(iv) as follows:

"(iv) guidance on development of plans, including concepts and design plans;"

3. Section 31 is amended by adding the phrase "Subject to section 24," immediately before the phrase "Committee of the Whole".

4. A new section 31.1 is added as follows:

“31.1 Further to section 31, Standing Committee of the Whole may make a Motion to approve minutes from previous Meetings of the Standing Committee of the Whole.”

5. Section 59 is amended by adding the following phrase immediately after the words “regular Agenda”:

“, and the Member shall provide rationale for removing the matter from the Consent Agenda to Administration at the time of removal.”

6. Section 119 is amended by:

a. Adding the phrase “or a regular Standing Committee of the Whole Meeting” immediately after the phrase “regular Council Meeting” in subsection 119(1);

b. Adding the phrase “or Standing Committee of the Whole” immediately after the word “Council” in subsection 119(2);

c. Adding the following phrase immediately after the word “Agenda” in subsection 119(6):

“, and if the date is stated, then the Member must provide the rationale for the date chosen when the Notice of Motion is presented in accordance with subsection 119(3)(b).”

d. Deleting the word “21” in section 119(9) and replacing it with the word “20”.

7. Subsection 3(f) of Schedule A (Agenda Planning Process) is amended by adding the following phrase immediately after the word “required”:

“when a date for a Notice of Motion has not been specified by a Member”.

8. A new subsection 8(4) is added to Schedule E (Public Hearings) as follows:

“8(4) If, during the course of a verbal presentation, a presenter makes a PowerPoint presentation or provides documentation to Members which had not previously been submitted in accordance with section 7 of Schedule E, the Clerk will collect those documents and ensure they form part of the record pertaining to the Public Hearing after the close of the Public Hearing.”

9. Section 8 of Schedule F (Public Presentations) is amended by deleting the word “and” immediately before the phrase “their topic” and adding the following phrase immediately after the word “topic”:

“, and the outline and purpose of their presentation”.

9.1 Section 9 of Schedule F (Public Presentations) is amended by deleting subsection 9(a) and replacing it with the following:

“the Mayor will invite the presenter to state their name and municipality of residence, and to make their presentation on their topic not on the Agenda;”

9.2 Section 7 of Schedule F (Public Presentations) is amended by deleting subsection 7(c) and replacing it with the following:

“the Mayor may invite any interested member in the public gallery to speak to the Agenda item. The speaker will provide their name and municipality of residence;”

9.3 Section 65(a) is amended by deleting the phrase “which shall not be more than 5 minutes in length unless a time extension is granted by the Chair.”

CITY OF ST. ALBERT

BY-LAW NO. 25/81

Being a by-law of the City of St. Albert to regulate the proceedings of the Council.

Whereas pursuant to Section 117 of The Municipal Government Act, it is deemed desirable to establish rules and provisions to regulate the conduct of business in Council meetings, to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, correspondence and other submissions to the Council;

Now Therefore the Council of the City of St. Albert, hereby enacts as follows:

1. This by-law may be cited as "The Procedure By-law".
2. In this by-law:
 - (1) "Agenda" is the list of items and orders of business for any meeting of Council;
 - (2) "Acting Mayor" is the member selected by Council to preside at any meeting of Council in the absence or incapacity of both the Mayor and the Deputy Mayor;
 - (3) "Administration Committee" is an in-camera meeting of Council, chaired by the Deputy-Mayor;
 - (4) "By-law" is a by-law of the City;
 - (5) "City" is the Corporation of the City of St. Albert;
 - (6) "City Clerk" is the Municipal Secretary appointed by Council pursuant to The Municipal Government Act and any person designated by Council to perform the duties of the Municipal Secretary;
 - (7) "Chairman" is the person presiding at meetings of Council;
 - (8) "City Manager" is the person appointed by Council pursuant to The Municipal Government Act;
 - (9) "Council" is the Mayor and Aldermen of the City of St. Albert being elected pursuant to the provisions of The Municipal Government Act;
 - (10) "Deputy-Mayor" is the member who is appointed pursuant to Section 38 to act as Mayor in the absence or incapacity of the Mayor;
 - (11) "Mayor" is the Head of Council elected in accordance with The Municipal Government Act;
 - (12) "Member" is a member of Council;
 - (13) "Point of Information" is a request directed to the Mayor or through the Chair to another member or to staff, for information relevant to the business at hand, but not related to a point of procedure;
 - (14) "Point of Order" is the raising of a question by a member to call attention to any departure from The Procedure By-law;

Definitions

BY-LAW NO. 25/81

REPEALED
BY BYLAW 12/99

.../2

- (15) "Point of Procedure" is a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council 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;
- (16) "Public Hearing" is a meeting of Council convened to hear matters pursuant to
 - (a) The Planning Act,
 - (b) any other act,
 - (c) any other matter at the direction of Council;
- (17) "Question Period" is that period set aside prior to adjournment when specific questions may be asked by members;
- (18) "Question of Privilege" refers to all matters affecting the rights and immunities of the Council collectively or the position and conduct of members in their representative character as elected representatives;
- (19) "Quorum" is a majority of those members elected and serving on Council;
- (20) "Recorded Vote" is the calling for the yeas and nays of all members by any member of Council;
- (21) "Special Purpose Body" is a committee, board, commission or authority duly appointed by Council.

Application

- 3. This by-law shall govern the proceedings of Council.
- 4. When any matter relating to the proceedings of Council is not addressed in this by-law, reference shall be made to Robert's Rules of Order, which rule(s) if applicable shall apply.
- 5. In the event of conflict between the provisions of this by-law and Robert's Rules of Order, the provisions of this by-law shall apply.
- 6. (1) Any provision of this by-law may be repealed, amended or varied and additions may be made by a two-thirds vote, provided that notice of proposed amendments has been given at a preceding regular meeting;
- (2) Notwithstanding the above, and in the absence of any statutory obligation, any provision of this by-law may be waived by resolution of Council, provided two-thirds of all the members of Council vote in favour thereof, to deal with a matter under consideration.

Section 7 amended by passage of By-law 37/83 on December 12, 1983.

Seating Arrangements

- 7. Seating arrangements for Council Members shall be designated in alphabetical order, except for the Mayor who shall be seated in the centre.

Public Conduct

- 8. No person, except members of the Council, the Clerk and persons authorized shall be allowed to come within the enclosure formed by the members' chairs during the meetings of Council without permission from the Chairman.

Deputy Mayor

- 9. Subject to the Municipal Government Act, By-law 16/80, and to the provisions hereinafter provided, only a member of council shall be allowed to address Council.
- 10. Council, at its organizational meeting, shall establish a roster of Deputy Mayors, each to be appointed for a two month period commencing in November.

11. In the absence or inability of the Mayor or Deputy Mayor to act,
- (1) the next Deputy Mayor as Acting Mayor, shall assume the Chair; or
 - (2) Council may appoint any other member as Acting Mayor.
12. As soon as there is a quorum of Council after the hour fixed for the meeting, the Chairman shall take the Chair and call the members to order.
13. Unless a quorum is present within thirty (30) minutes after the time appointed for the meeting of the Council, the Council shall stand adjourned until the next regular meeting date or until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting. The Clerk shall record the names of the members present at the expiration of the thirty (30) minute time limit and such record shall be appended to the next Agenda.
14. (1) The regular meetings of Council shall be established by resolution, at the annual organizational meeting;
- (2) In the case where a regular meeting conflicts with a statutory holiday, the regular meeting shall be held on the first working day thereafter.
15. Every regular meeting of Council shall commence at 7:30 p.m. in the Council Chambers.
16. The Mayor may call special meetings of Council whenever he considers it expedient to do so.
17. Written notice of a special meeting stating the time and place at which it is to be held and stating in general terms the nature of the business to be transacted thereat, shall be provided to the members not less than twenty-four (24) hours in advance of the meeting.
18. The Mayor may call a special meeting of Council upon such shorter notice, either oral or written, as he considers sufficient, however no such special meeting may be held until at least two-thirds (2/3) of the members of Council give their consent in writing to the holding of the meeting.
19. No business other than that stated in the notice shall be transacted 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.
20. Where a special meeting is requested by a majority of Council, the Mayor shall call such meeting within fourteen (14) days of the date on which the request in writing was delivered to the Mayor.
21. An organizational meeting of Council shall be held annually, pursuant to the Municipal Government Act.
22. The City Clerk shall fix the time and place of the organizational meeting.
23. The agenda for the organizational meeting shall be restricted to:
- (1) the administration of the oath and the introduction of new members, should the meeting follow the general municipal election;

- (2) the establishment of the regular meeting dates for Council and its standing committees;
- (3) when the meeting is preceded by the general municipal election, the appointment of:
 - (a) the Nominating Committee comprised of the Mayor and two Aldermen to recommend the appointment of Council Members to the special purpose bodies on which Council has representation, and
 - (b) the Selection Committees comprised of the Mayor and three Aldermen to recommend the appointment of residents to the special purpose bodies established by Council;
- (4) when the meeting is not preceded by the general municipal election, the appointment of members to the special purpose bodies established by Council or on which Council has representation;
- (5) appointment of the Deputy Mayor;
- (6) any such other business as is required by The Municipal Government Act.

Appointments

24. The Selection Committees in reporting the annual membership list for the special purpose bodies shall make such report to the Administration Committee for subsequent recommendation to Council.
25. When the Mayor has been elected at an election immediately preceding the meeting, the City Clerk shall
 - (1) take the Chair;
 - (2) call the meeting to order; and
 - (3) preside over the meeting until the oath as prescribed by The Oaths of Office Act has been administered to the Mayor.
26. After the Mayor has taken the oath and assumed the Chair, the Aldermen who have been elected at an election immediately preceding the meeting shall take the official oath as prescribed by the Oaths of Office Act.

Agenda

27. The Agenda shall be prepared by the City Clerk in conjunction with the Mayor and City Manager.
28. All items for the Agenda shall be delivered in writing to the Clerk by 12:00 noon on the Wednesday preceding the meeting of Council, unless a specific procedure stipulates otherwise.
29. The Clerk shall have prepared for the use of members, an Agenda listing the following Order of Business:
 - (1) Delegations:

commencing at 7:30 p.m. a maximum 15 minute period shall be allocated equally among persons present who wish to address Council and who have no appointment;
 - (2) Adoption of Agenda;

(3) Appointments:

a person, or group, wishing to address Council, may send a letter or other communication to the City Clerk, requesting an appointment. The communication shall state clearly and legibly the matter at issue and the request made of Council in respect thereof;

(4) Public Hearings:

any person, or group, wishing to address Council regarding a matter which is the subject of a public hearing, may attend at the Council Chamber at the appointed time and shall be heard;

(5) Adoption of previous minutes;

(6) Reports:

the recommendations of Council's special purpose bodies shall be presented;

(7) Statement of Accounts;

(8) By-laws;

(9) New and unfinished business including matters arising from appointments, staff reports, referred items and motions, notice of which has been given at a previous meeting;

(10) Question period during which members may place questions of the administration or introduce a notice of motion;

(11) Adjournment.

Chairman

30. The Mayor shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any member of Council from any ruling of the Chair.

31. When the Mayor wishes to participate in the debate on a question or motion properly before Council, he shall vacate the Chair and request the Deputy Mayor or Acting Mayor to assume the chair.

Member Debating

32. A member shall not speak more than once on a matter without leave of Council, except:

(1) in explanation of a material part of the speech which may have been misunderstood; or

(2) in reply after everyone else wishing to speak has spoken, provided that member has presented the motion to Council.

33. (1) Through the Chairman, a member may ask for an explanation of any part of the previous speaker's remarks;

(2) Through the Chairman, a member may ask questions to obtain information relating to the minutes presented to Council, or to any clause contained therein, at the commencement of the debate on the minute or clause.

34. A member shall not:

(1) use offensive words or unparliamentary language in Council;

- (2) disobey the rules of the Council or decision of the Chairman or of Council on questions of order or practice, or upon the interpretation of the rules of Council;
- (3) leave his seat or make any noise or disturbance while a vote is being taken and the result is declared;
- (4) enter the Council Chamber while a vote is being taken;
- (5) interrupt a member while speaking, except to raise a point of order or question of privilege;
- (6) pass between a member who is speaking and the Chair.

- 35. (1) A member who persists in a breach of the foregoing section, after having been called to order by the Chairman may at the discretion of the Chair be ordered to leave his seat for the duration of the meeting;
- (2) At the discretion of the Chair, the member may resume his seat following an apology.

- 36. A member who wishes to leave the meeting of Council prior to adjournment shall so advise the Chairman and the time of departure shall be noted in the minutes.

Questions of Privilege

- 37. A member who desires to address Council upon a matter which concerns the rights or privileges of the Council collectively, or of himself as a member thereof, shall be permitted to raise such question of privilege. A question of privilege shall take precedence over other matters. While the Chairman is ruling on the question of privilege, no one shall be considered to be in possession of the floor.

Points of Order

- 38. (1) A member who desires to call attention to a violation of the rules of procedure shall ask leave of the Chairman to raise a point of order. When leave is granted, the member shall state the point of order with a concise explanation and shall attend the decision of the Chairman 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;
- (2) A member called to order by the Chairman shall immediately vacate the floor until the point of order is dealt with, and shall not speak again without the permission of the Chairman unless to appeal the ruling of the Chair.

Appeal Ruling

- 39. (1) The decision of the Chairman shall be final, subject to an immediate appeal by a member of Council;
- (2) If the decision is appealed, the Chairman shall give concise reasons for his ruling and Council, without debate, shall decide the question; the ruling of Council shall be final.

Motions
- General

- 40. Every motion, when moved and presented to the Chairman is the property of Council; a motion may only be withdrawn with the unanimous consent of Council.
- 41. Any member may require the motion under discussion to be read at any time during the debate, except when a member is speaking.
- 42. (1) The mover of a motion must be present when the vote on the motion is taken;

- (2) When a matter is under debate, no motion shall be received other than a motion
- (a) to table (postpone indefinitely),
 - (b) that the vote now be taken (question),
 - (c) to refer,
 - (d) to defer,
 - (e) to amend,
- which order shall be the order of precedence.
43. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
- Refer 44. (1) A motion to refer shall require direction as to the person or group to which it is being referred and is debatable;
- Defer (2) A motion to defer must include a reason for deferral and is debatable.
- Table (Postpone Indefinitely) 45. A motion to table (postpone indefinitely) may be made when a Member of Council wishes Council to decline to take a position on the main question. The motion is not debatable and when passed may be resurrected by a motion to "raise from the table".
- Amendment 46. (1) Only one amendment at a time shall be presented to the main motion and only one amendment shall be presented to the amendment; when the amendment to the amendment has been disposed of, another may be introduced and when an amendment has been decided, another may be introduced. In this latter case the amendment to the main motion shall not be withdrawn until the amendment to the amendment has been withdrawn or defeated. The amendment shall be similar in import to the question which it is proposed to amend, but with sufficient variance to constitute a new question;
- (2) The amendment to the amendment, if any, shall be voted upon first and if no other amendment to the amendment is presented, the amendment shall be voted upon; if any amendment is carried, the main motion as amended shall be put to the vote;
 - (3) Nothing in this section shall prevent other proposed amendments being read for the information of the members.
- Separation 47. When the question under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any member, be taken separately.
- Reconsideration 48. (1) After a motion has been voted upon, and before moving to the next item on the Agenda, any member who voted with the prevailing side may move for reconsideration;
- (2) Reconsideration shall then be open to debate, voted upon and shall require the votes of a majority of members present to pass;
 - (3) If a motion for reconsideration is moved at a subsequent meeting by a member who voted with the prevailing side, it shall be preceded by a Notice of Motion and shall require a two-thirds vote of the members present to carry;
 - (4) No matter shall be reconsidered more than once in the same calendar year.

Notice of
- Motion

49. If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date; debate on the matter to be reconsidered shall proceed as though it had not previously been voted upon.

50. Debate on a motion for reconsideration must be confined to reasons for or against reconsideration.

51. A notice of motion for reconsideration of any decided matter shall not operate to stop or delay action on the decided matter unless the Council by a two-thirds vote of the members present shall so direct.

52. (1) A notice of motion may be received by the Clerk prior to the closing of the Council meeting. In this event, the member shall read the notice of motion which shall be recorded in the minutes and shall form part of the Agenda for the subsequent Council meeting.

(2) A member may present a Notice of Motion for consideration at the next meeting by proceeding in accordance with Section 28.

53. A member who hands a written notice of motion to the Clerk to be read at any regular council meeting, need not necessarily be present during the reading of the notice.

54. A motion, notice of which has been given, if not moved on the day and at the meeting for which notice has been given, cannot be moved at any subsequent meeting without notice being given on the Agenda for such meeting.

- New Matter

55. A motion for introducing new matter shall not be presented without notice, unless Council without debate, dispenses with such notice by a two-thirds vote.

Voting
- Question

56. When a motion that the vote now be taken (question) is presented, it shall be put to a vote without debate and if carried by a two-thirds vote of the members present, the motion and any amendments thereto shall be submitted to a vote immediately, without further debate.

57. When the Chairman having ascertained that no further information is required, commences to take a vote, no member shall speak to or present another motion until the vote has been taken on such motion, amendment or amendment to the amendment.

- Conflict

58. (1) A member who has any direct or indirect interest in a matter which is before Council shall so declare and shall abstain from debate and voting on the matter.

- Refusal

(2) Each member present at a meeting of Council shall vote when the vote is taken on a matter, unless prohibited from so doing by statute; a member present refusing to vote shall be deemed as voting in the negative;

- Tie Vote

(3) A motion shall be declared lost when it does not receive the required number of votes or receives an equal division of votes.

- Recorded Vote

59. When a member requests a recorded vote, all members present, unless prohibited by statute, shall vote in alphabetical order, except the Mayor who shall vote last. The names of those who voted for and others who voted against, shall be noted in the minutes. The Clerk shall announce the results.

60. A member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken by the Clerk.

Adjournment

61. A motion to adjourn the Council shall be in order except:
- (1) when a member is in possession of the floor; or
 - (2) when it has been decided that the vote be now taken; or
 - (3) during the taking of a vote;
- and no second motion to adjourn shall be in order until an intermediate proceeding has taken place.
62. (1) Council shall adjourn at the hour of 11:00 p.m., if in session at that hour, unless otherwise determined by a majority vote of the members present;
- (2) The proceedings of Council shall terminate at the hour of 12:00 midnight, unless such proceedings be continued past that hour with the unanimous consent of all members present.
63. Members shall not leave their places on adjournment until the Chairman vacates the Chair.

By-laws

64. Where a by-law is presented to Council for enactment, the City Clerk shall cause the number and short title of the by-law to appear on the Agenda.

- General

65. A by-law shall be introduced for first reading by a motion that the by-law, specifying its number and short title, be read a first time.
66. When a by-law is not subject to a Statutory Public Hearing:
- (1) Council shall vote on the motion for first reading of a by-law without amendment or debate;
 - (2) a member may ask a question or questions concerning the by-law, provided such questions do not indicate the member's opinion for or against the by-law;
 - (3) a by-law shall be introduced for second reading by a motion that it be read a second time, specifying the number of the by-law;
 - (4) after a motion for second reading of the by-law has been presented, Council may
 - i) debate the substance of the by-law, and
 - ii) propose and consider amendments to the by-law;
 - (5) a proposed amendment shall be put to a vote and if carried shall be considered as having been incorporated in the by-law at second reading;
 - (6) when all amendments have been accepted or rejected, a motion for second reading of the by-law shall be placed.

- Statutory Hearings

67. (1) A by-law which has been initiated by a group or individual exercising statutory rights and which requires a public hearing shall be introduced by a motion for first reading which shall be voted upon without amendment and if carried, a public hearing date shall be established;
- (2) Following the public hearing, a motion for second reading may be presented and Council may
 - i) debate the substance of the by-law, and
 - ii) propose and consider amendments to the by-law;

- (3) A proposed amendment shall be put to a vote and if carried shall be considered as having been incorporated into the by-law at second reading;
- (4) When all amendments have been dealt with, the motion for second reading of the by-law shall be placed.
68. (1) Except for by-laws identified in Section 67, a by-law which requires a statutory public hearing shall be presented on a motion for first reading. Council may at this point
- (a) debate the substance of the by-law, and
- (b) propose and consider amendments to the by-law;
- (2) A proposed amendment shall be put to a vote and if carried shall be considered as having been incorporated into the by-law at first reading;
- (3) When all amendments have been dealt with, the motion for first reading of the by-law shall be placed;
- (4) Following the public hearing, a motion for second reading may be placed and further amendments presented.
- Three Readings 69. A by-law shall not be given more than two readings at one meeting unless the members present at the meeting unanimously agree that the by-law may be presented to council for third reading at the same meeting at which it received two readings.
70. When Council unanimously agrees that a by-law may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the by-law than if it had received third reading at a subsequent meeting.
71. A by-law shall be passed when a majority of the members present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
- Reconsideration 72. A by-law which has been defeated at any stage shall be subject to a motion to reconsider and Section 48 shall apply.
73. When a by-law has been given three readings by Council it is
- (1) a municipal enactment of the City; and
- (2) effective immediately unless the by-law or an applicable provincial statute provides otherwise.
74. After passage, a by-law shall be signed by the Mayor or by the member presiding at the meeting at which the by-law was passed, and by the City Clerk and shall be impressed with the corporate seal of the City.

READ a first time this 6th day of July, A.D. 1981

READ a second time this 9th day of November, A.D. 1981

READ a third and final time this 9th day of November, A.D. 1981.


MAYOR


CITY CLERK

CITY OF ST. ALBERT

BY-LAW NO. 37/83

Being Amendment No. 1 to the Procedure By-law
No. 25/81.

WHEREAS Council on the 9th day of November, 1981 passed By-law
No. 25/81 being the Procedure By-law; and

WHEREAS Council deems it desirable to amend the method of allocating
the seating of Council Members;

NOW THEREFORE the Municipal Council of the City of St. Albert hereby
ENACTS AS FOLLOWS:

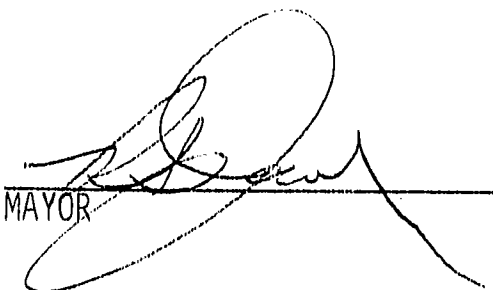
That By-law No. 25/81 be amended by deleting Section 7 in its
entirety and substituting therefor the following:

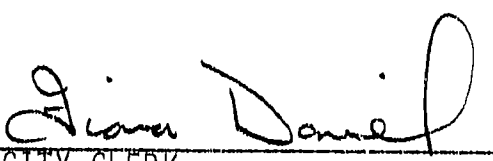
"Prior to the Organizational Meeting in each General
Election year, the Aldermen shall determine the order of
seating by lot. The Mayor shall be seated in the centre."

READ a first time this 5th day of December, A.D. 1983;

READ a second time this 5th day of December, A.D. 1983;

READ a third and final time this 12th day of December, A.D. 1983.


MAYOR


CITY CLERK

CITY OF ST. ALBERT

BY-LAW NO. 24/86

Being Amendment No. 2 to Procedure By-law
No. 25/81.

WHEREAS Council on the 9th day of November, 1981 passed By-law No. 25/81 being the Procedure By-law; and

WHEREAS amendments to the Municipal Government Act under Bill 38 which received Royal Assent on September 18, 1986 necessitate amendments to the Procedure By-law; and

WHEREAS Council on October 7, 1986 after giving due notice and with the necessary majority, passed a resolution to amend Section 29 of the Procedure By-law;

NOW THEREFORE the Municipal Council of the City of St. Albert, hereby ENACTS AS FOLLOWS:

That By-law No. 25/81 being the Procedure By-law be amended as follows:

- | | |
|-----------------|---|
| Introduction | 1. That the introductory paragraph be amended by deleting therefrom "Section 117 of". |
| Agenda | 2. That Section 29 be amended by the introduction of the following subsection: "(8) Development Agreements In this section shall be placed Development Agreements and Capital Recreation Contribution Agreements." and by renumbering the balance of Section 29. |
| By-laws | 3. That Section 64 be amended by adding the following subsection: "(2) When third reading of a by-law is not received within two years of the date of first reading, all previous readings are deemed to be rescinded." |
| Reconsideration | 4. That Section 72 be deleted in its entirety and the following substituted therefor: "72. (1) A by-law which has been defeated at first or second reading may be subject to a motion to reconsider and Section 48 shall apply. |

- (2) When a by-law is defeated at third reading, the first reading and second reading are deemed to be rescinded and the by-law is not eligible for reconsideration."

READ a first time this 15th day of December, A.D. 1986.

READ a second time this 15th day of December, A.D. 1986.

READ a third and final time this 15th day of December, A.D. 1986.


MAYOR


CITY CLERK

CITY OF ST. ALBERT

BYLAW 12/99

A bylaw to set the procedures of Council.

See consol.

PURPOSE

Whereas the principles of good government:

- (a) require effective decision making in a courteous environment;
- (b) recognize the right of the majority to decide while respecting the right of the minority to be heard; and
- (c) facilitate public input,

COUNCIL HEREBY ENACTS AS FOLLOWS:

TITLE

- 1.1 This bylaw may be called the Procedure Bylaw.

DEFINITIONS

- 2.1 In this bylaw,
 - 2.1.1 "Act" means the *Municipal Government Act*;
 - 2.1.2 "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting;
 - 2.1.3 "chief administrative officer" means the chief administrative officer or the delegate of the chief administrative officer;
 - 2.1.4 "City" means the City of St. Albert;
 - 2.1.5 "legislative officer" means an employee of the City assigned to the council secretariat;
 - 2.1.6 "peace officer" means a peace officer as defined in the *Police Act*;
 - 2.1.7 "public hearing" means a public hearing that council is required to hold under the *Municipal Government Act* or another enactment;
 - 2.1.8 "public meeting" means a meeting of council or committee of the whole at which members of the public are invited to make submissions to council, but which is not a public hearing;

- 2.1.9 "recess" means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting.
- 2.1.10 "table" means to postpone a matter to a later meeting.

APPLICATION AND INTERPRETATION

- 3.1 This bylaw shall apply to all meetings of council and committee of the whole.
- 3.2 Council may by resolution make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
- 3.3.1 any reference to the mayor shall be treated as a reference to the chair of the council committee;
- 3.3.2 any reference to an alderman or council member shall be treated as a reference to a member of the council committee; and
- 3.3.3 any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Municipal Government Act* or this bylaw, council shall have regard to Robert's Rules of Order & Parliamentary Procedure.
- 3.5 The precedence of the rules governing the procedure of council is:
- 3.5.1 the MGA;
- 3.5.2 other provincial legislation;
- 3.5.3 this bylaw; and
- 3.5.4 Robert's Rules of Order & Parliamentary Procedure.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if each council member present votes in favour of the resolution.

ORGANIZATIONAL MEETINGS

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 At the organizational meeting, council shall establish by resolution for the forthcoming year:
- 4.2.1 the roster for each alderman to act as deputy mayor for a two month period on a rotating basis;

- 4.2.2 the roster for aldermen to serve on the nominating committee on a rotating basis;
- 4.2.3 the dates, time of commencement and adjournment and place of the regular council meetings and the regular committee of the whole meetings; and
- 4.2.4 the edition of Robert's Rules of Order and Parliamentary Procedure that will be used by council.

INAUGURAL MEETING

- 5.1 The organizational meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2 The mayor and each alderman shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 5.3 Until the mayor has taken the oath of office, the legislative officer shall chair the inaugural meeting.

COUNCIL SEATING

- 6.1 The mayor shall occupy the seat at the centre of the council table.
- 6.2 The seats of the aldermen shall be chosen by lot at the inaugural meeting.

QUORUM

- 7.1 Quorum of council is a majority of council members.
- 7.2 If quorum is not achieved 15 minutes after the time the meeting was scheduled to begin, the legislative officer will document the names of those who are present and the meeting will be adjourned to the next regular meeting date or to a special meeting date.
- 7.3 If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

DUTIES OF OFFICIALS

DUTIES OF THE MAYOR

- 8.1 The mayor shall:
 - 8.1.1 open and adjourn council meetings;
 - 8.1.2 chair council meetings;
 - 8.1.3 preserve order and decorum in council meetings;

- 8.1.4 decide all questions of procedure;
- 8.1.5 ensure that each alderman who wishes to speak on a debatable motion is granted the opportunity to do so;
- 8.1.6 determine the speaking order when two or more aldermen or others wish to speak; and
- 8.1.7 decide who aside from aldermen may address council.

DUTIES OF DEPUTY MAYOR

- 9.1 Each alderman shall act as deputy mayor for the two-month period assigned to that alderman at the organizational meeting.
- 9.2 The deputy mayor shall chair council when the mayor is absent or unable to act as mayor and shall have all the powers and responsibilities of the mayor under this bylaw.
- 9.3 In the absence or inability of the mayor and deputy mayor to act, the next alderman scheduled to be deputy mayor on the roster shall assume the chair of council and shall have all the powers and responsibilities of the mayor under this bylaw.

DUTIES OF CHIEF ADMINISTRATIVE OFFICER

- 10.1 The chief administrative officer shall, subject to the Act:
 - 10.1.1 provide council with information and advice with respect to the operation of the City; and
 - 10.1.2 when requested, provide information and advice to the mayor and council on procedural matters in council.

DUTIES OF THE LEGISLATIVE OFFICER

- 11.1 A legislative officer shall:
 - 11.1.1 record minutes of the meetings of council under the direction of the chief administrative officer;
 - 11.1.2 assist council by providing secretariat functions for council meetings and meetings of the committee of the whole;
 - 11.1.3 receive proposed motions and ensure that they are made available to each council member; and
 - 11.1.4 review proposed bylaws to ensure compliance with this bylaw and to advise the proponent and council of the existence of complementary and conflicting provisions in other bylaws.

THE CONDUCT OF A COUNCIL MEETING

AGENDA

- 12.1 The proposed agenda for each council meeting shall be established by the agenda committee comprised of the mayor, the deputy mayor, a legislative officer and the chief administrative officer.
- 12.2 The proposed agenda shall include all motions received in accordance with section 17.1.
- 12.3 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to any amendment that council may approve.
- 12.4 The order of business at a council meeting shall be the order of the items on the agenda.

RULES GOVERNING DEBATE

- 13.1 All discussion at a meeting of council shall be directed through the mayor.
- 13.2 Unless otherwise provided by resolution, a council member may speak only:
 - 13.2.1 once on any motion; and
 - 13.2.2 once on any amendment to a motion.
- 13.3 Notwithstanding 13.2
 - 13.3.1 a council member may ask questions of the administration or a council member on any motion or amendment to a motion;
 - 13.3.2 a council member may speak to answer questions put by council members; and
 - 13.3.3 an alderman who has made a motion may speak a second time immediately before the end of the debate.
- 13.4 When an alderman wishes to leave the council chamber while a meeting of council is in progress:
 - 13.4.1 the alderman shall await the formal acknowledgement of the mayor before leaving; and
 - 13.4.2 the legislative officer shall record the time of the alderman's departure and return, if any, in the minutes.
- 13.5 If a council member is in a conflict of interest under the *Municipal Government Act*, that member shall immediately get the attention of the mayor, state that the member is in a conflict, the reason for the conflict and leave the meeting.
- 13.6 Where a council member has left the meeting under section 13.5,
 - 13.6.1 if council amends the motion before it, council shall recess to allow the legislative officer to endeavour to advise the member of the amendment so that the member may determine whether that member remains in a conflict of interest, and

- 13.6.2 council shall not consider any other agenda item until the legislative officer has endeavoured to advise that member that there is a new agenda item before the meeting.
- 13.7 In order to ensure that quorum is not lost, the mayor may recess the meeting briefly if a council member wishes to leave but intends to return.
- 13.8 Subject to section 172 of the *Municipal Government Act*, no council member shall leave the council chamber after a question is put to a vote until the vote is taken.
- 13.9 An alderman who is speaking may be interrupted by the mayor if:
- 13.9.1 the alderman is out of order; or
- 13.9.2 the matter being addressed by the alderman is outside the jurisdiction of council.
- 13.10 A council member who is speaking may only be interrupted by another council member on:
- 13.10.1 a question of privilege; or
- 13.10.2 a point of order.
- 13.11 The council member who is speaking when a point of order or privilege is raised shall cease speaking immediately.
- 13.12 The mayor may grant permission
- 13.12.1 to the alderman raising the point to explain the point briefly, and
- 13.12.2 to the alderman who was speaking to respond briefly,
- but otherwise a point of order or privilege is not debatable or amendable.
- 13.13 The mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by an alderman to the ruling.
- 13.14 The mayor may seek advice from the chief administrative officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the council.

CHALLENGING THE MAYOR

- 14.1 Any alderman may challenge the decision of the mayor on a point of order or privilege.
- 14.2 If a decision of the mayor is challenged, the mayor shall briefly state the terms of the mayor's decision and the point of the challenge and then put the question to council.
- 14.3 The council shall decide the challenge without debate by voting.
- 14.4 The decision of council on the challenge is final.

- 14.5 If the mayor refuses to put the challenge to council, council may request the deputy mayor to assume the chair and to put the challenge to council in accordance with the provisions of sections 14.2 to 14.4, and the resulting vote is as binding as if conducted under the mayor and the mayor shall abide by the result.

MAINTAINING ORDER IN COUNCIL

ORDER IN COUNCIL CHAMBERS - COUNCIL

- 15.1 The mayor may call to order any alderman who is out of order.
- 15.2 An alderman who is called to order must cease talking or otherwise engaging in the activity specified by the mayor in the call to order.
- 15.3 When an alderman has been called to order but persists in breaching the order of council, the mayor may name the alderman and declare the offense.
- 15.4 The legislative officer must note the offense in the minutes.
- 15.5 If an alderman who has been named:
- 15.5.1 apologizes to council and withdraws the offensive statement or action, then
 - 15.5.1.1 that alderman may remain and continue to participate in the meeting; and
 - 15.5.1.2 the mayor may direct that the notation of the offense be removed from the minutes; or
 - 15.5.2 fails or refuses to apologize and withdraw the offensive statement or action then that alderman is expelled and must leave council chambers immediately.
- 15.6 No alderman shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 15.7 An alderman who is called to order or named may immediately thereafter challenge the ruling of the mayor.
- 15.8 A challenge shall be briefly stated.
- 15.9 When there is a challenge to the ruling of the mayor all further debate shall cease, and
- 15.9.1 the mayor shall briefly state the ruling made and the basis of the challenge; and
 - 15.9.2 council shall decide the challenge without debate.
- 15.10 The decision of council on a challenge is final.

ORDER IN COUNCIL CHAMBERS - THE PUBLIC

- 16.1 Only the mayor, aldermen, the chief administrative officer, legislative officers and employees authorized by the chief administrative officer may be present on the floor of council.
- 16.2 A person not listed in section 16.1 may be present on the floor of council if that person has first received the approval of the mayor.
- 16.3 The chief administrative officer or an employee authorized by the chief administrative officer may address the council from the floor of council if recognized by the mayor.
- 16.4 A person not listed in section 16.1 may address council from the public gallery with permission of the mayor.
- 16.5 No person present in the gallery or on the floor of council chambers shall cause any disturbance or interrupt any speaker or action of the council.
- 16.6 The mayor may call any person on the floor or in the gallery who has created a disturbance to order and may expel that person from the council chamber.
- 16.7 An alderman, employee of the City or member of the public who refuses to leave the council chamber upon the order of the mayor may be removed by a peace officer.

RULES FOR MOTIONS

MOTIONS

- 17.1 Unless council agrees otherwise or the motion is a recommendation from the committee of the whole, a motion to be made at a council meeting must be given to the legislative officer in writing at least 7 days before the council meeting at which the motion is to be considered.
- 17.2 At least three days before a regularly scheduled meeting of council, a legislative officer shall make all motions filed under section 17.1 available to the council members.
- 17.3 Section 17.1 does not apply to any of the motions set out in section 17.8.
- 17.4 No matter may be debated or voted on by council unless it is in the form of a motion.
- 17.5 Council shall consider only one motion at a time.
- 17.6 After a motion has been moved it may not be withdrawn without the consent of council.
- 17.7 The following motions are not debatable by council:
 - 17.7.1 to raise a question of privilege;
 - 17.7.2 to call for Orders of the Day;
 - 17.7.3 to raise a point of order;

- 17.7.4 to withdraw a motion;
- 17.7.5 to recess or adjourn the meeting.
- 17.8 When a motion has been made and is being considered, no council member may make any other motion except:
 - 17.8.1 as set out in section 17.7;
 - 17.8.2 to refer the main motion to committee of the whole, the administration or some other person or group for consideration;
 - 17.8.3 to amend the motion; and
 - 17.8.4 to table the motion.
- 17.9 Motions shall have precedence in accordance with the order that they are listed in section 17.7 and then in subsections 17.8.2 and 17.8.3.
- 17.10 If a motion is voted on by council, the same motion shall not be resubmitted to council unless:
 - 17.10.1 a general municipal election has been held; or
 - 17.10.2 one year has passed since the date that the motion was defeated.
- 17.11 Notwithstanding section 17.10, a majority of council may grant leave to an alderman to introduce a motion calling on council to reconsider a motion upon which council has voted.
- 17.12 In addition to the requirements of section 17.11, an alderman who wishes to have council reconsider a motion upon which council has voted shall set out in writing what special or exceptional circumstances warrant council considering the motion again.
- 17.13 A recommendation in a report of a council committee that is presented to council does not constitute a motion unless an alderman has expressly moved it.

AMENDMENTS TO MOTIONS

- 18.1 An alderman who moved a motion may not move an amendment to it.
- 18.2 Any other alderman may move to amend a motion.
- 18.3 The mayor shall allow only:
 - 18.3.1 one amendment to the main motion; and
 - 18.3.2 one amendment to the amendment,to be advanced and considered at a time.
- 18.4 Council must vote:

- 18.4.1 on an amendment to the amendment, if any, before voting on the amendment; and
- 18.4.2 on any amendment before voting on the main motion.
- 18.5 When an amendment is on the floor, aldermen may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
- 18.6 The mayor shall not put the main motion under debate until all amendments to it have been put and voted on.
- 18.7 When all amendments are voted on, the mayor shall put forth the main motion to be debated and voted on, incorporating the amendments that have been adopted by council.
- 18.8 Notwithstanding anything in this section, an alderman who has moved a motion may restate the motion to include a proposed amendment if no council member objects.

MOTIONS TO REFER

- 19.1 Any alderman may move to refer any main motion to a council committee or the administration for investigation and report.
- 19.2 A motion to refer:
 - 19.2.1 is debatable;
 - 19.2.2 precludes any further amendment to the motion, until the motion to refer has been addressed by council;
 - 19.2.3 shall include instructions on the referral including what the receiving body is to do and the date by which council requires a response; and
 - 19.2.4 may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 19.3 The mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 19.4 When a response to a referral is brought before council, the motion under consideration will be the motion which was referred, including any amendments made before the referral.

SPLITTING A MOTION

- 20.1 Where a motion is lengthy, complicated or contains more than one issue, an alderman may move to split the motion into parts so that each part may be voted upon individually.
- 20.2 An alderman who moves to split a motion into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 20.3 The chief administrative officer or a legislative officer may on the request of the mayor assist with phrasing a motion to split a motion so that it may be dealt with most effectively by council.

TABLING MOTIONS

- 21.1 A motion may be tabled to enable council to deal with other more pressing matters.
- 21.2 A motion to table may, but need not, specify either a time at which or an event after which the motion will be taken from the table.
- 21.3 A motion to table:
 - 21.3.1 includes all other motions; and
 - 21.3.2 takes precedence over any other motion connected with the motion being tabled.
- 21.4 A motion that has been tabled may be raised from the table at any time by a majority vote of council.
- 21.5 If a motion to raise a motion from the table is defeated, it may only be made again after council has addressed some other matter or business.
- 21.6 When a tabled motion is brought back to council, it is brought back with all motions connected with it, exactly as it was when laid on the table.
- 21.7 If a motion has been tabled to a specified time and date or until the occurrence of an event, the motion is raised from the table automatically on that time and date or upon the occurrence of the event.
- 21.8 A motion fails if it is not raised from the table within one year of being tabled.

RULES FOR BYLAWS

BYLAWS

- 22.1 A legislative officer must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time by resolution.
- 22.2 Each proposed bylaw must include:
 - 22.2.1 the bylaw number assigned to it by the legislative officer; and
 - 22.2.2 a concise title.
- 22.3 If the agenda committee is not satisfied with the form of a proposed bylaw, the agenda committee shall include a note to that effect on the agenda of council and council may refuse to consider the bylaw until it is in the proper form.
- 22.4 The bylaw number and concise title of a proposed bylaw must be included on the agenda of the meeting at which the bylaw is to be introduced.

- 22.5 The legislative officer must make available a copy of the bylaw to each council member before the first reading of the bylaw.
- 22.6 After first reading an alderman may move to have the bylaw read a second time.
- 22.7 Council may not give a bylaw more than two readings at a meeting unless each council member present at the meeting votes in favour of allowing a third reading at that meeting.
- 22.8 Any amendments to the bylaw that are carried before the motion for third reading is adopted:
- 22.8.1 are deemed to have received first and second reading; and
 - 22.8.2 are incorporated into the proposed bylaw.
- 22.9 The chief administrative officer or a legislative officer may draw council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that council consider an amendment to correct the error.
- 22.10 If amendments to the proposed bylaw have been carried, a council member may request an opportunity to review the full text of the amendments and the mayor shall provide a recess for the alderman to do so.
- 22.11 If any reading of a proposed bylaw fails, all previous readings are rescinded.

COMMITTEE OF THE WHOLE

- 23.1 There shall be a committee of the whole comprising the mayor and all the aldermen.
- 23.2 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 following matters:
- 23.2.1 the budget;
 - 23.2.2 the audit;
 - 23.2.3 transportation issues;
 - 23.2.4 development issues;
 - 23.2.5 strategic planning;
 - 23.2.6 legislative reform;
 - 23.2.7 public meetings;
 - 23.2.8 policing matters; and
 - 23.2.9 policy formulation.

- 23.3 Committee of the whole may
- 23.3.1 receive delegations and submissions;
 - 23.3.2 meet with other municipalities and levels of government; and
 - 23.3.3 recommend appointments of members of the public to council committees, other City committees and other bodies on which the City is entitled to have representation.
- 23.4 Council may consider matters that are required to be held *in camera* under section 197(2) of the *Municipal Government Act* in the committee of the whole.
- 23.5 Council may receive briefings in committee of the whole.
- 23.6 A council member wishing to make an information request of the City may make that request at a committee of the whole meeting.
- 23.7 The chief administrative officer shall forward the request to the appropriate official or body in the City for response.
- 23.8 Subject to the *Municipal Government Act*, committee of the whole may exercise any function that council has delegated to it but shall not hold a public hearing or pass a bylaw.
- 23.9 The mayor may call for a meeting of the committee of the whole at any time.
- 23.10 Subject to section 203(2) of the Act, any alderman may move that council move into committee of the whole to consider any matter either at the current council meeting or at another date.
- 23.11 A motion to move into committee of the whole is not debatable.
- 23.12 Quorum of committee of the whole is a majority of council members.
- 23.13 In the committee of the whole, the procedures of council shall be relaxed as follows:
- 23.13.1 a council member may speak even though there is no motion on the floor, but if there is a motion on the floor a council member shall only address that motion;
 - 23.13.2 a council member may speak more than once, provided that each council member who wishes to speak to the matter has already been permitted to do so;
 - 23.13.3 with the permission of the chair, persons other than council members may be seated at the council table and on the council floor; and
 - 23.13.4 no notice need be given of any motion to be made.
- 23.14 Members of the public shall be restricted to public seating areas.
- 23.15 Only the following motions, except procedural motions, may be made when the committee of the whole is sitting *in camera* under section 197(2) of the *Municipal Government Act*:
- 23.15.1 report to council;

- 23.15.2 return to council; or
- 23.15.3 return and report to council.

PRIORITIES AND PLANNING

- 24.1 At least four times each year, the committee of the whole shall meet to
 - 24.1.1 consider and establish council's priorities,
 - 24.1.2 plan the legislative agenda for council, and
 - 24.1.3 make recommendations to the agenda committee.

NOMINATING COMMITTEE

- 25.1 There shall be a nominating committee of council comprised of the mayor and two aldermen.
- 25.2 In each council term, each alderman shall have an opportunity to serve for one year on the nominating committee.
- 25.3 The nominating committee shall make recommendations to council on the appointment of council members to council committees, to other City committees and to bodies on which the City is entitled to have representation.

PUBLIC HEARINGS

- 26.1 "adjourn" used in relation to a public hearing, means to take a break in the public hearing with the intent of returning to the public hearing at another meeting.
- 26.2 "close", used in relation to a public hearing, means to terminate the public hearing.
- 26.3 At the commencement of a public hearing the mayor shall state the matter to be considered at the hearing.
- 26.4 The mayor, or the legislative officer, shall inform council of any written submissions and the numbers in favour of and opposed to the matter.
- 26.5 Any person who claims to be affected by the subject matter of the public hearings shall be afforded an opportunity to be heard by the council in person or through an agent.
- 26.6 Any council member or the public may review the written submissions received before the commencement of the public hearing, or during the public hearing, with the leave of the mayor.
- 26.7 The mayor shall inquire at the hearing if there is any person who did not make a written submission but would like to make an oral presentation.
- 26.8 Upon being recognized by the mayor, each person making an oral presentation shall state his or her name, address and the purpose of the submission.

- 26.9 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the mayor opens another public hearing.
- 26.10 If a public hearing is closed, council shall not receive any additional submissions from the public in relation to the subject matter, until it has voted on the subject matter of the public hearing.
- 26.11 If a public hearing is adjourned, council shall not receive any additional submissions in relation to the subject matter unless it re-opens the hearing:

ADJOURNING THE MEETING

- 27.1 When the mayor is satisfied that all the business and purposes of a meeting have been addressed, the mayor may request a motion to adjourn the meeting.


COMING INTO FORCE AND REPEAL


- 28.1 This bylaw comes into force on receiving third reading by council and repeals Bylaw 25/81, The Procedure Bylaw.

READ a first time this 6th day of April, 1999.

READ a second time this 6th day of April, 1999.

READ a third and final time this 19th day of April, 1999.


MAYOR


LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 2/2001

Being Amendment 1 to Procedure Bylaw 12/99.

The Municipal Council of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Bylaw 12/99 is hereby amended.
2. Section 4.2 is amended by:
 - (a) striking the words "and the regular committee of the whole meetings; and" from subsection 4.2.3, and
 - (b) adding the following after subsection 4.2.3,


"4.2.3.1 the period of time set aside for public appointments at regular council meetings; and".
3. The following Section is added after Section 23.1:

"23.1.1 Council may by resolution schedule a meeting of committee of the whole."
4. Section 24 is amended by:
 - (a) adding the word "COMMITTEE" after the word "PLANNING" to the heading, and
 - (b) in subsection 24.1 striking the words "committee of the whole" and replacing them with the words "Priorities and Planning Committee".
5. The Chief Administrative Officer is authorized to consolidate Bylaw 12/99.

READ a first time this 22nd day of January, 2001.

READ a second time this 22nd day of January, 2001.

READ a third and final time this 22nd day of January, 2001.



MAYOR



LEGISLATIVE OFFICER

BYLAW 20/2006

A bylaw to set the procedures of Council.

PURPOSE

Whereas, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, council may adopt bylaws in relation to the establishment and functions of council committees and the procedure and conduct of council and council committees;

And Whereas, pursuant to Section 203 of the *Municipal Government Act*, council may by bylaw delegate its powers, duties or functions to a council committee;

And Whereas the *Municipal Government Act* governs the conduct of council, councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality;

St. Albert City Council enacts:

SHORT TITLE

1. This bylaw may be called the *Procedure Bylaw*.

DEFINITIONS

2. In this bylaw:
 - a. "Act" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
 - b. "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting;
 - c. "amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;
 - d. "chief administrative officer" means the chief administrative officer of the City or the designate of the chief administrative officer;
 - e. "City" means the City of St. Albert;
 - f. "committee of the whole" means a committee comprised of all councillors which conducts itself as a committee of council;
 - g. "council committee" means a committee, board or other body established by a council under the *Act*;
 - h. "councillor" means a member of council including the chief elected official;
 - i. "in camera" means a meeting at which only councillors and other persons specified by council may attend;
 - j. "member of council" or "council member" shall mean any member except for the chief elected official;

- k. "orders of the day" means a requirement that the mayor return to the pre-determined agenda, including adjourning at the pre-determined time, unless a motion to extend the discussion occurring at that time or a motion to extend the meeting is adopted;
- l. "peace officer" means a peace officer as defined in the *Police Act*;
- m. "point of order" means a demand by a member of council that the mayor enforce the rules of procedure;
- n. "point of privilege" means a request made to the mayor by a member of council on any matter related to the rights and privileges of councillors and includes:
 - i. the comfort of councillors
 - ii. the conduct of city employees or members of the public in attendance at the meeting;
 - iii. the accuracy of the reports of council's proceedings; and
 - iv. the reputation of council and councillors;
- o. "postpone" means to delay the consideration of any matter, either:
 - i. to later in the meeting;
 - ii. to a specified time and/or date;
 - iii. until the occurrence of an event; or
 - iv. indefinitely;
- p. "public hearing" means a meeting or portion of a meeting that council is required to hold under the *Act* or another enactment for the primary purpose of hearing submissions;
- q. "public meeting" means a meeting of council or committee of the whole at which members of the public may attend and may be invited to make submissions to council, but which is not a public hearing;
- r. "recess" means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- s. "reconsider" means a motion made by a member who voted on the prevailing side of a motion adopted by council with the purpose of retaking the vote on a motion dealt with earlier in that same meeting;
- t. "refer" means to send a pending motion or agenda item to a council committee or the administration for investigation and report;
- u. "renew" means to bring forward to a later meeting a previously defeated motion;
- v. "rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- w. "table" means to set a matter aside until a majority decides to address the item again by means of a motion to lift from the table; and

- x. "term" means the length of time that an elected council serves between two consecutive municipal elections.

APPLICATION AND INTERPRETATION

- 3.1 This bylaw shall apply to all meetings of council and committee of the whole.
- 3.2 Council may make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
 - a. any reference to the mayor shall be treated as a reference to the chair of the council committee;
 - b. any reference to a councillor shall be treated as a reference to a member of the council committee; and
 - c. any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Act* or this bylaw, council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.5 The precedence of the rules governing the procedures of council is:
 - a. the *Act*;
 - b. other provincial legislation;
 - c. this bylaw; and
 - d. *Robert's Rules of Order Newly Revised*.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so.

ORGANIZATIONAL MEETINGS

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 At the organizational meeting, council shall establish, by resolution, for the forthcoming year:
 - a. the roster for deputy mayor for a two-month period on a rotating basis;
 - b. the dates, time of commencement and place of the regular council meetings; and
 - c. the edition of *Robert's Rules of Order Newly Revised* that will be used by council.

INAUGURAL MEETING

- 5.1 The organizational meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2 Each councillor shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 5.3 Until the mayor has taken the oath of office, the chief administrative officer shall chair the inaugural meeting.
- 5.4 At the inaugural meeting, in addition to those items in Section 4.2,
 - a. Each councillor shall affirm the Code of Conduct as approved from time to time by council;
 - b. Council shall establish by resolution the roster for members of council to serve on the nominating committee on a rotating basis for the three-year term.

COUNCIL SEATING

- 6.1 The mayor shall occupy the seat at the centre of the council table.
- 6.2 The seats of the members of council shall be chosen by lot prior to the inaugural meeting.

QUORUM

- 7.1 Quorum of council is a majority of councillors.
- 7.2 If quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, the chief administrative officer will document the names of those who are present and the meeting will be adjourned and rescheduled.
- 7.3 If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

DUTIES OF OFFICIALS

Duties of the Mayor

- 8.1 The mayor shall:
 - a. open and adjourn council meetings;
 - b. chair council meetings;
 - c. chair meetings of the nominating committee;
 - d. preserve order and decorum in council meetings;
 - e. rule on all questions of procedure;
 - f. ensure that each member of council who wishes to speak on a debatable motion is granted the opportunity to do so;

- g. determine the speaking order when two or more members of council or others wish to speak; and
 - h. decide who, aside from members of council, may address council.
- 8.2 The mayor is an ex officio member, by virtue of office, of all council committees, unless a bylaw establishing a committee expressly states that the mayor is not an ex officio member of that committee.
- 8.3 If the mayor is present at a committee meeting by virtue of office:
- a. the mayor has all the rights and privileges of the other committee members including the right to make motions and vote; but
 - b. the mayor shall not be counted to determine quorum.

Duties of the Deputy Mayor

- 9.1 Each member of council shall act as deputy mayor for the two-month period assigned to that member of council at the organizational meeting.
- 9.2 The deputy mayor shall chair council meetings when the mayor is absent or unable to act as mayor and shall have all the powers and responsibilities of the mayor under this bylaw during the absence or incapacity of the mayor.
- 9.3 The deputy mayor may chair meetings of committee of the whole when delegated by the mayor.
- 9.4 In the absence or inability of the mayor and deputy mayor to act, the next member of council scheduled to be deputy mayor on the roster shall chair council meetings and shall have all the powers and responsibilities of the mayor under this bylaw.

Duties of the Chief Administrative Officer

10. The chief administrative officer shall, subject to the *Act* and the *City Manager's Bylaw*:
- a. provide council with information and advice with respect to the operation of the City;
 - b. when requested, provide information and advice to the mayor and council on procedural matters in council;
 - c. record minutes of the meetings of council and provide secretariat functions for council meetings;
 - d. receive recommendations for resolutions and make them available to each councillor; and
 - e. review proposed bylaws to ensure compliance with this bylaw and to advise the proponent and council of the existence of complementary and conflicting provisions in other bylaws.

THE CONDUCT OF A COUNCIL MEETING

Agenda

- 11.1 The proposed agenda for each council meeting shall be established by the agenda committee comprised of the mayor, the deputy mayor for the month in which the council

meeting will take place and the chief administrative officer.

- 11.2 The proposed agenda shall include:
- a. all recommendations for resolutions received in accordance with sections 16.1; 16.2 and 16.3;
 - b. all matters scheduled to that council meeting by prior resolution of council; and
 - c. such other items of business as determined by the agenda committee.
- 11.3 In establishing the agenda, the agenda committee may establish a specific time for the introduction of and debate on any agenda item.
- 11.4 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to any amendment that council may approve.
- 11.5 The order of business at a council meeting shall be the order of the items on the adopted agenda.
- 11.6 After adoption of the agenda, council may alter the order of the items on the agenda, by majority vote, for convenience of the meeting.

Rules Governing Debate

- 12.1 A motion must be made by a councillor before council can debate an item before council.
- 12.2 A seconder to a motion is not required.
- 12.3 All discussion at a meeting of council shall be directed through the mayor.
- 12.4 Unless otherwise provided by resolution, a councillor may speak only:
- a. once on any motion; and
 - b. once on any amendment to a motion.
- 12.5 Notwithstanding 12.4:
- a. a councillor may ask questions of the administration or other councillors on any motion or amendment to a motion;
 - b. a councillor may speak to answer questions put by other councillors; and
 - c. a councillor who has made a motion may speak a second time to close the debate.
- 12.6 The mayor may participate in debate on any matter before council without relinquishing the chair.
- 12.7 The mayor may make a motion on any matter on the agenda but before doing so the mayor must relinquish the chair to the deputy mayor until the vote on the motion has been taken.
- 12.8 When a member of council wishes to leave the council chambers while a meeting of council is in progress:
- a. the member of council shall await the formal acknowledgement of the mayor before leaving; and

- b. the time of the member's departure, and return, if any, shall be recorded in the minutes.
- 12.9 If a councillor is in a conflict of interest under the *Act*, that councillor shall state that he/she is in a conflict and the reason for the conflict and shall leave the meeting.
- 12.10 Where a councillor has left the meeting under section 12.9:
- a. the reason for and time of the councillor's departure, and return, if any, shall be recorded in the minutes;
 - b. if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavour to advise the councillor who has left the meeting of the amendment so that the councillor may determine whether he/she remains in a conflict of interest; and
 - c. council shall not consider any other agenda item until the chief administrative officer has endeavoured to advise the councillor who left the meeting because of a conflict that there is a new agenda item before the meeting.
- 12.11 In order to ensure that quorum is not lost, the mayor may recess the meeting briefly if a member of council wishes to leave the meeting but intends to return.
- 12.12 Subject to the *Act*, no councillor shall leave the council meeting after a question is put to a vote until the vote is taken.
- 12.13 A member of council who is speaking may be interrupted by the mayor if:
- a. the member speaking is out of order; or
 - b. the matter being addressed by the member speaking is outside the jurisdiction of council.
- 12.14 A member of council who is speaking may only be interrupted by another councillor on:
- a. a point of privilege; or
 - b. a point of order.
- 12.15 The member of council who is speaking when a point of order or privilege is raised shall cease speaking immediately.
- 12.16 The mayor may grant permission:
- a. to the council member raising the point to explain the point briefly; and
 - b. to the council member who was speaking to respond briefly; but
- otherwise a point of order or privilege is not debatable or amendable.
- 12.17 The mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a member of council to the ruling.
- 12.18 The mayor may seek advice from the chief administrative officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the council.

Challenging the Ruling of the Mayor

- 13.1 Any member of council may challenge the ruling of the mayor on a point of order or privilege and state the terms of the challenge.

- 13.2 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 13.3 If a ruling of the mayor is challenged, the mayor shall briefly state the reasons for the mayor's ruling and then put the question to council.
- 13.4 Council shall decide the challenge, by majority vote, without debate.
- 13.5 The decision of council on the challenge is final.
- 13.6 If the mayor refuses to put the challenge to council, council may request the deputy mayor to assume the chair in order that the challenge to the mayor's ruling can be put to council in accordance with the provisions of sections 13.3 to 13.5. The result of the vote is as binding as if conducted under the mayor and the mayor shall abide by the result.

MAINTAINING ORDER IN COUNCIL

Order in Council Chambers - Council

- 14.1 The mayor may call to order any member of council who is out of order.
- 14.2 A member of council who is called to order must cease talking or otherwise engaging in the activity specified by the mayor in the call to order.
- 14.3 When a member of council has been called to order but persists in breaching the order of council, the mayor may name the member and declare the offence.
- 14.4 The chief administrative officer shall note the offence in the minutes.
- 14.5 If a member of council who has been named:
 - a. apologizes to council and withdraws the offensive statement or action, then
 - i. that member may remain and continue to participate in the meeting; and
 - ii. the mayor may direct that the notation of the offence be removed from the minutes; or
 - b. fails or refuses to apologize and withdraw the offensive statement or action then that member is automatically expelled and must leave council chambers immediately.
- 14.6 A member of council who refuses to leave the council chambers upon the order of the mayor may be removed by a peace officer.
- 14.7 No member of council shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 14.8 A member of council who is called to order or named may immediately thereafter challenge the ruling of the mayor and state the terms of the challenge.
- 14.9 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 14.10 A challenge of the mayor's ruling shall follow those procedures outlined in sections 13.3 to 13.5.

Order in Council Chambers – The Public

- 15.1 Only councillors, the chief administrative officer, and those individuals authorized by the chief administrative officer may be present on the floor of council chambers.
- 15.2 A person not listed in section 15.1 may be present on the floor of council chambers if that person has first received the approval of the mayor.
- 15.3 The chief administrative officer, an employee or consultant authorized by the chief administrative officer may address the council from the floor of council chambers, if recognized by the mayor.
- 15.4 A person not listed in section 15.1 may address council from the public gallery with permission of the mayor.
- 15.5 No person present in the gallery or on the floor of council chambers shall cause any disturbance, interrupt any speaker or interfere with the action of council.
- 15.6 The mayor may call to order any person on the floor or in the gallery who has created a disturbance and may expel that person from council chambers.
- 15.7 An employee or member of the public who refuses to leave council chambers upon the order of the mayor may be removed by a peace officer.

RULES FOR MOTIONS

Motions

- 16.1 Unless council agrees otherwise by majority vote or the motion is a recommendation from a council committee, a motion to be made at a council meeting must be given to the chief administrative officer in writing at least seven days before the council meeting at which the motion is to be considered.
- 16.2 At least three days before a regularly scheduled meeting of council, the chief administrative officer shall make all motions filed under section 16.1 available to the councillors.
- 16.3 Section 16.1 does not apply to any of the motions set out in section 16.9.
- 16.4 A motion must be made prior to any debate or vote occurring.
- 16.5 A recommendation in a report is not a motion until a councillor moves it.
- 16.6 Council shall consider only one motion at a time.
- 16.7 After a motion has been moved, it may not be withdrawn without the majority consent of council.
- 16.8 The following motions are not debatable by council:
 - a. to raise a point of privilege;
 - b. to call for orders of the day;
 - c. to raise a point of order;
 - d. to withdraw a motion;
 - e. to recess or adjourn the meeting; or

- f. to challenge a ruling of the mayor.
- 16.9 When a motion has been made and is being considered, no councillor may make any other motion except:
- a. as set out in section 16.8;
 - b. to amend the motion;
 - c. to refer the main motion to committee of the whole, the administration, a council committee or some other person or group for consideration;
 - d. to postpone consideration of the motion; or
 - e. to table the motion.
- 16.10 Motions shall have precedence in accordance with the order that they are listed in section 16.8 and then in subsections 16.9(b), 16.9(c), 16.9(d) and 16.9.(e).
- 16.11 If a motion is voted on by council, a councillor who voted on the prevailing side may move, at the same meeting or continuation thereof, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.
- 16.12 If a motion fails, the same motion shall not be renewed unless:
- a. a general municipal election has been held; or
 - b. one year has passed since the date that the motion was defeated.
- 16.13 Notwithstanding section 16.12, if a motion is defeated, a councillor may introduce a motion calling on council to renew the motion if:
- a. a two-thirds majority of council grants leave to a councillor to introduce a motion calling on council to renew the motion; or
 - b. the councillor who wishes to have council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.
- 16.14 If a motion succeeds, a councillor may introduce a motion calling on council to rescind the motion or amend a motion previously adopted provided that the councillor sets out in writing what special or exceptional circumstances warrant further debate.
- 16.15 In emergent situations, where previous notice to rescind or amend a motion previously adopted is not practical, a motion to rescind or amend a motion previously adopted shall require a two-thirds vote of councillors present at the council meeting at which the rescinding or amending motion is introduced.
- 16.16 A motion to rescind, renew or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.
- 16.17 Council may consider a matter in camera in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 16.18 No motions may be made when council is sitting in camera except the motion to return to the public forum.

Amendments to Motions

- 17.1 A councillor who moved a motion may not move an amendment to it.
- 17.2 Any councillor, other than the councillor who moved the main motion, may move to amend a motion.
- 17.3 The councillor who moved the main motion may move an amendment to the amendment.
- 17.4 The mayor shall allow only:
- a. one amendment to the main motion; and
 - b. one amendment to the amendment
- to be advanced and considered at a time.
- 17.5 Council must vote:
- a. on an amendment to the amendment, if any, before voting on the amendment; and
 - b. on any amendment before voting on the main motion.
- 17.6 When an amendment is on the floor, council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
- 17.7 The mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of council.
- 17.8 Once all amendments to the main motion have been voted on, the mayor shall put forth the main motion under debate to council for a vote, incorporating the amendments that have been passed by council.
- 17.9 Notwithstanding anything in this section, a councillor who has moved a motion may restate the motion to include a proposed amendment if no other councillor objects.

Motions to Refer

- 18.1 Any councillor may move to refer any main motion, and any pending amendments, to a council committee or the administration for investigation and report.
- 18.2 A motion to refer:
- a. is debatable;
 - b. precludes any further amendment to the main motion, until the motion to refer has been addressed by council;
 - c. shall include instructions indicating what the receiving body is to do and the date by which council requires a response; and
 - d. may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 18.3 The mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 18.4 Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption, any amendment to the resolution so referred, without

regard to any amendments considered by council prior to the referral. The resolution proposed by the referral body shall be as if introduced to council for the first time, and council shall be free to consider any amendment to it.

Splitting a Motion

- 19.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a councillor may request that the motion be split into parts so that each part may be voted upon individually.
- 19.2 A councillor who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 19.3 The chief administrative officer may, on the request of the mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by council.

Tabling Motions

- 20.1 A motion may be tabled by a majority vote of council to enable council to deal with other more pressing matters.
- 20.2 A motion to table:
 - a. includes all other motions; and
 - b. takes precedence over any other motionconnected with the motion being tabled.
- 20.3 A motion that has been tabled may be raised from the table at any time by a majority vote of council.
- 20.4 If a motion to raise a motion from the table is defeated, it may only be made again after council has addressed some other matter or business.
- 20.5 When a tabled motion is raised from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
- 20.6 A motion fails if it is not raised from the table within one year of being tabled.

Postponing Motions

- 21.1 A motion may be postponed:
 - a. to later in the meeting to enable council to deal with other more pressing matters;
or
 - b. to a specified time and/or date; or
 - c. until the occurrence of an event; or
 - d. indefinitely.
- 21.2 A motion to postpone:
 - a. includes the motion being postponed and all connected amendments; and

- b. takes precedence over any other motion connected with the motion being postponed.
- 21.3 A motion that has been postponed under section 21.1(a) or 21.1(d) may be considered at any time by a two-thirds majority vote of council.
- 21.4 If a motion to consider a postponed motion is defeated, it may only be made again after council has addressed some other matter or business.
- 21.5 When a motion that has been postponed is brought back to council, it is brought back with all motions connected with it, exactly as it was when postponed.
- 21.6 If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.
- 21.7 The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current council term.

Notice of Motion

- 22.1 Prior to council adjourning a regular council meeting, councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and by providing the chief administrative officer with a written copy of the notice.
- 22.2 A notice of motion given at one regular council meeting will automatically appear on the agenda of the next regular council meeting.
- 22.3 A notice of motion cannot be made at a special council meeting.
- 22.4 A motion on notice is not debatable until a councillor moves the motion.

Electronic Voting

- 23.1 Electronic voting technology that enables administration to display and record each motion, the names of members of council who voted for and against the motion, and the result of the vote shall be used during council meetings.
- 23.2 When the electronic voting technology is in operation:
 - a. all members of council shall vote using the electronic voting technology, unless excused from voting by any statute; and
 - b. all votes shall be displayed publicly and recorded in the minutes in accordance with the public display.
- 23.3 When the electronic voting technology is inoperable or unavailable, a recorded vote shall be taken manually.

RULES FOR BYLAWS

Bylaws

- 24.1 The chief administrative officer must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time by resolution.
- 24.2 Each proposed bylaw must include:

- a. the bylaw number assigned to it by the chief administrative officer; and
 - b. a concise title.
- 24.3 If the agenda committee is not satisfied with the form of a proposed bylaw, the agenda committee shall include a note to that effect on the agenda of council and council may refuse to consider the bylaw until it is in the proper form.
- 24.4 The bylaw number and concise title of a proposed bylaw must be included on the agenda of the meeting at which the bylaw is to be introduced.
- 24.5 The chief administrative officer must make available a copy of the bylaw to each councillor before the first reading of the bylaw.
- 24.6 After first reading of the bylaw a councillor may move to have the bylaw read a second time.
- 24.7 Council may not give a bylaw more than two readings at a meeting unless councillors unanimously agree to consider third reading at that meeting.
- 24.8 Any amendments to the bylaw that are passed by Council before the motion for third reading is passed:
- a. are deemed to have received first and second reading; and
 - b. are incorporated into the proposed bylaw.
- 24.9 The chief administrative officer may draw council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that council consider an amendment to correct the error.
- 24.10 If amendments to the proposed bylaw have been carried, a councillor may request an opportunity to review the full text of the bylaw as amended prior to third reading and the mayor shall provide a recess for the councillor to do so.
- 24.11 If any reading of a proposed bylaw fails, all previous readings are rescinded.

COMMITTEE OF THE WHOLE

- 25.1 There shall be a committee of the whole comprising all councillors.
- 25.2 Council, by majority vote, may schedule a committee of the whole meeting or may resolve itself into committee of the whole.
- 25.3 Subject to the *Act*, committee of the whole may consider any matter that council may consider, including but not limited to detailed consideration of the following matters:
- a. the budget;
 - b. the audit;
 - c. transportation issues;
 - d. development issues;
 - e. strategic planning;
 - f. legislative reform;

- g. policing matters; and
 - h. policy formulation.
- 25.4 Committee of the whole may:
- a. conduct public meetings;
 - b. receive delegations and submissions;
 - c. meet with other municipalities and other levels of governments; and
 - d. recommend appointments of members of the public to council committees, other City committees and other bodies on which the City is entitled to have representation.
- 25.5 Council may receive briefings in committee of the whole.
- 25.6 In addition to the restrictions contained in section 203(2) of the *Act*, the committee of the whole shall not hold public hearings.
- 25.7 The mayor may call for a meeting of the committee of the whole at any time.
- 25.8 Subject to the *Act*, any councillor may move that council move into committee of the whole to consider any matter either at the current council meeting or at another date. Instructions to the committee of the whole may be included in this motion.
- 25.9 A motion to move into committee of the whole may be debated only regarding the desirability of committing the main motion but not on the main motion itself.
- 25.10 Quorum of committee of the whole is a majority of councillors.
- 25.11 In the committee of the whole, the procedures of council shall be relaxed as follows:
- a. a councillor may speak even though there is no motion on the floor, but if there is a motion on the floor a councillor shall only address that motion;
 - b. a councillor may speak more than once, provided that each councillor who wishes to speak to the matter has already been permitted to do so;
 - c. with the permission of the mayor, persons other than councillors may be seated at the council table and on the council floor; and
 - d. no notice need be given of any motion to be made.
- 25.12 Members of the public shall be restricted to public seating areas.
- 25.13 Committee of the whole may move in camera in accordance with the *Act* and the *Freedom of Information and Protection of Privacy Act*.
- 25.14 No motions may be made when committee of the whole is sitting in camera in accordance with the *Freedom of Information and Protection of Privacy Act* except motions to return to the public forum.
- 25.15 When council moves into committee of the whole within a council meeting with the intention of returning to council for a decision at the same meeting, committee of the whole is not required to vote on a recommendation to council.
- 25.16 When council moves into committee of the whole to consider a matter delegated to it by council, councillors are required to vote on a recommendation to council.

NOMINATING COMMITTEE

- 26.1 There shall be a nominating committee of council comprised of the mayor and two members of council.
- 26.2 The mayor is the permanent chair of the nominating committee.
- 26.3 In each council term, each member of council shall have an opportunity to serve for one year on the nominating committee.
- 26.4 The term of the members of the nominating committee shall expire on October 15.
- 26.5 The nominating committee shall make recommendations to council on the appointment of councillors to council committees, to other City committees and to bodies on which the City is entitled to have representation.

INFORMATION REQUESTS

- 27.1 A councillor wishing to make an information request of administration shall present it to council at the appropriate time on the agenda of a regular council meeting.
- 27.2 If the chief administrative officer is unable to answer the information request at the meeting, the chief administrative officer will forward the request to the appropriate official or body in the City for a response.
- 27.3 Unless the information request specifies that the councillor wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all councillors.
- 27.4 If the chief administrative officer determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the chief administrative officer shall file a response with council stating the reasons for withholding the information.
- 27.5 If the chief administrative officer determines that the time and cost of compiling the information will be considerable, the chief administrative officer shall request a resolution of council to approve the request either at the same meeting or a future meeting.
- 27.6 If a councillor who has made an information request wishes to withdraw the request, at the appropriate time on the agenda that councillor shall so inform council.

PUBLIC HEARINGS

- 28.1 "Adjourn" used in relation to a public hearing means to take a break in the public hearing with the intent of returning to the public hearing at another meeting or later in the same meeting.
- 28.2 "Close" used in relation to a public hearing means to terminate the public hearing.
- 28.3 The order of presentations and any time limitations imposed on presenters shall be in accordance with the policy and procedures for public hearings adopted from time to time by council.
- 28.4 The mayor, or the chief administrative officer, shall inform council of any written submissions and the numbers in favour of and opposed to the matter.

- 28.5 Any person who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by the council in person or through an agent.
- 28.6 Any councillor or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.
- 28.7 If a public hearing is adjourned, council shall not receive any additional submissions in relation to the subject matter until it reconvenes the public hearing.
- 28.8 The public hearing must be closed before council votes on second reading of the bylaw.
- 28.9 Once the public hearing is closed, council shall not receive any additional information on the proposed bylaw or resolution without reopening the public hearing.
- 28.10 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the mayor opens another public hearing.
- 28.11 Matters that are related to the same topic may be addressed in the same public hearing.

PUBLIC MEETINGS AND NON-STATUTORY PUBLIC HEARINGS

- 29.1 Council may hold public meetings to solicit input from the public on issues for which a public hearing is not required.
- 29.2 Public meetings shall be conducted according to the procedures for public meetings adopted from time to time by council.

ADJOURNING THE MEETING

- 30.1 When the mayor is satisfied that all the business and purposes of a meeting have been addressed, the mayor may adjourn the meeting or request a motion to adjourn the meeting.
- 30.2 Any councillor may move to adjourn the meeting at any time.

COMMUNICATIONS

- 31. A council meeting or council committee meeting may be conducted by means of electronic or other communication facilities according to the provisions of the *Act* and policies and procedures adopted by council.

COMING INTO FORCE AND REPEAL

- 32. This bylaw comes into force on receiving third reading by council and repeals Bylaw 12/99, Procedure Bylaw.

READ a first time this 18th day September 2006.

READ a second time this 18th day September 2006.

READ a third and final time 18th day September 2006.

SIGNED AND PASSED THIS 21st day of September 2006.



MAYOR



CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 35/2009

A bylaw to set the procedures of Council.

PURPOSE

Whereas, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, council may adopt bylaws in relation to the establishment and functions of council committees and the procedure and conduct of council and council committees;

And Whereas, pursuant to Section 203 of the *Municipal Government Act*, council may by bylaw delegate its powers, duties or functions to a council committee;

And Whereas the *Municipal Government Act* governs the conduct of council, councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality;

St. Albert City Council enacts:

SHORT TITLE

1. This bylaw may be called the *Procedure Bylaw*.

DEFINITIONS

2. In this bylaw:
 - a. "Act" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
 - b. "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting;
 - c. "amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;
 - d. "chief administrative officer" means the chief administrative officer of the City or the designate of the chief administrative officer;
 - e. "City" means the City of St. Albert;
 - f. "committee of the whole" means a committee comprised of all councillors which conducts itself as a committee of council;
 - g. "council committee" means a committee, board or other body established by a council under the *Act*;
 - h. "councillor" means a member of council including the chief elected official;
 - i. "in camera" means a meeting at which only councillors and other persons specified by council may attend;

- j. "member of council" or "council member" shall mean any member except for the chief elected official;
- k. "orders of the day" means a requirement that the mayor return to the pre-determined agenda, including adjourning at the pre-determined time, unless a motion to extend the discussion occurring at that time or a motion to extend the meeting is adopted;
- l. "peace officer" means a peace officer as defined in the *Police Act*;
- m. "point of order" means a demand by a member of council that the mayor enforce the rules of procedure;
- n. "point of privilege" means a request made to the mayor by a member of council on any matter related to the rights and privileges of councillors and includes:
 - i. the comfort of councillors
 - ii. the conduct of city employees or members of the public in attendance at the meeting;
 - iii. the accuracy of the reports of council's proceedings; and
 - iv. the reputation of council and councillors;
- o. "postpone" means to delay the consideration of any matter, either:
 - i. to later in the meeting;
 - ii. to a specified time and/or date;
 - iii. until the occurrence of an event; or
 - iv. indefinitely;
- p. "public hearing" means a meeting or portion of a meeting that council is required to hold under the *Act* or another enactment for the primary purpose of hearing submissions;
- q. "public meeting" means a meeting of council or committee of the whole at which members of the public may attend and may be invited to make submissions to council, but which is not a public hearing;
- r. "recess" means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- s. "reconsider" means to bring forward for consideration of Council a motion that has already been brought before, and voted upon by Council, earlier in the same meeting.
- t. "refer" means to send a pending motion or agenda item to a council committee or the administration for investigation and report;
- u. "renew" means to bring forward to a later meeting a previously defeated motion;
- v. "rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;

- w. "table" means to set a matter aside until a majority decides to address the item again by means of a motion to lift from the table; and
- x. "term" means the length of time that an elected council serves between two consecutive municipal elections.

APPLICATION AND INTERPRETATION

- 3.1 This bylaw shall apply to all meetings of council and committee of the whole.
- 3.2 Council may make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
 - a. any reference to the mayor shall be treated as a reference to the chair of the council committee;
 - b. any reference to a councillor shall be treated as a reference to a member of the council committee; and
 - c. any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Act* or this bylaw, council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.5 The precedence of the rules governing the procedures of council is:
 - a. the *Act*;
 - b. other provincial legislation;
 - c. this bylaw; and
 - d. *Robert's Rules of Order Newly Revised*.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so.

ORGANIZATIONAL MEETINGS

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 At the organizational meeting, council shall establish, by resolution, for the forthcoming year:
 - a. the roster for deputy mayor for a two-month period on a rotating basis;
 - b. the dates, time of commencement and place of the regular council meetings; and
 - c. the edition of *Robert's Rules of Order Newly Revised* that will be used by council.
- 4.3 Notwithstanding section 4.2 b., if all councillors are not in attendance at the organizational meeting, the scheduling of regular council meetings shall be postponed until the next council meeting at

which all councillors are in attendance, and council shall establish the date, time of commencement and place of the next council meeting.

INAUGURAL MEETING

- 5.1 The organizational meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2 Each councillor shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 5.3 Until the mayor has taken the oath of office, the chief administrative officer shall chair the inaugural meeting.
- 5.4 At the inaugural meeting, in addition to those items in Section 4.2,
 - a. Each councillor shall affirm the Code of Conduct as approved from time to time by council;
 - b. Council shall establish by resolution the roster for members of council to serve on the nominating committee on a rotating basis for the three-year term.

COUNCIL SEATING

- 6.1 The mayor shall occupy the seat at the centre of the council table.
- 6.2 The seats of the members of council shall be chosen by lot prior to the inaugural meeting.

QUORUM

- 7.1 Quorum of council is a majority of councillors.
- 7.2 If quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, the chief administrative officer will document the names of those who are present and the meeting will be adjourned and rescheduled.
- 7.3 If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

DUTIES OF OFFICIALS

Duties of the Mayor

- 8.1 The mayor shall:
 - a. open and adjourn council meetings;
 - b. chair council meetings;
 - c. chair meetings of the nominating committee;
 - d. preserve order and decorum in council meetings;
 - e. rule on all questions of procedure;

- f. ensure that each member of council who wishes to speak on a debatable motion is granted the opportunity to do so;
 - g. determine the speaking order when two or more members of council or others wish to speak; and
 - h. decide who, aside from members of council, may address council.
- 8.2 The mayor is an ex officio member, by virtue of office, of all council committees, unless a bylaw establishing a committee expressly states that the mayor is not an ex officio member of that committee.
- ~~8.3 If the mayor is present at a committee meeting by virtue of office:~~
- a. the mayor has all the rights and privileges of the other committee members including the right to make motions and vote; but
 - b. the mayor shall not be counted to determine quorum.

Duties of the Deputy Mayor

- 9.1 Unless otherwise determined by council, during the twelve month period following the organizational meeting, each member of council shall serve as deputy mayor for a two-month period, as assigned to that member of council at the organizational meeting.
- 9.2 The deputy mayor shall chair council meetings when the mayor is absent or unable to act as mayor and shall have all the powers and responsibilities of the mayor under this bylaw during the absence or incapacity of the mayor.
- 9.3 The deputy mayor may chair meetings of committee of the whole when delegated by the mayor.
- 9.4 In the absence or inability of the mayor and deputy mayor to act, the next member of council scheduled to be deputy mayor on the roster shall chair council meetings and shall have all the powers and responsibilities of the mayor under this bylaw.

Duties of the Chief Administrative Officer

10. The chief administrative officer shall, subject to the *Act* and the *City Manager's Bylaw*:
- a. provide council with information and advice with respect to the operation of the City;
 - b. when requested, provide information and advice to the mayor and council on procedural matters in council;
 - c. record minutes of the meetings of council and provide secretariat functions for council meetings;
 - d. receive recommendations for resolutions and make them available to each councillor; and
 - e. review proposed bylaws to ensure compliance with this bylaw and to advise the proponent and council of the existence of complementary and conflicting provisions in other bylaws.

THE CONDUCT OF A COUNCIL MEETING

Agenda

- 11.1 The proposed agenda for each council meeting shall be established by the agenda committee comprised of the mayor, the deputy mayor for the month in which the council meeting will take place and the chief administrative officer.
- 11.2 The proposed agenda shall include:
- a. all recommendations for resolutions received in accordance with sections 16.1; 16.2 and 16.3;
 - b. all matters scheduled to that council meeting by prior resolution of council; and
 - c. such other items of business as determined by the agenda committee.
-
- 11.3 In establishing the agenda, the agenda committee may establish a specific time for the introduction of and debate on any agenda item.
- 11.4 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to any amendment that council may approve.
- 11.5 The order of business at a council meeting shall be the order of the items on the adopted agenda.
- 11.6 After adoption of the agenda, council may alter the order of the items on the agenda, by majority vote, for convenience of the meeting.

Rules Governing Debate

- 12.1 A motion must be made by a councillor before council can debate an item before council.
- 12.2 A seconder to a motion is not required.
- 12.3 All discussion at a meeting of council shall be directed through the mayor.
- 12.4 A councillor who has made a motion may speak either in favour of, or in opposition to, the motion.
- 12.5 Unless otherwise provided by resolution, a councillor may speak only:
- a. once on any motion; and
 - b. once on any amendment to a motion.
- 12.6 Notwithstanding 12.4:
- a. a councillor may ask questions of the administration or other councillors on any motion or amendment to a motion;
 - b. a councillor may speak to answer questions put by other councillors; and
 - c. a councillor who has made a motion may speak a second time to close the debate.
- 12.7 The mayor may participate in debate on any matter before council without relinquishing the chair.
- 12.8 The mayor may make a motion on any matter on the agenda but before doing so the mayor must relinquish the chair to the deputy mayor until the vote on the motion has been taken.
- 12.9 When a member of council wishes to leave the council chambers while a meeting of council is in progress:

- a. the member of council shall await the formal acknowledgement of the mayor before leaving; and
 - b. the time of the member's departure, and return, if any, shall be recorded in the minutes.
- 12.10 If a councillor has a pecuniary interest under the *Act*, that councillor shall state that he/she has a pecuniary interest and the nature of the pecuniary interest and shall leave the room in which the meeting is being held.
- 12.11 Where a councillor has left the meeting under section 12.9:
- a. the reason for and time of the councillor's departure, and return, if any, shall be recorded in the minutes;
 - b. if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavour to advise the councillor who has left the meeting of the amendment so that the councillor may determine whether he/she continues to have a pecuniary interest; and
 - c. council shall not consider any other agenda item until the chief administrative officer has endeavoured to advise the councillor who left the meeting because of a pecuniary interest that there is a new agenda item before the meeting.
- 12.12 In order to ensure that quorum is not lost, the mayor may recess the meeting briefly if a member of council wishes to leave the meeting but intends to return.
- 12.13 Subject to the *Act*, no councillor shall leave the council meeting after a question is put to a vote until the vote is taken.
- 12.14 A member of council who is speaking may be interrupted by the mayor if:
- a. the member speaking is out of order; or
 - b. the matter being addressed by the member speaking is outside the jurisdiction of council.
- 12.15 A member of council who is speaking may only be interrupted by another councillor on:
- a. a point of privilege; or
 - b. a point of order.
- 12.16 The member of council who is speaking when a point of order or privilege is raised shall cease speaking immediately.
- 12.17 The mayor may grant permission:
- a. to the council member raising the point to explain the point briefly; and
 - b. to the council member who was speaking to respond briefly; but
- otherwise a point of order or privilege is not debatable or amendable.
- 12.18 The mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a member of council to the ruling.

- 12.19 The mayor may seek advice from the chief administrative officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the council.

Challenging the Ruling of the Mayor

- 13.1 Any member of council may challenge the ruling of the mayor on a point of order or privilege and state the terms of the challenge.
- 13.2 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 13.3 If a ruling of the mayor is challenged, the mayor shall briefly state the reasons for the mayor's ruling and then put the question to council.
- 13.4 Council shall decide the challenge, by majority vote, without debate.
- 13.5 The decision of council on the challenge is final.
- 13.6 If the mayor refuses to put the challenge to council, council may request the deputy mayor to assume the chair in order that the challenge to the mayor's ruling can be put to council in accordance with the provisions of sections 13.3 to 13.5. The result of the vote is as binding as if conducted under the mayor and the mayor shall abide by the result.

MAINTAINING ORDER IN COUNCIL

Order in Council Chambers - Council

- 14.1 The mayor may call to order any member of council who is out of order.
- 14.2 A member of council who is called to order must cease talking or otherwise engaging in the activity specified by the mayor in the call to order.
- 14.3 When a member of council has been called to order but persists in breaching the order of council, the mayor may name the member and declare the offence.
- 14.4 The chief administrative officer shall note the offence in the minutes.
- 14.5 If a member of council who has been named:
- a. apologizes to council and withdraws the offensive statement or action, then
 - i. that member may remain and continue to participate in the meeting; and
 - ii. the mayor may direct that the notation of the offence be removed from the minutes; or
 - b. fails or refuses to apologize and withdraw the offensive statement or action then that member is automatically expelled and must leave council chambers immediately.
- 14.6 A member of council who refuses to leave the council chambers upon the order of the mayor may be removed by a peace officer.
- 14.7 No member of council shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.

- 14.8 A member of council who is called to order or named may immediately thereafter challenge the ruling of the mayor and state the terms of the challenge.
- 14.9 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 14.10 A challenge of the mayor's ruling shall follow those procedures outlined in sections 13.3 to 13.5.

Order in Council Chambers – The Public

- 15.1 Only councillors, the chief administrative officer, and those individuals authorized by the chief administrative officer may be present on the floor of council chambers.
- 15.2 A person not listed in section 15.1 may be present on the floor of council chambers if that person has first received the approval of the mayor.
- 15.3 The chief administrative officer, an employee or consultant authorized by the chief administrative officer may address the council from the floor of council chambers, if recognized by the mayor.
- 15.4 A person not listed in section 15.1 may address council from the public gallery with permission of the mayor.
- 15.5 No person present in the gallery or on the floor of council chambers shall cause any disturbance, interrupt any speaker or interfere with the action of council.
- 15.6 The mayor may call to order any person on the floor or in the gallery who has created a disturbance and may expel that person from council chambers.
- 15.7 An employee or member of the public who refuses to leave council chambers upon the order of the mayor may be removed by a peace officer.

RULES FOR MOTIONS

Motions

- 16.1 Unless council agrees otherwise by majority vote or the motion is a recommendation from a council committee, a motion to be made at a council meeting must be given to the chief administrative officer in writing at least seven days before the council meeting at which the motion is to be considered.
- 16.2 At least three days before a regularly scheduled meeting of council, the chief administrative officer shall make all motions filed under section 16.1 available to the councillors.
- 16.3 Section 16.1 does not apply to any of the motions set out in section 16.9.
- 16.4 A motion must be made prior to any debate or vote occurring.
- 16.5 A recommendation in a report is not a motion until a councillor moves it.
- 16.6 Council shall consider only one motion at a time.
- 16.7 After a motion has been moved, it may not be withdrawn without the majority consent of council.
- 16.8 The following motions are not debatable by council:
 - a. to raise a point of privilege;

- b. to call for orders of the day;
 - c. to raise a point of order;
 - d. to withdraw a motion;
 - e. to recess or adjourn the meeting; or
 - f. to challenge a ruling of the mayor.
- 16.9 When a motion has been made and is being considered, no councillor may make any other motion except:
- a. as set out in section 16.8;
 - b. to amend the motion;
 - c. to refer the main motion to committee of the whole, the administration, a council committee or some other person or group for consideration;
 - d. to postpone consideration of the motion; or
 - e. to table the motion.
- 16.10 Motions shall have precedence in accordance with the order that they are listed in section 16.8 and then in subsections 16.9(b), 16.9(c), 16.9(d) and 16.9.(e).
- 16.11 If a motion is voted on by council, a councillor who voted on the prevailing side may move, at the same meeting or continuation thereof, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.
- 16.12 If a motion fails, the same motion shall not be renewed unless:
- a. a general municipal election has been held; or
 - b. one year has passed since the date that the motion was defeated.
- 16.13 Notwithstanding section 16.12, if a motion is defeated, a councillor may introduce a motion calling on council to renew the motion if:
- a. a two-thirds majority of council grants leave to a councillor to introduce a motion calling on council to renew the motion; or
 - b. the councillor who wishes to have council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.
- 16.14 If a motion succeeds, a councillor may introduce a motion calling on council to rescind the motion or amend a motion previously adopted provided that the councillor sets out in writing what special or exceptional circumstances warrant further debate.
- 16.15 In emergent situations, where previous notice to rescind or amend a motion previously adopted is not practical, a motion to rescind or amend a motion previously adopted shall require a two-thirds vote of councillors present at the council meeting at which the rescinding or amending motion is introduced.

- 16.16 A motion to rescind, renew or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.
- 16.17 Council may consider a matter in camera in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 16.18 No motions may be made when council is sitting in camera except the motion to return to the public forum.

Amendments to Motions

- 17.1 A councillor who moved a motion may not move an amendment to it.
- 17.2 ~~Any councillor, other than the councillor who moved the main motion, may move to amend a motion.~~
- 17.3 The councillor who moved the main motion may move an amendment to the amendment.
- 17.4 The mayor shall allow only:
 - a. one amendment to the main motion; and
 - b. one amendment to the amendmentto be advanced and considered at a time.
- 17.5 Council must vote:
 - a. on an amendment to the amendment, if any, before voting on the amendment; and
 - b. on any amendment before voting on the main motion.
- 17.6 When an amendment is on the floor, council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
- 17.7 The mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of council.
- 17.8 Once all amendments to the main motion have been voted on, the mayor shall put forth the main motion under debate to council for a vote, incorporating the amendments that have been passed by council.
- 17.9 Notwithstanding anything in this section, a councillor who has moved a motion may restate the motion to include a proposed amendment if no other councillor objects.

Motions to Refer

- 18.1 Any councillor may move to refer any main motion, and any pending amendments, to a council committee or the administration for investigation and report.
- 18.2 A motion to refer:
 - a. is debatable;
 - b. precludes any further amendment to the main motion, until the motion to refer has been addressed by council;

- c. shall include instructions indicating what the receiving body is to do and the date by which council requires a response; and
 - d. may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 18.3 The mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 18.4 Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption, any amendment to the resolution so referred, without regard to any amendments considered by council prior to the referral. The resolution proposed by the referral body shall be as if introduced to council for the first time, and council shall be free to consider any amendment to it.

Splitting a Motion

- 19.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a councillor may request that the motion be split into parts so that each part may be voted upon individually.
- 19.2 A councillor who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 19.3 The chief administrative officer may, on the request of the mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by council.

Tabling Motions

- 20.1 A motion may be tabled by a majority vote of council to enable council to deal with other more pressing matters.
- 20.2 A motion to table:
- a. includes all other motions; and
 - b. takes precedence over any other motion connected with the motion being tabled.
- 20.3 A motion that has been tabled may be raised from the table at any time by a majority vote of council.
- 20.4 If a motion to raise a motion from the table is defeated, it may only be made again after council has addressed some other matter or business.
- 20.5 When a tabled motion is raised from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
- 20.6 A motion fails if it is not raised from the table within one year of being tabled.

Postponing Motions

- 21.1 A motion may be postponed:
- a. to later in the meeting to enable council to deal with other more pressing matters; or

- b. to a specified time and/or date; or
 - c. until the occurrence of an event; or
 - d. indefinitely.
- 21.2 A motion to postpone:
- a. includes the motion being postponed and all connected amendments; and
 - b. takes precedence over any other motion connected with the motion being postponed.
- 21.3 A motion that has been postponed under section 21.1(a) or 21.1(d) may be considered at any time by a two-thirds majority vote of council.
- 21.4 If a motion to consider a postponed motion is defeated, it may only be made again after council has addressed some other matter or business.
- 21.5 When a motion that has been postponed is brought back to council, it is brought back with all motions connected with it, exactly as it was when postponed.
- 21.6 If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.
- 21.7 The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current council term.

Notice of Motion

- 22.1 Prior to council adjourning a regular council meeting, councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and by providing the chief administrative officer with a written copy of the notice.
- 22.2 A notice of motion given at one regular council meeting will automatically appear on the agenda of the next regular council meeting.
- 22.3 A notice of motion cannot be made at a special council meeting.
- 22.4 A motion on notice is not debatable until a councillor moves the motion.

Electronic Voting

- 23.1 Electronic voting technology that enables administration to display and record each motion, the names of members of council who voted for and against the motion, and the result of the vote shall be used during council meetings.
- 23.2 When the electronic voting technology is in operation:
- a. all members of council shall vote using the electronic voting technology, unless excused from voting by any statute; and
 - b. all votes shall be displayed publicly and recorded in the minutes in accordance with the public display.

- 23.3 When the electronic voting technology is inoperable or unavailable, a recorded vote shall be taken manually.

RULES FOR BYLAWS

Bylaws

- 24.1 The chief administrative officer must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time.
- 24.2 Each proposed bylaw must include:
- a. the bylaw number assigned to it by the chief administrative officer; and
 - b. a concise title.
- 24.3 The bylaw number and concise title of a proposed bylaw must be included on the agenda of the meeting at which the bylaw is to be introduced.
- 24.4 The chief administrative officer must make available a copy of the bylaw to each councillor before the first reading of the bylaw.
- 24.5 After first reading of the bylaw a councillor may move to have the bylaw read a second time.
- 24.6 Council may not give a bylaw more than two readings at a meeting unless councillors unanimously agree to consider third reading at that meeting.
- 24.7 Any amendments to the bylaw that are passed by Council before the motion for third reading is passed:
- a. are deemed to have received first and second reading; and
 - b. are incorporated into the proposed bylaw.
- 24.8 The chief administrative officer may draw council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that council consider an amendment to correct the error.
- 24.9 If amendments to the proposed bylaw have been carried, a councillor may request an opportunity to review the full text of the bylaw as amended prior to third reading and the mayor shall provide a recess for the councillor to do so.
- 24.10 If any reading of a proposed bylaw fails, all previous readings are rescinded.

COMMITTEE OF THE WHOLE

- 25.1 There shall be a committee of the whole comprising all councillors.
- 25.2 Council, by majority vote, may schedule a committee of the whole meeting or may resolve itself into committee of the whole.
- 25.3 Subject to the *Act*, committee of the whole may consider any matter that council may consider, including but not limited to detailed consideration of the following matters:

- a. the budget;
 - b. the audit;
 - c. transportation issues;
 - d. development issues;
 - e. strategic planning;
 - f. legislative reform;
 - g. policing matters; and
 - h. policy formulation.
- 25.4 Committee of the whole may:
- a. conduct public meetings;
 - b. receive delegations and submissions;
 - c. meet with other municipalities and other levels of governments; and
 - d. recommend appointments of members of the public to council committees, other City committees and other bodies on which the City is entitled to have representation.
- 25.5 Council may receive briefings in committee of the whole.
- 25.6 In addition to the restrictions contained in section 203(2) of the *Act*, the committee of the whole shall not hold public hearings.
- 25.7 The mayor may call for a meeting of the committee of the whole at any time.
- 25.8 Subject to the *Act*, any councillor may move that council move into committee of the whole to consider any matter either at the current council meeting or at another date. Instructions to the committee of the whole may be included in this motion.
- 25.9 A motion to move into committee of the whole may be debated only regarding the desirability of committing the main motion but not on the main motion itself.
- 25.10 Quorum of committee of the whole is a majority of councillors.
- 25.11 In the committee of the whole, the procedures of council shall be relaxed as follows:
- a. a councillor may speak even though there is no motion on the floor, but if there is a motion on the floor a councillor shall only address that motion;
 - b. a councillor may speak more than once, provided that each councillor who wishes to speak to the matter has already been permitted to do so;
 - c. with the permission of the mayor, persons other than councillors may be seated at the council table and on the council floor; and
 - d. no notice need be given of any motion to be made.

- 25.12 Committee of the whole may move in camera in accordance with the *Act* and the *Freedom of Information and Protection of Privacy Act*.
- 25.13 No motions may be made when committee of the whole is sitting in camera in accordance with the *Freedom of Information and Protection of Privacy Act* except motions to return to the public forum.
- 25.14 When council moves into committee of the whole within a council meeting with the intention of returning to council for a decision at the same meeting, committee of the whole is not required to vote on a recommendation to council.
- 25.15 When council moves into committee of the whole to consider a matter delegated to it by council, councillors are required to vote on a recommendation to council.

NOMINATING COMMITTEE

- 26.1 There shall be a nominating committee of council comprised of the mayor and two members of council.
- 26.2 The mayor is the permanent chair of the nominating committee.
- 26.3 In each council term, each member of council shall have an opportunity to serve for one year on the nominating committee.
- 26.4 The term of the members of the nominating committee shall expire on October 15.
- 26.5 The nominating committee shall make recommendations to council on the appointment of councillors to council committees, to other City committees and to bodies on which the City is entitled to have representation.

INFORMATION REQUESTS

- 27.1 A councillor wishing to make an information request of administration shall present it to council at the appropriate time on the agenda of a regular council meeting.
- 27.2 If the chief administrative officer is unable to answer the information request at the meeting, the chief administrative officer will forward the request to the appropriate official or body in the City for a response.
- 27.3 Unless the information request specifies that the councillor wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all councillors.
- 27.4 If the chief administrative officer determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the chief administrative officer shall file a response with council stating the reasons for withholding the information.
- 27.5 If the chief administrative officer determines that the time and cost of compiling the information will be considerable, the chief administrative officer shall request a resolution of council to approve the request either at the same meeting or a future meeting.
- 27.6 If a councillor who has made an information request wishes to withdraw the request, at the appropriate time on the agenda that councillor shall so inform council.

PUBLIC HEARINGS

- 28.1 "Adjourn" used in relation to a public hearing means to take a break in the public hearing with the intent of returning to the public hearing at another meeting or later in the same meeting.
- 28.2 "Close" used in relation to a public hearing means to terminate the public hearing.
- 28.3 The order of presentations and any time limitations imposed on presenters shall be in accordance with the policy and procedures for public hearings adopted from time to time by council.
- 28.4 The mayor, or the chief administrative officer, shall inform council of any written submissions and the numbers in favour of and opposed to the matter.
- 28.5 ~~Any person who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by the council in person or through an agent.~~
- 28.6 Any councillor or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.
- 28.7 If a public hearing is adjourned, council shall not receive any additional submissions in relation to the subject matter until it reconvenes the public hearing.
- 28.8 The public hearing must be closed before council votes on second reading of the bylaw.
- 28.9 Once the public hearing is closed, council shall not receive any additional information on the proposed bylaw or resolution without reopening the public hearing.
- 28.10 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the mayor opens another public hearing.
- 28.11 Matters that are related to the same topic may be addressed in the same public hearing.

PUBLIC MEETINGS AND NON-STATUTORY PUBLIC HEARINGS

- 29.1 Council may hold public meetings or non-statutory public hearings to solicit input from the public on issues for which a public hearing is not required.
- 29.2 Public meetings shall be conducted according to the procedures for public meetings adopted from time to time by council.
- 29.3 Non-statutory public hearings shall be conducted according to the procedures for statutory public hearings adopted from time to time by council.

ADJOURNING THE MEETING

- 30.1 When the mayor is satisfied that all the business and purposes of a meeting have been addressed, the mayor may adjourn the meeting or request a motion to adjourn the meeting.
- 30.2 Any councillor may move to adjourn the meeting at any time.

COMMUNICATIONS

31. A council meeting or council committee meeting may be conducted by means of electronic or other communication facilities according to the provisions of the *Act* and policies and procedures adopted

by council.

COMING INTO FORCE AND REPEAL

32. This bylaw comes into force on receiving third reading by council and repeals Bylaw 20/2006, Procedure Bylaw.

READ a first time this 26th day October 2009.

READ a second time this 26th day October 2009.

READ a third and final time 26th day October 2009.

SIGNED AND PASSED THIS 27 day of October 2009.


MAYOR
CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 23/2010

Being Amendment 1 to Bylaw 35/2009

NOW THEREFORE the Municipal Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Bylaw 35/2009 is amended by:
 - i. inserting the following as a new section 2. k.

"notice of motion" is the means by which a Councillor may bring a topic before Council."

and renumbering the subsequent sections
 - ii. replacing section 16.1 in its entirety with the following

"16.1 A councillor may make a motion introducing any new matter if:
 - a. The motion is a recommendation from a council committee;
 - b. The motion is made at a council meeting and was given in writing to the chief administrative officer in writing at least seven days before the council meeting at which the motion is to be considered; or
 - c. A motion is passed dispensing with notice"
 - iii. inserting the following after section 16.18

"16.19 Before calling the vote on a motion that, if passed, would result in a requirement for an action to be completed by a specified date or within a specific amount of time, the Mayor shall consult with the City Manager regarding the practicality of the date specified in the motion."
 - iv. deleting section 17.9
 - v. inserting the following after section 17.1

"17.2 Notwithstanding 17.1, a councillor who has moved a motion may restate the motion to include a proposed amendment if no other councillor objects."

and renumbering the subsequent sections
 - vi. inserting "annual" after "recommend" in section 25.4


2. The Chief Administrative Officer is authorized to consolidate Bylaw 35/2009.

READ a first time this 21st day of June 2010.

READ a second time this 21st day of June 2010.

READ a third and final time this 21st day of June 2010.

SIGNED AND PASSED this 22 day of June 2010.



MAYOR



CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 23/2010

Being Amendment 1 to Bylaw 35/2009

NOW THEREFORE the Municipal Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

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 - iii. inserting the following after section 16.18

"16.19 Before calling the vote on a motion that, if passed, would result in a requirement for an action to be completed by a specified date or within a specific amount of time, the Mayor shall consult with the City Manager regarding the practicality of the date specified in the motion."
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and renumbering the subsequent sections
 - vi. inserting "annual" after "recommend" in section 25.4


2. The Chief Administrative Officer is authorized to consolidate Bylaw 35/2009.

READ a first time this 21st day of June 2010.

READ a second time this 21st day of June 2010.

READ a third and final time this 21st day of June 2010.

SIGNED AND PASSED this 22 day of June 2010.



MAYOR



CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 28/2013

Being Amendment 3 to Procedure Bylaw 35/2009

NOW THEREFORE the Municipal Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Bylaw 35/2009 is amended by this Bylaw.
2. Section 2 is amended by:
 - i) adding a new subsection 2.g. as follows:

“g. “consent agenda” means that portion of a regular council meeting that contains reports from committees which received unanimous support at the committee prior to forwarding to council; councillor reports; reports that are for information only or part of a process of regular quarterly or annual reporting; or any other business items, other than bylaws, that do not require debate. Items on the consent agenda may be adopted by an omnibus motion”;
 - ii) in subsection 2.x. deleting “lift” and inserting “raise”;
 - iii) renumbering the remaining subsections accordingly.
3. Subsection 5.4.b is amended by deleting “three-year” and inserting “four-year”.
4. The following is inserted as a new Section 22:

“Consent Agenda

- 22.1 The consent agenda portion of a meeting is moved and voted upon without debate as one item regardless of the number of reports included.
- 22.2 If a councillor wishes to debate an item included in the consent agenda, a request to exempt the item must be made before the Chair calls the question.
- 22.3 Approval of the consent agenda shall include approval of all the recommendations contained in the respective reports.
- 22.4 Council will deal with items for debate in the order that they appear on the agenda, unless otherwise decided in accordance with Section 11.

22.5 A motion must be made before any exempted item is discussed.”

and the subsequent sections renumbered accordingly.

5. Former Section 22 Notice of Motion is amended by inserting the following:

“23.7.1A notice of motion can be given outside of a council meeting by providing notice in writing to the chief administrative officer and other members of council at least thirteen days prior to the council meeting at which the motion is to be considered”.

6. Former Section 26 Nominating Committee is deleted in its entirety and replaced by the following on November 4, 2013:

“27.1 There shall be a nominating committee of council composed of the mayor and three members of council.

27.2 The mayor is the permanent chair of the nominating committee.

27.3 In each council term, each member of council shall have an opportunity to serve for two years on the nominating committee.

27.4 The first three councillors named to the nominating committee shall serve for years 1 and 3 of the council term and the other three councillors shall serve for years 2 and 4 of the council term.

27.5 The term of the members of the nominating committee shall expire on October 15.

27.6 The nominating committee shall make recommendations to council on the appointment of councillors to council committees, to other City committees and to bodies on which the City is entitled to have representation.”

7. The Chief Administrative Officer is authorized to consolidate Bylaw 35/2009.

READ a first time this 2nd day of July 2013.

READ a second time this 2nd day of July 2013.

READ a third time this 2nd day of July 2013.

SIGNED AND PASSED this 3 day of July 2013.


MAYOR


CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 22/2016

A bylaw to set the procedures of Council.

PURPOSE

Whereas, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, council may adopt bylaws in relation to the establishment and functions of council committees and the procedure and conduct of council and council committees;

And Whereas, pursuant to Section 203 of the *Municipal Government Act*, council may by bylaw delegate its powers, duties or functions to a council committee;

And Whereas the *Municipal Government Act* governs the conduct of council, councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality;

St. Albert City Council enacts:

SHORT TITLE

1. This bylaw may be called the *Procedure Bylaw*.

DEFINITIONS

2. In this bylaw:
 - a. "Act" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
 - b. "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting;
 - c. "amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;
 - d. "chief administrative officer" means the chief administrative officer of the City or the designate of the chief administrative officer;
 - e. "City" means the City of St. Albert;

- f. "committee of the whole" means a committee comprised of all councillors which conducts itself as a committee of council;
- g. "consent agenda" means that portion of a regular council meeting that contains reports from committees which received unanimous support at the committee prior to forwarding to council; councillor reports; reports that are for information only or part of a process of regular quarterly or annual reporting; or any other business items, other than bylaws, that do not require debate. Items on the consent agenda may be adopted by an omnibus motion;
- h. "council committee" means a committee, board or other body established by a council under the *Act*;
- i. "councillor" means a member of council excluding the chief elected official;
- j. "in camera" means a meeting at which only councillors and other persons specified by council may attend;
- k. "member of council" or "council member" shall mean any member including the chief elected official;
- l. "notice of motion" is the means by which a Councillor may bring a topic before Council.
- m. "orders of the day" means a requirement that the mayor return to the pre-determined agenda, including adjourning at the pre-determined time, unless a motion to extend the discussion occurring at that time or a motion to extend the meeting is adopted;
- n. "peace officer" means a peace officer as defined in the *Police Act*;
- o. "point of order" means a demand by a member of council that the mayor enforce the rules of procedure;
- p. "point of privilege" means a request made to the mayor by a member of council on any matter related to the rights and privileges of councillors and includes:
 - i. the comfort of councillors
 - ii. the conduct of city employees or members of the public in attendance at the meeting;
 - iii. the accuracy of the reports of council's proceedings; and

- iv. the reputation of council and councillors;
- q. "postpone" means to delay the consideration of any matter, either:
 - i. to later in the meeting;
 - ii. to a specified time and/or date;
 - iii. until the occurrence of an event; or
 - iv. indefinitely;
- r. "public hearing" means a meeting or portion of a meeting that council is required to hold under the *Act* or another enactment for the primary purpose of hearing submissions;
- s. "public meeting" means a meeting of council or committee of the whole at which members of the public may attend and may be invited to make submissions to council, but which is not a public hearing;
- t. "recess" means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- u. "reconsider" means to bring forward for consideration of Council a motion that has already been brought before, and voted upon by Council, earlier in the same meeting.
- v. "refer" means to send a pending motion or agenda item to a council committee or the administration for investigation and report;
- w. "renew" means to bring forward to a later meeting a previously defeated motion;
- x. "rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- y. "table" means to set a matter aside until a majority decides to address the item again by means of a motion to lift from the table; and
- z. "term" means the length of time that an elected council serves between two consecutive municipal elections.

APPLICATION AND INTERPRETATION

3.1 This bylaw shall apply to all meetings of council and committee of the whole.

- 3.2 Council may make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
- a. any reference to the mayor shall be treated as a reference to the chair of the council committee;
 - b. any reference to a councillor shall be treated as a reference to a member of the council committee; and
 - c. any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Act* or this bylaw, council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.5 The precedence of the rules governing the procedures of council is:
- a. the *Act*;
 - b. other provincial legislation;
 - c. this bylaw; and
 - d. *Robert's Rules of Order Newly Revised*.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so.

ORGANIZATIONAL MEETINGS

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 At the organizational meeting, council shall establish, by resolution, for the forthcoming year:
- a. the roster for deputy mayor for a two-month period on a rotating basis;
 - b. the dates, time of commencement and place of the regular council meetings; and
 - c. the edition of *Robert's Rules of Order Newly Revised* that will be used by council.

- 4.3 Notwithstanding section 4.2 b., if all councillors are not in attendance at the organizational meeting, the scheduling of regular council meetings shall be postponed until the next council meeting at which all councillors are in attendance, and council shall establish the date, time of commencement and place of the next council meeting.

INAUGURAL MEETING

- 5.1 The organizational meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2 Each member of council shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 5.3 Until the mayor has taken the oath of office, the chief administrative officer shall chair the inaugural meeting.
- 5.4 At the inaugural meeting, in addition to those items in Section 4.2,
- a. Each member of council shall affirm the Code of Conduct as approved from time to time by council;
 - b. Council shall establish by resolution the roster for members of council to serve on the nominating committee on a rotating basis for the four-year term.

COUNCIL SEATING

- 6.1 The mayor shall occupy the seat at the centre of the council table.
- 6.2 The seats of the members of council shall be chosen by lot prior to the inaugural meeting.

QUORUM

- 7.1 Quorum of council is a majority of members of council.
- 7.2 If quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, the chief administrative officer will document the names of those who are present and the meeting will be adjourned and rescheduled.

- 7.3 If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

DUTIES OF OFFICIALS

Duties of the Mayor

- 8.1 The mayor shall:
- a. open and adjourn council meetings;
 - b. chair council meetings;
 - c. chair meetings of the nominating committee;
 - d. preserve order and decorum in council meetings;
 - e. rule on all questions of procedure;
 - f. ensure that each member of council who wishes to speak on a debatable motion is granted the opportunity to do so;
 - g. determine the speaking order when two or more members of council or others wish to speak; and
 - h. decide who, aside from members of council, may address council.
- 8.2 The mayor is an ex officio member, by virtue of office, of all council committees, unless a bylaw establishing a committee expressly states that the mayor is not an ex officio member of that committee.
- 8.3 If the mayor is present at a committee meeting by virtue of office:
- a. the mayor has all the rights and privileges of the other committee members including the right to make motions and vote; but
 - b. the mayor shall not be counted to determine quorum.

Duties of the Deputy Mayor

- 9.1 Unless otherwise determined by council, during the twelve month period following the organizational meeting, each councilor shall serve as deputy mayor for a two-month period, as assigned to that councilor at the organizational meeting.

- 9.2 The deputy mayor shall chair council meetings when the mayor is absent or unable to act as mayor and shall have all the powers and responsibilities of the mayor under this bylaw during the absence or incapacity of the mayor.
- 9.3 The deputy mayor may chair meetings of committee of the whole when delegated by the mayor.
- 9.4 In the absence or inability of the mayor and deputy mayor to act, the next councilor scheduled to be deputy mayor on the roster shall chair council meetings and shall have all the powers and responsibilities of the mayor under this bylaw.

Duties of the Chief Administrative Officer

10. The chief administrative officer shall, subject to the *Act* and the *City Manager's Bylaw*:
 - a. provide council with information and advice with respect to the operation of the City;
 - b. when requested, provide information and advice to the mayor and council on procedural matters in council;
 - c. record minutes of the meetings of council and provide secretariat functions for council meetings;
 - d. receive recommendations for resolutions and make them available to each members of council; and
 - e. review proposed bylaws to ensure compliance with this bylaw and to advise the proponent and council of the existence of complementary and conflicting provisions in other bylaws.

THE CONDUCT OF A COUNCIL MEETING

Agenda

- 11.1 There shall be a committee of council called the agenda committee established by bylaw. The agenda committee will be responsible for determination of the content of the proposed agenda for upcoming council meetings.
- 11.2 The agenda shall be circulated to members of council no less than 5 days prior to the council meeting.

11.3 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to:

- a. consent of council of the agenda as presented; or
- b. consent of council for amendment of the agenda;

the mayor may declare the agenda to be approved.

11.4 The order of business at a council meeting shall be the order of the items on the adopted agenda.

11.5 After adoption of the agenda, council may alter the order of the items on the agenda, by majority vote, for convenience of the meeting.

Rules Governing Debate

12.1 A motion must be made by a member of council before council can debate an item before council.

12.2 A seconder to a motion is not required.

12.3 All discussion at a meeting of council shall be directed through the mayor.

12.4 A member of council who has made a motion may speak either in favour of, or in opposition to, the motion.

12.5 Unless otherwise provided by resolution, a member of council may speak only:

- a. once on any motion;
- b. once on any amendment to a motion; and

12.6 Notwithstanding 12.5:

- a. a member of council may ask questions of the administration or other member of council on any motion or amendment to a motion;
- b. a member of council may speak to answer questions put by other member of council; and
- c. a member of council who has made a motion may speak a second time to close the debate.
- d. there will be no limit on the length at which a member of council may speak.

- 12.7 The mayor may participate in debate on any matter before council without relinquishing the chair.
- 12.8 The mayor may make a motion on any matter on the agenda but before doing so the mayor must relinquish the chair to the deputy mayor until the vote on the motion has been taken.
- 12.9 When a member of council wishes to leave the council chambers while a meeting of council is in progress:
- a. the member of council shall await the formal acknowledgement of the mayor before leaving; and
 - b. the time of the member's departure, and return, if any, shall be recorded in the minutes.
- 12.10 If a member of council has a pecuniary interest under the *Act*, that member of council shall state that he/she has a pecuniary interest and the nature of the pecuniary interest and shall leave the room in which the meeting is being held.
- 12.11 Where a member of council has left the meeting under section 12.10:
- a. the reason for and time of the member of council's departure, and return, if any, shall be recorded in the minutes;
 - b. if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavour to advise the member of council who has left the meeting of the amendment so that the member of council may determine whether he/she continues to have a pecuniary interest; and
 - c. council shall not consider any other agenda item until the chief administrative officer has endeavoured to advise the member of council who left the meeting because of a pecuniary interest that there is a new agenda item before the meeting.
- 12.12 In order to ensure that quorum is not lost, the mayor may recess the meeting briefly if a member of council wishes to leave the meeting but intends to return.
- 12.13 Subject to the *Act*, no member of council shall leave the council meeting after a question is put to a vote until the vote is taken.
- 12.14 A councillor who is speaking may be interrupted by the mayor if:
- a. the councillor speaking is out of order; or
 - b. the matter being addressed by the councillor speaking is outside the jurisdiction of council.

- 12.15 A member of council who is speaking may only be interrupted by another councillor on:
- a. a point of privilege; or
 - b. a point of order.
- 12.16 The member of council who is speaking when a point of order or privilege is raised shall cease speaking immediately.
- 12.17 The mayor may grant permission:
- a. to the councillor raising the point to explain the point briefly; and
 - b. to the councillor who was speaking to respond briefly; but
- otherwise a point of order or privilege is not debatable or amendable.
- 12.18 The mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a councillor to the ruling.
- 12.19 The mayor may seek advice from the chief administrative officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the council.

Challenging the Ruling of the Mayor

- 13.1 Any councillor may challenge the ruling of the mayor on a point of order or privilege and state the terms of the challenge.
- 13.2 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 13.3 If a ruling of the mayor is challenged, the mayor shall briefly state the reasons for the mayor's ruling and then put the question to council.
- 13.4 Council shall decide the challenge, by majority vote, without debate.
- 13.5 The decision of council on the challenge is final.
- 13.6 If the mayor refuses to put the challenge to council, council may request the deputy mayor to assume the chair in order that the challenge to the mayor's ruling can be put to council in accordance with the provisions of sections 13.3 to 13.5. The result of the vote is as binding as if conducted under the mayor and the mayor shall abide by the result.

MAINTAINING ORDER IN COUNCIL

Order in Council Chambers - Council

- 14.1 The mayor may call to order any councillor who is out of order.
- 14.2 A councillor who is called to order must cease talking or otherwise engaging in the activity specified by the mayor in the call to order.
- 14.3 When a councillor has been called to order but persists in breaching the order of council, the mayor may name the councillor and declare the offence.
- 14.4 The chief administrative officer shall note the offence in the minutes.
- 14.5 If a councillor who has been named:
 - a. apologizes to council and withdraws the offensive statement or action, then
 - i. that councillor may remain and continue to participate in the meeting; and
 - ii. the mayor may direct that the notation of the offence be removed from the minutes; or
 - b. fails or refuses to apologize and withdraw the offensive statement or action then that councillor is automatically expelled and must leave council chambers immediately.
- 14.6 A councillor who refuses to leave the council chambers upon the order of the mayor may be removed by a peace officer.
- 14.7 No councillor shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 14.8 A councillor who is called to order or named may immediately thereafter challenge the ruling of the mayor and state the terms of the challenge.
- 14.9 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 14.10 A challenge of the mayor's ruling shall follow those procedures outlined in sections 13.3 to 13.5.

Order in Council Chambers – The Public

- 15.1 Only members of council, the chief administrative officer, and those individuals authorized by the chief administrative officer may be present on the floor of council chambers.
- 15.2 A person not listed in section 15.1 may be present on the floor of council chambers if that person has first received the approval of the mayor.
- 15.3 The chief administrative officer, an employee or consultant authorized by the chief administrative officer may address the council from the floor of council chambers, if recognized by the mayor.
- 15.4 A person not listed in section 15.1 may address council from the public gallery with permission of the mayor.
- 15.5 No person present in the gallery or on the floor of council chambers shall cause any disturbance, interrupt any speaker or interfere with the action of council.
- 15.6 The mayor may call to order any person on the floor or in the gallery who has created a disturbance and may expel that person from council chambers.
- 15.7 An employee or member of the public who refuses to leave council chambers upon the order of the mayor may be removed by a peace officer.

RULES FOR MOTIONS

Motions

- 16.1 A member of council may make a motion introducing any new matter if:
 - a. The motion is a recommendation from a council committee;
 - b. Notice of motion has been provided in accordance with section 23 of this bylaw; or
 - c. A motion is passed dispensing with notice.
- 16.2 At least three days before a regularly scheduled meeting of council, the chief administrative officer shall make all motions filed under section 16.1 available to the member of council.
- 16.3 Section 16.1 does not apply to any of the motions set out in section 16.9.
- 16.4 A motion must be made prior to any debate or vote occurring.

- 16.5 A recommendation in a report is not a motion until a member of council moves it.
- 16.6 Council shall consider only one motion at a time.
- 16.7 After a motion has been moved, it may not be withdrawn without the majority consent of council.
- 16.8 The following motions are not debatable by council:
- a. to raise a point of privilege;
 - b. to call for orders of the day;
 - c. to raise a point of order;
 - d. to withdraw a motion;
 - e. to recess or adjourn the meeting; or
 - f. to challenge a ruling of the mayor.
- 16.9 When a motion has been made and is being considered, no member of council may make any other motion except:
- a. as set out in section 16.8;
 - b. to amend the motion;
 - c. to refer the main motion to committee of the whole, the administration, a council committee or some other person or group for consideration;
 - d. to postpone consideration of the motion; or
 - e. to table the motion.
- 16.10 Motions shall have precedence in accordance with the order that they are listed in section 16.8 and then in subsections 16.9(b), 16.9(c), 16.9(d) and 16.9.(e).
- 16.11 If a motion is voted on by council, a member of council who voted on the prevailing side may move, at the same meeting or continuation thereof, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.
- 16.12 If a motion fails, the same motion shall not be renewed unless:
- a. a general municipal election has been held; or

- b. one year has passed since the date that the motion was defeated.
- 16.13 Notwithstanding section 16.12, if a motion is defeated, a member of council may introduce a motion calling on council to renew the motion if:
- a. a two-thirds majority of council grants leave to a member of council to introduce a motion calling on council to renew the motion; or
 - b. the member of council who wishes to have council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.
- 16.14 If a motion succeeds, a member of council may introduce a motion calling on council to rescind the motion or amend a motion previously adopted provided that the member of council sets out in writing what special or exceptional circumstances warrant further debate.
- 16.15 In emergent situations, where previous notice to rescind or amend a motion previously adopted is not practical, a motion to rescind or amend a motion previously adopted shall require a two-thirds vote of members of council present at the council meeting at which the rescinding or amending motion is introduced.
- 16.16 A motion to rescind, renew or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.
- 16.17 Council may consider a matter in camera in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 16.18 No motions may be made when council is sitting in camera except the motion to return to the public forum.
- 16.19 Before calling the vote on a motion that, if passed, would result in a requirement for an action to be completed by a specified date or within a specific amount of time, the Mayor shall consult with the Chief Administrative Officer regarding the practicality of the date specified in the motion.

Amendments to Motions

- 17.1 A member of council who moved a motion may not move an amendment to it.
- 17.2 Notwithstanding 17.1, a member of council who has moved a motion may restate the motion to include a proposed amendment if no other member of council objects.
- 17.3 Any member of council, other than the member of council who moved the main motion, may move to amend a motion.

- 17.4 The member of council who moved the main motion may move an amendment to the amendment.
- 17.5 The mayor shall allow only:
- a. one amendment to the main motion; and
 - b. one amendment to the amendment
- to be advanced and considered at a time.
- 17.6 Council must vote:
- a. on an amendment to the amendment, if any, before voting on the amendment; and
 - b. on any amendment before voting on the main motion.
- 17.7 When an amendment is on the floor, council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
- 17.8 The mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of council.
- 17.9 Once all amendments to the main motion have been voted on, the mayor shall put forth the main motion under debate to council for a vote, incorporating the amendments that have been passed by council.

Motions to Refer

- 18.1 Any member of council may move to refer any main motion, and any pending amendments, to a council committee or the administration for investigation and report.
- 18.2 A motion to refer:
- a. is debatable;
 - b. precludes any further amendment to the main motion, until the motion to refer has been addressed by council;
 - c. shall include instructions indicating what the receiving body is to do and the date by which council requires a response; and

- d. may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 18.3 The mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 18.4 Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption, any amendment to the resolution so referred, without regard to any amendments considered by council prior to the referral. The resolution proposed by the referral body shall be as if introduced to council for the first time, and council shall be free to consider any amendment to it.

Splitting a Motion

- 19.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a member of council may request that the motion be split into parts so that each part may be voted upon individually.
- 19.2 A member of council who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 19.3 The chief administrative officer may, on the request of the mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by council.

Tabling Motions

- 20.1 A motion may be tabled by a majority vote of council to enable council to deal with other more pressing matters.
- 20.2 A motion to table:
 - a. includes all other motions; and
 - b. takes precedence over any other motion connected with the motion being tabled.
- 20.3 A motion that has been tabled may be raised from the table at any time by a majority vote of council.
- 20.4 If a motion to raise a motion from the table is defeated, it may only be made again after council has addressed some other matter or business.

- 20.5 When a tabled motion is raised from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
- 20.6 A motion fails if it is not raised from the table within one year of being tabled.

Postponing Motions

- 21.1 A motion may be postponed:
- a. to later in the meeting to enable council to deal with other more pressing matters; or
 - b. to a specified time and/or date; or
 - c. until the occurrence of an event; or
 - d. indefinitely.
- 21.2 A motion to postpone:
- a. includes the motion being postponed and all connected amendments; and
 - b. takes precedence over any other motion connected with the motion being postponed.
- 21.3 A motion that has been postponed under section 21.1(a) or 21.1(d) may be considered at any time by a two-thirds majority vote of council.
- 21.4 If a motion to consider a postponed motion is defeated, it may only be made again after council has addressed some other matter or business.
- 21.5 When a motion that has been postponed is brought back to council, it is brought back with all motions connected with it, exactly as it was when postponed.
- 21.6 If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.
- 21.7 The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current council term.

Consent Agenda

- 22.1 The consent agenda portion of a meeting is moved and voted upon without debate as one item regardless of the number of reports included.

- 22.2 If a member of council wishes to debate an item included in the consent agenda, a request to exempt the item must be made before the Chair calls the question.
- 22.3 Approval of the consent agenda shall include approval of all the recommendations contained in the respective reports.
- 22.4 Council will deal with items for debate in the order that they appear on the agenda, unless otherwise decided in accordance with Section 11.
- 22.5 A motion must be made before any exempted item is discussed.

Notice of Motion

- 23.1 Prior to council adjourning a regular council meeting, member of council will be given an opportunity to present a notice of motion by reading into the minutes the notice of motion and by providing the chief administrative officer with a written copy of the notice.
 - a. Any motion arising from an unsolicited or unscheduled presentation to Council shall be treated as a "Notice of Motion" and subject to the rules outlined in this section.
- 23.2 In addition to the opportunity described in section 23.1 members of council may:
 - a. Present a notice of motion during discussion or debate on a matter which the notice of motion pertains; or
 - b. Present a notice of motion by providing written notice of the motion to all other members of council, the Chief Administrative Officer, and any other members of administration required by the Chief Administrative Officer to receive notice.
- 23.3 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 23.4 A notice of motion may state the date of the regular council meeting at which the motion will be included in the agenda.
- 23.5 If no date is provided in the notice of motion as allowed by section 23.3, the agenda committee will determine which council meeting agenda will include the motion for which the notice of motion was provided.
- 23.6 A date included in a notice of motion as per section 23.3, or determined by the agenda committee as per section 23.4, shall be no less than 13 days later than the date of the council meeting at which the notice of motion was provided.

- 23.7 A notice of motion may be added to the agenda with less than the time outlined in section 23.6 if Council passes a resolution waiving the time requirement for notice.
- 23.8 If a motion for which a notice of motion was provided is not made at the meeting that was either indicated in the notice of motion or determined by the agenda committee, it will appear on the agenda for, and may be made at any of, the next two regular meetings. After the third regular meeting, it will not appear on subsequent agendas unless a new notice of motion is provided.
- 23.9 A notice of motion cannot be made at a special council meeting.
- 23.10 A motion on notice is not debatable until a member of council moves the motion.

Electronic Voting

- 24.1 Electronic voting technology that enables administration to display and record each motion, the names of members of council who voted for and against the motion, and the result of the vote shall be used during council meetings.
- 24.2 When the electronic voting technology is in operation:
- a. all members of council shall vote using the electronic voting technology, unless excused from voting by any statute; and
 - b. all votes shall be displayed publicly and recorded in the minutes in accordance with the public display.
- 24.3 When the electronic voting technology is inoperable or unavailable, a recorded vote shall be taken manually.

RULES FOR BYLAWS

Bylaws

- 25.1 The chief administrative officer must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time.
- 25.2 Each proposed bylaw must include:
- a. the bylaw number assigned to it by the chief administrative officer; and
 - b. a concise title.

- 25.3 The bylaw number and concise title of a proposed bylaw must be included on the agenda of the meeting at which the bylaw is to be introduced.
- 25.4 The chief administrative officer must make available a copy of the bylaw to each member of council before the first reading of the bylaw.
- 25.5 After first reading of the bylaw a member of council may move to have the bylaw read a second time.
- 25.6 Council may not give a bylaw more than two readings at a meeting unless members of council unanimously agree to consider third reading at that meeting.
- 25.7 Any amendments to the bylaw that are passed by Council before the motion for third reading is passed:
 - a. are deemed to have received first and second reading; and
 - b. are incorporated into the proposed bylaw.
- 25.8 The chief administrative officer may draw council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that council consider an amendment to correct the error.
- 25.9 If amendments to the proposed bylaw have been carried, a member of council may request an opportunity to review the full text of the bylaw as amended prior to third reading and the mayor shall provide a recess for the member of council to do so.
- 25.10 If any reading of a proposed bylaw fails, all previous readings are rescinded.

COMMITTEE OF THE WHOLE

- 26.1 There shall be a committee of the whole comprising all members of council.
- 26.2 The Mayor shall be chair of the Committee of the Whole unless another individual is chosen by the Mayor to act as chair. The Mayor may at any time resume the chair.
- 26.3 Council, by majority vote, may schedule a committee of the whole meeting or may resolve itself into committee of the whole.
- 26.4 Subject to the *Act*, committee of the whole may consider any matter that council may consider, including but not limited to detailed consideration of the following matters:
 - a. the budget;

- b. the audit;
- c. transportation issues;
- d. development issues;
- e. strategic planning;
- f. legislative reform;
- g. policing matters; and
- h. policy formulation.

26.5 Committee of the whole may:

- a. conduct public meetings;
- b. receive delegations and submissions;
- c. meet with other municipalities and other levels of governments; and
- d. recommend annual appointments of members of the public to council committees, other City committees and other bodies on which the City is entitled to have representation.

26.6 Council may receive briefings in committee of the whole.

26.7 In addition to the restrictions contained in section 203(2) of the *Act*, the committee of the whole shall not hold public hearings.

26.8 The mayor may call for a meeting of the committee of the whole at any time.

26.9 Subject to the *Act*, any member of council may move that council move into committee of the whole to consider any matter either at the current council meeting or at another date. Instructions to the committee of the whole may be included in this motion.

26.10 A motion to move into committee of the whole may be debated only regarding the desirability of committing the main motion but not on the main motion itself.

26.11 Quorum of committee of the whole is a majority of members of council.

26.12 In the committee of the whole, the procedures of council shall be relaxed as follows:

- a. a member of council may speak even though there is no motion on the floor, but if there is a motion on the floor a member of council shall only address that motion;
 - b. a member of council may speak more than once, provided that each member of council who wishes to speak to the matter has already been permitted to do so;
 - c. with the permission of the mayor, persons other than councillors may be seated at the council table and on the council floor; and
 - d. no notice need be given of any motion to be made.
 - e. The mayor may make a motion on any matter without relinquishing the chair.
- 26.13 Committee of the whole may move in camera in accordance with the *Act* and the *Freedom of Information and Protection of Privacy Act*.
- 26.14 No motions may be made when committee of the whole is sitting in camera in accordance with the *Freedom of Information and Protection of Privacy Act* except motions to return to the public forum.
- 26.15 When council moves into committee of the whole within a council meeting with the intention of returning to council for a decision at the same meeting, committee of the whole is not required to vote on a recommendation to council.
- 26.16 When council moves into committee of the whole to consider a matter delegated to it by council, members of council are required to vote on a recommendation to council.

NOMINATING COMMITTEE

- 27.1 There shall be a committee of Council called the nominating committee.
- 27.2 The nominating committee shall make recommendations to council on the appointment of members of council to council committees, to other City committees, and to bodies on which the City is entitled to have representation.
- 27.3 The nominating committee of council shall be composed of the all members of council.
- 27.4 The mayor is the permanent chair of the nominating committee.

PUBLIC APPOINTMENTS TO COMMITTEES

- 28.1 Council will, by policy, establish procedures for the recommendation for appointment of members of the public to committees, boards or other agencies to which council may appoint members of the public.
- 28.2 Appointments to public committees shall be made by resolution of Council.

INFORMATION REQUESTS

- 29.1 A member of council wishing to make an information request of administration shall present it to council either:
- a. at the time designated for information requests on the agenda of a regular council meeting; or
 - b. during discussion of a matter on the agenda to which the information request is related.
- 29.2 If the chief administrative officer is unable to answer the information request at the meeting, the chief administrative officer will forward the request to the appropriate official or body in the City for a response.
- 29.3 Unless the information request specifies that the member of council wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all members of council.
- 29.4 If the chief administrative officer determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the chief administrative officer shall file a response with council stating the reasons for withholding the information.
- 29.5 If the chief administrative officer determines that the time and cost of compiling the information will be considerable, the chief administrative officer shall request a resolution of council to approve the request either at the same meeting or a future meeting.
- 29.6 If a member of council who has made an information request wishes to withdraw the request, at the appropriate time on the agenda that member of council shall so inform council.

PUBLIC HEARINGS

- 30.1 "Adjourn" used in relation to a public hearing means to take a break in the public hearing with the intent of returning to the public hearing at another meeting or later in the same meeting.

- 30.2 "Close" used in relation to a public hearing means to terminate the public hearing.
- 30.3 The order of presentations and any time limitations imposed on presenters shall be in accordance with the policy and procedures for public hearings adopted from time to time by council.
- 30.4 The mayor, or the chief administrative officer, shall inform council of any written submissions and the numbers in favour of and opposed to the matter.
- 30.5 Any person who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by the council in person or through an agent.
- 30.6 Any member of council or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.
- 30.7 If a public hearing is adjourned, council shall not receive any additional submissions in relation to the subject matter until it reconvenes the public hearing.
- 30.8 The public hearing must be closed before council votes on second reading of the bylaw.
- 30.9 Once the public hearing is closed, council shall not receive any additional information on the proposed bylaw or resolution without reopening the public hearing.
- 30.10 Unanimous approval of council is required to pass a motion to close a public hearing in the same meeting as First Reading was given.
- 30.11 Should unanimous consent not be obtained on the closure of the Public Hearing, the Public Hearing shall be adjourned to a future meeting, with a return date set by Council.
- 30.12 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the mayor opens another public hearing.
- 30.13 Matters that are related to the same topic may be addressed in the same public hearing.

PUBLIC MEETINGS AND NON-STATUTORY PUBLIC HEARINGS

- 31.1 Council may hold public meetings or non-statutory public hearings to solicit input from the public on issues for which a public hearing is not legislatively required.

- 31.2 Public meetings shall be conducted according to the procedures for public meetings established by council in policy.
- 31.3 Non-statutory public hearings shall be conducted according to the procedures for statutory public hearings adopted from time to time by council.

ADJOURNING THE MEETING

- 32.1 When the mayor is satisfied that all the business and purposes of a meeting have been addressed, the mayor may adjourn the meeting or request a motion to adjourn the meeting.
- 32.2 Any member of council may move to adjourn the meeting at any time.

COMMUNICATIONS

- 32.3 A council meeting or council committee meeting may be conducted by means of electronic or other communication facilities according to the provisions of the Act and policies and procedures adopted by council.

COMING INTO FORCE AND REPEAL

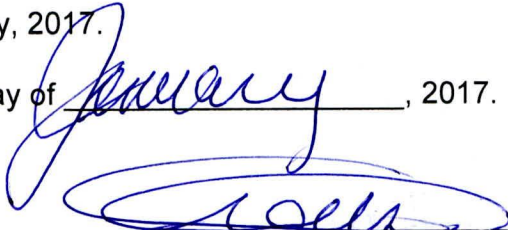
34. This bylaw comes into force on receiving third reading by council and repeals Bylaw 35/2009, Procedure Bylaw.

READ a First time this 17th day of October, 2016.

READ a Second time this 9th day of January, 2017.

READ a Third time this 9th day of January, 2017.

SIGNED AND PASSED this 10 day of January, 2017.


MAYOR


CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 3/2018

A bylaw to set the procedures of Council.

PURPOSE

Whereas, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, council may adopt bylaws in relation to the establishment and functions of council committees and the procedure and conduct of council and council committees;

And Whereas, pursuant to Section 203 of the *Municipal Government Act*, council may by bylaw delegate its powers, duties or functions to a council committee;

And Whereas the *Municipal Government Act* governs the conduct of council, councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality;

St. Albert City council enacts:

SHORT TITLE

1.1 This bylaw may be called the *Procedure Bylaw*.

DEFINITIONS

2.1 In this bylaw:

- a. "Act" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
- b. "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting and used in relation to a public hearing, means to take a break in the public hearing with the intent of returning to the public hearing at another meeting or later in the same meeting;
- c. "amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;
- d. "chief administrative officer" means the chief administrative officer of the City or the designate of the chief administrative officer;

- e. "City" means the City of St. Albert;
- f. "close" means the termination of a public hearing;
- g. "committee of the whole" means a committee comprised of all councillors which conducts itself as a committee of council;
- h. "consent agenda" means a single item on the agenda of a council meeting in which the recommended action is to approve, without discussion, questions, or debate the recommendations in each of the agenda reports referenced in the consent agenda report;
- i. "council committee" means a committee, board or other body established by a council under the *Act*;
- j. "council lounge" means the room adjoining council chambers;
- k. "councillor" means a member of council excluding the chief elected official;
- l. "emergent business" is a time sensitive matter that requires Council's or a Committee's immediate and urgent consideration and where previous notice is not practical;
- m. "in camera" means a meeting at which only councillors and other persons specified by council may attend;
- n. "member of council" or "council member" shall mean any member including the chief elected official;
- o. "notice of motion" is the means by which a councillor may bring a topic before council.
- p. "orders of the day" means a requirement that the mayor return to the pre-determined agenda, including adjourning at the pre-determined time, unless a motion to extend the discussion occurring at that time or a motion to extend the meeting is adopted;
- q. "peace officer" means a peace officer as defined in the *Police Act*;
- r. "point of order" means a demand by a member of council that the mayor enforce the rules of procedure;
- s. "point of privilege" means a request made to the mayor by a member of council on any matter related to the rights and privileges of councillors and includes:

- i. the comfort of councillors
 - ii. the conduct of City employees or members of the public in attendance at the meeting;
 - iii. the accuracy of the reports of council's proceedings; and
 - iv. the reputation of council and councillors;
- t. "postpone" means to delay the consideration of any matter, either:
- i. to later in the meeting;
 - ii. to a specified time and/or date;
 - iii. until the occurrence of an event; or
 - iv. indefinitely;
- u. "public hearing" means a meeting or portion of a meeting that council is required to hold under the *Act* or another enactment for the primary purpose of hearing submissions;
- v. "public meeting" means a meeting of council or committee of the whole at which members of the public may attend and may be invited to make submissions to council, but which is not a public hearing;
- w. "recess" means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- x. "reconsider" means to bring forward for consideration of council a motion that has already been brought before, and voted upon by council, earlier in the same meeting.
- y. "refer" means to send a pending motion or agenda item to a council committee or the administration for investigation and report;
- z. "renew" means to bring forward to a later meeting a previously defeated motion;
- aa. "rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- bb. "table" means to set a matter aside until a majority decides to address the item again by means of a motion to raise from the table; and

- cc. "term" means the length of time that an elected council serves between two consecutive municipal elections.

APPLICATION AND INTERPRETATION

- 3.1 This bylaw shall apply to all meetings of council and committee of the whole.
- 3.2 Council may make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
- a. any reference to the mayor shall be treated as a reference to the chair of the council committee;
 - b. any reference to a councillor shall be treated as a reference to a member of the council committee; and
 - c. any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Act* or this bylaw, council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.5 The precedence of the rules governing the procedures of council is:
- a. the *Act*;
 - b. other provincial legislation;
 - c. this bylaw; and
 - d. *Robert's Rules of Order Newly Revised*.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so.

ORGANIZATIONAL MEETINGS

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 At the organizational meeting, council shall establish, by resolution, for the forthcoming year:

- a. the roster for deputy mayor for a two-month period on a rotating basis;
 - b. the dates, time of commencement and place of the regular council meetings; and
 - c. the date of the next organizational meeting; and
 - d. the edition of *Robert's Rules of Order Newly Revised* that will be used by council.
- 4.3 Notwithstanding section 4.2 b., if all councillors are not in attendance at the organizational meeting, the scheduling of regular council meetings shall be postponed until the next council meeting at which all councillors are in attendance, and council shall establish the date, time of commencement and place of the next council meeting.

INAUGURAL MEETING

- 5.1 The first meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2 Each member of council shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 5.3 Until the mayor has taken the oath of office, the chief administrative officer shall chair the inaugural meeting.
- 5.4 At the inaugural meeting, each member of council shall affirm the Code of Conduct as approved from time to time by council.
- 5.5 The mayor may deliver an inaugural address at the inaugural meeting.
- 5.6 The first organizational meeting after an inaugural meeting shall either occur at the next meeting date following the inaugural meeting or immediately following the inaugural meeting.

COUNCIL SEATING

- 6.1 The mayor shall occupy the seat at the centre of the council table.
- 6.2 The seats of councillors shall be chosen by lot prior to the inaugural meeting.
- 6.3 Council may reallocate the seating for councillors by lot at any time by majority vote of council.

QUORUM

- 7.1 Quorum of council is a majority of members of council.
- 7.2 If quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, the chief administrative officer will document the names of those who are present, and the meeting will be adjourned and rescheduled.
- 7.3 If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

DUTIES OF OFFICIALS

Duties of the Mayor

- 8.1 The mayor shall:
 - a. open council meetings;
 - b. chair council meetings;
 - c. chair meetings of the nominating committee;
 - d. preserve order and decorum in council meetings;
 - e. rule on all questions of procedure;
 - f. ensure that each member of council who wishes to speak on a debatable motion is granted the opportunity to do so;
 - g. determine the speaking order when two or more members of council or others wish to speak; and
 - h. decide who, aside from members of council, may address council.
- 8.2 The mayor is an ex officio member, by virtue of office, of all council committees, unless a bylaw establishing a committee expressly states that the mayor is not an ex officio member of that committee.
- 8.3 If the mayor is present at a committee meeting by virtue of office:
 - a. the mayor has all the rights and privileges of the other committee members including the right to make motions and vote; but

- b. the mayor shall not be counted to determine quorum.

Duties of the Deputy Mayor

- 9.1 Unless otherwise determined by council, during the twelve month period following the organizational meeting, each councillor shall serve as deputy mayor for a two-month period, as assigned to that councillor at the organizational meeting.
- 9.2 The deputy mayor shall chair council meetings when the mayor is absent or unable to act as mayor and shall have all the powers and responsibilities of the mayor under this bylaw during the mayor's absence or inability to act.
- 9.3 The deputy mayor may chair meetings of committee of the whole when delegated by the mayor.
- 9.4 In the absence or inability of the mayor and deputy mayor to act, the next councillor scheduled to be deputy mayor on the roster shall chair council meetings and shall have all the powers and responsibilities of the mayor under this bylaw.

Duties of the Chief Administrative Officer

- 10.1 The chief administrative officer shall, subject to the *Act* and the *City Manager Bylaw*:
 - a. provide council with information and advice with respect to the operation of the City;
 - b. when requested, provide information and advice to the mayor and council on procedural matters in council;
 - c. record minutes of the meetings of council and provide secretariat functions for council meetings;
 - d. receive recommendations for resolutions and make them available to each members of council; and
 - e. review proposed bylaws to ensure compliance with this bylaw and to advise the proponent and council of the existence of complementary and conflicting provisions in other bylaws.

THE CONDUCT OF A COUNCIL MEETING

Agenda

- 11.1 There shall be a committee of council called the agenda committee established by bylaw. The agenda committee will be responsible for determination of the content of the proposed agenda for upcoming council meetings and the order of agenda items on the proposed agendas.
- 11.2 The agenda shall be circulated to members of council no less than 5 days prior to the council meeting.
- 11.3 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to:
 - a. approval by council of the agenda as presented; or
 - b. approval by council for amendment of the agenda and subsequent approval of the agenda as amended.
- 11.4 Amendments to the agenda may include:
 - a. reordering of the items on the agenda;
 - b. assigning a specific time at which to address a particular agenda item; or
 - c. addition of an emergent agenda item.
- 11.5 The order of business at a council meeting shall be the order of the items on the adopted agenda.
- 11.6 After adoption of the agenda, council may alter the order of the items on the agenda, by majority vote, for convenience of the meeting.

Rules Governing Debate

- 12.1 A motion must be made by a member of council before council can debate an item before council.
- 12.2 A seconder to a motion is not required.
- 12.3 All discussion at a meeting of council shall be directed through the mayor.
- 12.4 A member of council who has made a motion may speak either in favour of, or in opposition to, the motion.
- 12.5 Unless otherwise provided by resolution, a member of council may speak only:

- a. once on any motion;
- b. once on any amendment to a motion; and

12.6 Notwithstanding 12.5:

- a. a member of council may ask questions of the administration or other member of council on any motion or amendment to a motion;
- b. a member of council may speak to answer questions put by other member of council; and
- c. a member of council who has made a motion may speak a second time to end the debate.
- d. there will be no limit on the length at which a member of council may speak.

12.7 The mayor may participate in debate on any matter before council without relinquishing the chair.

12.8 The mayor may make a motion on any matter on the agenda but before doing so the mayor must relinquish the chair to the deputy mayor until the vote on the motion has been taken.

12.9 When a member of council wishes to leave the council chambers while a meeting of council is in progress:

- a. the member of council shall await the formal acknowledgement of the mayor before leaving; and
- b. the time of the member's departure, and return, if any, shall be recorded in the minutes.
- c. for the purpose of interpreting this section, the council lounge is considered to be part of the council chambers.

12.10 If a member of council has a pecuniary interest under the *Act*, that member of council shall state that he/she has a pecuniary interest and the nature of the pecuniary interest and shall leave the room in which the meeting is being held.

12.11 Where a member of council has left the meeting under section 12.10:

- a. the reason for and time of the member of council's departure, and return, if any, shall be recorded in the minutes;

- b. if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavour to advise the member of council who has left the meeting of the amendment so that the member of council may determine whether he/she continues to have a pecuniary interest; and
 - c. council shall not consider any other agenda item until the chief administrative officer has endeavoured to advise the member of council who left the meeting because of a pecuniary interest that there is a new agenda item before the meeting.
- 12.12 In order to ensure that quorum is not lost, the mayor may recess the meeting briefly if a member of council wishes to leave the meeting but intends to return.
- 12.13 Subject to the *Act*, no member of council shall leave their seat in the council chambers after a question is put to a vote until the vote is taken.
- 12.14 A councillor who is speaking may be interrupted by the mayor if:
- a. the councillor speaking is out of order; or
 - b. the matter being addressed by the councillor speaking is outside the jurisdiction of council.
- 12.15 A member of council who is speaking may only be interrupted by another councillor on:
- a. a point of privilege; or
 - b. a point of order.
- 12.16 The member of council who is speaking when a point of order or point of privilege is raised shall cease speaking immediately.
- 12.17 The mayor may grant permission:
- a. to the councillor raising the point to explain the point briefly; and
 - b. to the councillor who was speaking to respond briefly; but
- otherwise a point of order or privilege is not debatable or amendable.
- 12.18 The mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a councillor to the ruling.
- 12.19 The mayor may seek advice from the chief administrative officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the council.

Challenging the Ruling of the Mayor

- 13.1 Any councillor may challenge the ruling of the mayor on a point of order or privilege and state the terms of the challenge.
- 13.2 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 13.3 If a ruling of the mayor is challenged, the mayor shall briefly state the reasons for the mayor's ruling and then put the question to council.
- 13.4 Council shall decide the challenge, by majority vote, without debate.
- 13.5 The decision of council on the challenge is final.
- 13.6 If the mayor refuses to put the challenge to council, council may request the deputy mayor to assume the chair in order that the challenge to the mayor's ruling can be put to council in accordance with the provisions of sections 13.3 to 13.5. The result of the vote is as binding as if conducted under the mayor and the mayor shall abide by the result.

MAINTAINING ORDER IN COUNCIL

Order in Council Chambers - Council

- 14.1 The mayor may call to order any councillor who is out of order.
- 14.2 A councillor who is called to order must cease talking or otherwise engaging in the activity specified by the mayor in the call to order.
- 14.3 When a councillor has been called to order but persists in breaching the order of council, the mayor may name the councillor and declare the offence.
- 14.4 The chief administrative officer shall note the offence in the minutes.
- 14.5 If a councillor who has been named:
 - a. apologizes to council and withdraws the offensive statement or action, then
 - i. that councillor may remain and continue to participate in the meeting; and

- ii. the mayor may direct that the notation of the offence be removed from the minutes; or
 - b. fails or refuses to apologize and withdraw the offensive statement or action then that councillor is automatically expelled and must leave council chambers immediately.
- 14.6 A councillor who refuses to leave the council chambers upon the order of the mayor may be removed by a peace officer.
- 14.7 No councillor shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 14.8 A councillor who is called to order or named may immediately thereafter challenge the ruling of the mayor and state the terms of the challenge.
- 14.9 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 14.10 A challenge of the mayor's ruling shall follow those procedures outlined in sections 13.3 to 13.5.

Order in Council Chambers – The Public

- 15.1 Only members of council, the chief administrative officer, and those individuals authorized by the chief administrative officer or mayor may be present on the floor of council chambers.
- 15.2 The chief administrative officer, an employee or consultant authorized by the chief administrative officer may address the council from the floor of council chambers, if recognized by the mayor.
- 15.3 A person not listed in section 15.1 may address council from the public gallery with permission of the mayor.
- 15.4 No person present in the gallery or on the floor of council chambers shall cause any disturbance, interrupt any speaker or interfere with the action of council.
- 15.5 The mayor may call to order any person on the floor or in the gallery who has created a disturbance and may expel that person from council chambers.
- 15.6 An employee or member of the public who refuses to leave council chambers upon the order of the mayor may be removed by a peace officer.

RULES FOR MOTIONS

Motions

- 16.1 A member of council may make a motion introducing any new matter if:
- a. the motion is a recommendation from a council committee;
 - b. notice of motion has been provided in accordance with section 23 of this bylaw; or
 - c. a motion is passed dispensing with notice.
- 16.2 At least three days before a regularly scheduled meeting of council, the chief administrative officer shall make all motions filed under section 16.1 available to all members of council.
- 16.3 Section 16.1 does not apply to any of the motions set out in section 16.9.
- 16.4 A motion must be made prior to any debate or vote occurring.
- 16.5 A recommendation in a report is not a motion until a member of council moves it.
- 16.6 Council shall consider only one motion at a time.
- 16.7 After a motion has been moved, it may not be withdrawn without the majority consent of council.
- 16.8 The following motions are not debatable by council:
- a. to raise a point of privilege;
 - b. to call for orders of the day;
 - c. to raise a point of order;
 - d. to withdraw a motion;
 - e. to recess or adjourn the meeting; or
 - f. to challenge a ruling of the mayor.
- 16.9 When a motion has been made and is being considered, no member of council may make any other motion except:
- a. asset out in section 16.8

- b. to refer the main motion to committee of the whole, the administration, a council committee or some other person or group for consideration;
 - c. to postpone consideration of the motion;
 - d. to table the motion; or
 - e. to amend the motion.
- 16.10 Motions shall have precedence in accordance with the order that they are listed in section 16.8 and then in subsections 16.9(b), 16.9(c), 16.9(d) and 16.9(e).
- 16.11 If a motion is voted on by council, a member of council who voted on the prevailing side may move, at the same meeting or continuation thereof, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.
- 16.12 If a motion fails, the same motion shall not be renewed unless:
- a. a general municipal election has been held; or
 - b. one year has passed since the date that the motion was defeated.
- 16.13 Notwithstanding section 16.12, if a motion is defeated, a member of council may introduce a motion calling on council to renew the motion if:
- a. a two-thirds majority of council grants leave to a member of council to introduce a motion calling on council to renew the motion; or
 - b. the member of council who wishes to have council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.
- 16.14 If a motion succeeds, a member of council may introduce a motion calling on council to rescind the motion or amend a motion previously adopted if:
- a. the member of council sets out in writing what special or exceptional circumstances warrant further debate; or
 - b. in emergent situations, where previous notice to rescind or amend a motion previously adopted is not practical, a motion to rescind or amend a motion previously adopted shall require a two-thirds vote of members of council present at the council meeting at which the rescinding or amending motion is introduced.

- 16.15 A motion to rescind, renew or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.
- 16.16 Council may consider a matter in camera in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 16.17 No motions may be made when council is sitting in camera except the motion to return to the public forum.
- 16.18 Before calling the vote on a motion that, if passed, would result in a requirement for an action to be completed by a specified date or within a specific amount of time, the Mayor shall consult with the Chief Administrative Officer regarding the practicality of the date specified in the motion.

Amendments to Motions

- 17.1 A member of council who moved a motion may not move an amendment to it.
- 17.2 Notwithstanding 17.1, a member of council who has moved a motion may restate the motion to include a proposed amendment if no other member of council objects.
- 17.3 Any member of council, other than the member of council who moved the main motion, may move to amend a motion.
- 17.4 The member of council who moved the main motion may move an amendment to the amendment.
- 17.5 The mayor shall allow only:
- a. one amendment to the main motion; and
 - b. one amendment to the amendment
- to be advanced and considered at a time.
- 17.6 Council must vote:
- a. on an amendment to the amendment, if any, before voting on the amendment; and
 - b. on any amendment before voting on the main motion.
- 17.7 When an amendment is on the floor, council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.

- 17.8 The mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of council.
- 17.9 Once all amendments to the main motion have been voted on, the mayor shall put forth the main motion under debate to council for a vote, incorporating the amendments that have been passed by council.

Motions to Refer

- 18.1 Any member of council may move to refer any main motion, and any pending amendments, to a council committee or the administration for investigation and report.
- 18.2 A motion to refer:
- a. is debatable;
 - b. precludes any further amendment to the main motion, until the motion to refer has been addressed by council;
 - c. shall include instructions indicating what the receiving body is to do and the date by which council requires a response; and
 - d. may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 18.3 The mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 18.4 Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption, any amendment to the resolution so referred, without regard to any amendments considered by council prior to the referral. The resolution proposed by the referral body shall be as if introduced to council for the first time, and council shall be free to consider any amendment to it.

Splitting a Motion

- 19.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a member of council may request that the motion be split into parts so that each part may be voted upon individually.

- 19.2 A member of council who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 19.3 The chief administrative officer may, on the request of the mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by council.

Tabling Motions

- 20.1 A motion may be tabled by a majority vote of council to enable council to deal with other more pressing matters.
- 20.2 A motion to table:
- a. includes all other motions; and
 - b. takes precedence over any other motion
- connected with the motion being considered for tabling.
- 20.3 A motion that has been tabled may be raised from the table at any time by a majority vote of council.
- 20.4 If a motion to raise a motion from the table is defeated, it may only be made again after council has addressed some other matter or business.
- 20.5 When a tabled motion is raised from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
- 20.6 A motion fails if it is not raised from the table within one year of being tabled.

Postponing Motions

- 21.1 A motion may be postponed:
- a. to later in the meeting to enable council to deal with other more pressing matters; or
 - b. to a specified time and/or date; or
 - c. until the occurrence of an event; or
 - d. indefinitely.

- 21.2 A motion to postpone:
- a. includes the motion being postponed and all connected amendments; and
 - b. takes precedence over any other motion connected with the motion being postponed.
- 21.3 A motion that has been postponed under section 21.1(a) or 21.1(d) may be considered at any time by a two-thirds majority vote of council.
- 21.4 If a motion to consider a postponed motion is defeated, it may only be made again after council has addressed some other matter or business.
- 21.5 When a motion that has been postponed is brought back to council, it is brought back with all motions connected with it, exactly as it was when postponed.
- 21.6 If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.
- 21.7 The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current council term.

Consent Agenda

- 22.1 The recommendation in the agenda report for the consent agenda portion of a meeting is moved and voted upon without debate as one item regardless of the number of reports included.
- 22.2 If a member of council wishes to debate an item included in the consent agenda, a request to exempt the item must be made before the Chair calls the question.
- 22.3 Approval of the consent agenda shall include approval of all the recommendations contained in the respective reports.
- 22.4 Council will deal with items for debate in the order that they appear on the agenda, unless otherwise decided in accordance with Section 11.
- 22.5 A motion must be made before any exempted item is discussed, debated, or the subject of questions.

Notice of Motion

- 23.1 Prior to council adjourning a regular council meeting, member of council will be given an opportunity to present a notice of motion by reading into the minutes the

notice of motion and by providing the chief administrative officer with a written copy of the notice.

- a. any motion arising from an unsolicited or unscheduled presentation to Council shall be treated as a "Notice of Motion" and subject to the rules outlined in this section.

23.2 In addition to the opportunity described in section 23.1 members of council may:

- a. present a notice of motion during discussion or debate on a matter which the notice of motion pertains; or
- b. present a notice of motion by providing written notice, including by email, of the motion to all other members of council, the Chief Administrative Officer, and any other members of administration required by the Chief Administrative Officer to receive notice.
 - i. for notice of motion by email, notice will be read at the next council meeting in cases where there is a regular meeting of council within a week of notice or be advertised in a press release within one week.

23.3 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.

23.4 A notice of motion may state the date of the regular council meeting at which the motion will be included in the agenda.

23.5 If no date is provided in the notice of motion as allowed by section 23.2(a), the agenda committee will determine which council meeting agenda will include the motion for which the notice of motion was provided.

23.6 A date included in a notice of motion as per section 23.2(a), or determined by the agenda committee as per section 23.5, shall be no less than 21 days later than the date of the council meeting at which the notice of motion was provided.

23.7 A date included in a notice of motion as per section 23.2(b) shall be no less than 21 days later than the date of the next regular council meeting after the date that notice of motion was provided.

23.8 A notice of motion may be added to the agenda with less than the time outlined in section 23.6 if council passes a resolution waiving the time requirement for notice.

23.9 If a motion for which a notice of motion was provided is not moved at the meeting that was either indicated in the notice of motion or determined by the agenda committee, it will appear on the agenda for, and may be moved at any of the next

two regular meetings. After the third regular meeting, it will not appear on subsequent agendas unless a new notice of motion is provided.

23.10 A notice of motion cannot be made at a special council meeting.

23.11 A motion on notice is not debatable until a member of council moves the motion.

Electronic Voting

24.1 Electronic voting technology that enables administration to display and record each motion, the names of members of council who voted for and against the motion, and the result of the vote shall be used during council meetings.

24.2 When the electronic voting technology is in operation:

- a. all members of council shall vote using the electronic voting technology, unless excused from voting by any statute; and
- b. all votes shall be displayed publicly and recorded in the minutes in accordance with the public display.

24.3 When the electronic voting technology is inoperable or unavailable, a recorded vote shall be taken manually.

RULES FOR BYLAWS

Bylaws

25.1 The chief administrative officer must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time.

25.2 Each proposed bylaw must include:

- a. the bylaw number assigned to it by the chief administrative officer; and
- b. a concise title.

25.3 The bylaw number and concise title of a proposed bylaw must be included on the agenda of the meeting at which the bylaw is to be introduced.

25.4 The chief administrative officer must make available a copy of the bylaw to each member of council before the first reading of the bylaw.

- 25.5 After first reading of the bylaw a member of council may move to have the bylaw read a second time.
- 25.6 Council may not give a bylaw more than two readings at a meeting unless members of council unanimously agree to consider third reading at that meeting.
- 25.7 Any amendments to the bylaw that are passed by council before the motion for third reading is passed:
- a. are deemed to have received first and second reading; and
 - b. are incorporated into the proposed bylaw.
- 25.8 The chief administrative officer may draw council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that council consider an amendment to correct the error.
- 25.9 If amendments to the proposed bylaw have been carried, all members of council must have had an opportunity to review the full text of the bylaw as amended prior to third reading and, if necessary, the mayor shall provide a recess for the member of council to do so.
- 25.10 If any reading of a proposed bylaw fails, all previous readings are rescinded.

COMMITTEE OF THE WHOLE

- 26.1 There shall be a committee of the whole comprising all members of council.
- 26.2 The Mayor shall be chair of the Committee of the Whole unless another individual is chosen by the Mayor to act as chair. The Mayor may at any time resume the chair.
- 26.3 Council, by majority vote, may schedule a committee of the whole meeting or may resolve itself into committee of the whole.
- 26.4 Subject to the *Act*, committee of the whole may consider any matter that council may consider, including but not limited to detailed consideration of the following matters:
- a. the budget;
 - b. the audit;
 - c. transportation issues;
 - d. development issues;

- e. strategic planning;
- f. legislative reform;
- g. policing matters; and
- h. policy formulation.

26.5 Committee of the whole may:

- a. conduct public meetings;
- b. receive delegations and submissions;
- c. meet with other municipalities and other levels of governments; and
- d. recommend annual appointments of members of the public to council committees, other City committees and other bodies on which the City is entitled to have representation.

26.6 Council may receive briefings in committee of the whole.

26.7 In addition to the restrictions contained in section 203(2) of the *Act*, the committee of the whole shall not hold public hearings.

26.8 The mayor may call for a meeting of the committee of the whole at any time.

26.9 Subject to the *Act*, any member of council may move that council move into committee of the whole to consider any matter either at the current council meeting or at another date. Instructions to the committee of the whole may be included in this motion.

26.10 A motion to move into committee of the whole may be debated only regarding the desirability of committing the main motion but not on the main motion itself.

26.11 Quorum of committee of the whole is a majority of members of council.

26.12 In the committee of the whole, the procedures of council shall be relaxed as follows:

- a. a member of council may speak even though there is no motion on the floor, but if there is a motion on the floor a member of council shall only address that motion;
- b. a member of council may speak more than once, provided that each member of council who wishes to speak to the matter has already been

permitted to do so;

- c. with the permission of the mayor, persons other than councillors may be seated at the council table and on the council floor; and
 - d. no notice need be given of any motion to be made.
 - e. the mayor may make a motion on any matter without relinquishing the chair.
- 26.13 Committee of the whole may move in camera in accordance with the *Act* and the *Freedom of Information and Protection of Privacy Act*.
- 26.14 No motions may be made when committee of the whole is sitting in camera in accordance with the *Freedom of Information and Protection of Privacy Act* except motions to return to the public forum.
- 26.15 When council moves into committee of the whole within a council meeting with the intention of returning to council for a decision at the same meeting, committee of the whole is not required to vote on a recommendation to council.
- 26.16 When council moves into committee of the whole to consider a matter delegated to it by council, members of council are required to vote on a recommendation to council.

NOMINATING COMMITTEE

- 27.1 There shall be a committee of council called the nominating committee.
- 27.2 The nominating committee shall make recommendations to council on the appointment of members of council to council committees, to other City committees, and to bodies on which the City is entitled to have representation.
- 27.3 The nominating committee of council shall be composed of the all members of council.
- 27.4 The mayor is the permanent chair of the nominating committee.

PUBLIC APPOINTMENTS TO COMMITTEES

- 28.1 Council may, by policy, establish procedures for the recommendation for appointment of members of the public to committees, boards or other agencies to which council may appoint members of the public.
- 28.2 Appointments to public committees shall be made by resolution of council.

INFORMATION REQUESTS

- 29.1 A member of council wishing to make an information request of administration shall present it to council either:
- a. at the time designated for information requests on the agenda of a regular council meeting; or
 - b. during discussion of a matter on the agenda to which the information request is related.
- 29.2 If the chief administrative officer is unable to answer the information request at the meeting, the chief administrative officer will forward the request to the appropriate official or body in the City for a response.
- 29.3 Unless the information request specifies that the member of council wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all members of council.
- 29.4 If the chief administrative officer determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the chief administrative officer shall file a response with council stating the reasons for withholding the information.
- 29.5 If the chief administrative officer determines that the time and cost of compiling the information will be considerable, the chief administrative officer shall request a resolution of council to approve the request either at the same meeting or a future meeting.
- 29.6 If a member of council who has made an information request wishes to withdraw the request, at the appropriate time on the agenda that member of council shall so inform council.

PUBLIC HEARINGS

- 30.1 The mayor, or the chief administrative officer, shall inform council of any written submissions and the numbers in favour of and opposed to the matter.
- 30.2 Any person who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by the council in person or through an agent.

- 30.3 Any member of council or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.
- 30.4 Prior to holding a public hearing on a bylaw council shall vote on the motion for first reading of a bylaw, and if first reading passes, council shall establish a date on which the public hearing on the bylaw will be held.
- 30.5 The proceedings of public hearings shall be as follows:
- a. the Mayor opens the public hearing.
 - b. administration introduces the bylaw.
 - c. if administration and the applicant have worked together in the process, they may determine an effective and efficient approach to presenting the pertinent information to council. Alternatively, an applicant may have a maximum of ten minutes to make a presentation to council following administration's presentation.
 - d. council may ask questions of the administration and of the applicant.
 - e. the Mayor invites members of the public to speak to the bylaw.
 - f. council hears from those in attendance who wish to speak to the bylaw. Individuals shall be allotted a maximum of five minutes to make their presentations. Those who register as groups shall be allotted a maximum of ten minutes. council may vote to extend the time limits. Presenters may enhance their presentations by circulating or providing a report containing more detailed information.
 - g. council may ask questions of the members of the public who have come forward to speak to the bylaw.
 - h. once council has heard from the public, council may ask questions of administration on any points raised by the public that were not answered in previous questioning.
 - i. the Mayor asks if there is anyone who wishes to speak to NEW information – the speaker should identify the new information that he or she is addressing.
 - j. repeat procedures set out in sections 30.5(g), 30.5(h) and 30.5(i) until no one comes forward.
 - k. the Mayor shall ask for a motion to close or to adjourn the public hearing until a later meeting of council.

- 30.6 If a public hearing is adjourned, council shall not receive any additional submissions in relation to the subject matter until it reconvenes the public hearing.
- 30.7 Once the public hearing is closed, council cannot receive any additional substantive information on the bylaw as proposed without holding another public hearing.
- 30.8 Depending upon the nature of the bylaw and the need for additional public circulation and response, council may continue with subsequent readings at the same meeting or at subsequent meetings.
- 30.9 The public hearing must be closed before council votes on second reading of the bylaw.
- 30.10 If the bylaw requires referral to the Edmonton Metropolitan Region Board, following passage of second reading, council shall refer the bylaw to the Edmonton Metropolitan Region Board. A decision on a bylaw referred to the Edmonton Metropolitan Region Board shall be presented to council after second reading.
- 30.11 If council determines that any amendments that have been made have a substantive impact on, or have changed the intent of the bylaw, council may decide to re-open the public hearing for input from the public prior to second reading.
 - a. A public hearing may only be re-opened during the same council meeting in which the public hearing was closed.
- 30.12 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the mayor opens another public hearing.
- 30.13 Matters that are related to the same topic may be addressed in the same public hearing.

PUBLIC MEETINGS AND NON-STATUTORY PUBLIC HEARINGS

- 31.1 Council may hold public meetings or non-statutory public hearings to solicit input from the public on issues for which a public hearing is not legislatively required.
- 31.2 Non-statutory public hearings shall be conducted according to the procedures for statutory public hearings adopted from time to time by council.

PUBLIC PRESENTATIONS

- 32.1 An individual or group appointment shall not exceed five minutes unless:
- a. the Mayor, at his/her discretion, extends the amount of time; or
 - b. council, by resolution, extends the amount of time.
 - c. notwithstanding sections 32.1(a) and 32.1(b), if a group is an advisory committee to council or invited by council, ten minutes will be allotted for the appointment.
 - d. individuals representing more than one person will only be allotted one presentation.
- 32.2 If requested by a member of council, a vote of council must be taken to approve an extension of time given by the Mayor under sections 32.1(a).
- 32.3 Individuals or groups wishing to address council on an agenda item scheduled for an upcoming council meeting, shall register with Legislative Services by noon of the day of the council meeting and shall provide their name, contact information and the agenda item they wish to speak to. Individuals or groups who have registered shall be given priority during the public presentation time, in the order in which they have registered, to make their presentations to council.
- 32.4 On the day of the council meeting, a sign-in sheet shall be available at the entrance to council chambers for people who have not registered but who wish to address council on an agenda item scheduled for that council meeting.
- 32.5 Individuals and groups who have registered to address Council on specific agenda items when those items come before council shall be accommodated within the following steps:
- a. the Mayor will invite administration, along with any consultants that administration deems necessary, to introduce the agenda item.
 - b. council may ask questions of administration.
 - c. the Mayor may invite any interested member in the public gallery to speak to the agenda item. The speaker will provide to council his/her name, and may provide his/her address to enable council or administration to follow-up with the presenter, if required.
 - d. council may ask questions of the presenters.
 - e. council may ask further questions of administration.

- f. council will then debate and deal with the agenda item.
- 32.6 Individuals or groups wishing to address council on topics not on the agenda for an upcoming council meeting, shall register with Legislative Services at least 5 business days prior to the council meeting they wish to attend and shall provide their name, contact information, and their topic.
- a. presentation material shall be provided to Legislative Services at least 30 minutes prior to the council meeting, if a presentation or other material is to be presented to council at the council meeting.
- 32.7 Agenda Committee shall review the submissions of individuals or groups wishing to address council on topics not on the agenda and shall determine if:
- a. the council meeting the individuals or groups wish to attend has sufficient time for council to hear their presentation and that relevant staff from administration is available to answer any questions from council arising from the topics not on the agenda; or
 - b. the topics not on the agenda shall be scheduled for a later council meeting.
- 32.8 Individuals and groups who have registered to address council on topics not on the agenda shall be accommodated within the following steps:
- a. the Mayor will invite the presenter to make their presentation on their topic not on the agenda.
 - b. council may ask questions of the presenter.
 - c. council may ask questions of administration.
 - d. council may ask administration to further research the topic not on the agenda and bring back any new recommendations to council as an agenda item.
- 32.9 Council chambers are equipped with a computer connection for the use of the public as well as an overhead projector. Computers are not provided in order to prevent the contamination of City networks with viruses. Further to section 32.6 and 32.3, members of the public who wish to make presentations to council shall arrive at least one-half hour prior to the commencement of the council meeting to install and test their own computer equipment.

ADJOURNING THE MEETING

- 33.1 When the mayor is satisfied that all the business and purposes of a meeting have been addressed, the mayor may adjourn the meeting or request a motion to adjourn the meeting.
- 33.2 Any member of council may move to adjourn the meeting at any time.

COMMUNICATIONS

- 34.1 A council meeting or council committee meeting may be conducted by means of electronic or other communication facilities according to the provisions of the Act and policies and procedures adopted by council.

COMING INTO FORCE AND REPEAL

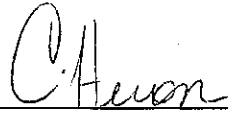
- 35.1 This bylaw comes into force on February 27, 2018 and repeals Bylaw 22/2016, Procedure Bylaw.

READ a First time this 15th day of January, 2018.

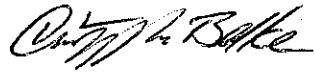
READ a Second time this 15th day of January, 2018.

READ a Third time this 20th day of February, 2018.

SIGNED AND PASSED this 20th day of February 2018.



MAYOR



CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 40/2021

PROCEDURE BYLAW AMENDMENT

Being Amendment 3 to the Procedure Bylaw 3/2018

The Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Bylaw 3/2018 Procedure Bylaw is hereby amended by this Bylaw.
2. Section 2.1 is amended by:
 - a. adding a new subsection 2.1(b.3) immediately after subsection 2.1(b.2) as follows:

b.3 “Agent” means an individual who acts on behalf of another affected party in accordance with the procedure outlined in this bylaw;
 - b. adding a new subsection 2.1(c.1) immediately after subsection 2.1(c) as follows:

c.1 “Chair” means the person who presides over a Public Hearing;
 - c. adding a new subsection 2.1(l.1) immediately after subsection 2.1(l) as follows:

l.1 “Group” means two or more persons who wish to advocate for the same or substantially the same position, and have chosen one of their number to speak for all; and
 - d. adding a new subsection 2.1(n.1) immediately after subsection 2.1(n) as follows:

n.1 “New Information” includes statements of a factual nature made by another speaker during the course of their presentation at a Public Hearing, but does not include expressions of opinion made by another speaker.

3. The following is added immediately after section 29.6 under the “Public Hearings” heading:

Process to Register to Speak

- 29.7 *Individuals or Groups wishing to address Council on their own behalf at a Public Hearing must register with Legislative Services by 3:00 p.m. on the day preceding the Public Hearing if the Public Hearing is being conducted electronically. Otherwise, individuals and Groups wishing to address Council on their own behalf at a Public Hearing may register with Legislative Services up to the day of the Public Hearing and a sign-in sheet will be available at the entrance to Council chambers for individuals and Groups who have not registered but wish to address Council on their own behalf at a Public Hearing.*
- 29.8 *Individuals wishing to address Council in the capacity of Agent for one or more other persons at a Public Hearing must:*
- a. *register with Legislative Services by 5:00 p.m. on the Thursday preceding the Public Hearing and declaring their intention to act as an Agent at the Public Hearing; and*
 - b. *submit a separate, completed, and signed Agent Declaration form, which may be obtained from Legislative Services, for each affected party that they will be representing. An Agent Declaration form must be signed and dated by the individual being represented, and must be submitted to Legislative Services no later than 5:00 p.m. on the Thursday preceding the Public Hearing.*

Written Submissions

- 29.9 *Whether or not an individual is making a verbal presentation at a Public Hearing, the following rules govern how written submissions to Council must be made with respect to a Public Hearing:*
- a. *written submissions must be emailed to Legislative Services not later than 12:00 noon on the Wednesday preceding the Public Hearing. Written submissions received by this deadline will be included in the meeting Agenda Package that is distributed to Council members and posted on the City’s public website. It is open to members of the public who have missed the written submission deadline to register to speak at a Public Hearing;*
 - b. *written submissions received either by administration or Councillors after the deadline noted in section 29.9(a) will not be considered by Council at the Public Hearing; and*

- h. once Council has heard from all persons who registered to speak and made a presentation, a Councillor may ask questions of administration on any matter raised in a presentation that was not answered to the Councillor's satisfaction in previous questioning;*
 - i. the Chair will ask if there is any person registered to speak who wishes to address New Information. Any such person will be given up to three minutes to do so, and must not use this second speaking opportunity only to repeat points they have previously made;*
 - j. the procedures in sections 30.5(g), 30.5(h) and 30.5(i) will be repeated until no further Councillor questions remain and no further requests by registered speakers are made to address anything said by another registered speaker; and*
 - k. when all verbal presentations by registered speakers have been heard and all questions by Councillors have been answered, the Chair will ask for a motion to Close the Public Hearing or Adjourn the Public Hearing until a later meeting of Council.*
6. A new section 30.51 is added immediately after section 30.5 as follows:
- 30.51 The Chair may, in their discretion, cut off speakers who are redundant, rude, inflammatory, or otherwise disturb the Public Hearing.*
7. The "Communications" heading is deleted and replaced with "Electronic Meeting Format".
8. Section 34.1 is deleted in its entirety and replaced with the following:
- 34.1 All meetings of Council, including Public Hearings, Committee of the Whole, and Standing Committees may be conducted electronically according to the provisions of the Act and associated regulations, and policies and procedures adopted by Council.*
9. A new section 34.2 is added immediately after section 34.1 as follows:
- 34.2 Presenters and speakers at meetings of Council, including Public Hearings, Committee of the Whole, and Standing Committees must not make use of the chat feature while in the meeting. Use of the chat feature by speakers or presenters during a meeting of Council, including Public Hearings, Committee of the Whole, or Standing Committee may result in an individual being removed from the meeting.*

10. The Chief Administrative Officer is authorized to issue a consolidated version of Bylaw 3/2018 that incorporates the amendments made by this amending bylaw and otherwise conforms with the requirements of section 69 of the *Municipal Government Act*.

EFFECTIVE DATE

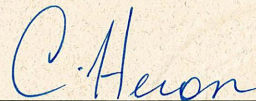
11. This Bylaw comes into effect when it is passed.

READ a First time this 31 day of May, 2021.

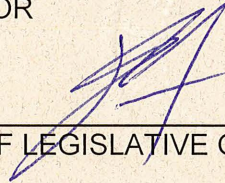
READ a Second time this 31 day of May, 2021.

READ a Third time this 31 day of May, 2021.

SIGNED AND PASSED this 2 day of June, 2021.



MAYOR



CHIEF LEGISLATIVE OFFICER

CITY OF ST. ALBERT

BYLAW 27/2022

A BYLAW TO REPEAL THE STANDING COMMITTEE BYLAWS 39/2019 AND 40/2019 AND TO AMEND THE PROCEDURE BYLAW 3/2018 AND VARIOUS COUNCIL COMMITTEE BYLAWS

Amendment #4 to Procedure Bylaw 3/2018
Amendment #3 to Community Services Advisory Committee Bylaw 10/1997
Amendment #2 to Environmental Advisory Committee Bylaw 35/2015
Amendment #3 to Seniors' Advisory Committee Bylaw 26/2018
Amendment #4 to Youth Advisory Committee Bylaw 26/2016

The Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

1. Bylaw 39/2019, Community Living Standing Committee, is hereby repealed.
2. Bylaw 40/2019, Community Growth and Infrastructure Standing Committee, is hereby repealed.
3. Bylaw 3/2018, Procedure Bylaw, is hereby amended by this Bylaw, in the sections as outlined in Schedule "A" attached herein.
4. Bylaw 10/1997, Community Services Advisory Committee Bylaw, is amended by:
 - a. Adding the word "and" to the end of subsection 2(f);
 - b. Deleting the word "and" from the end of subsection 2(g);
 - c. Deleting subsection 2(h) in its entirety;
 - d. Deleting the words "or the Standing Committee" from section 20, subsection 21(a), and subsection 21(b); and
 - e. Deleting the words "the Standing Committee" and replacing them with "Council" in section 21.1.
5. Bylaw 35/2015, Environmental Advisory Committee Bylaw, is amended by:
 - a. Adding the word "and" to the end of subsection 2(j);
 - b. Deleting subsection 2(k) in its entirety;

- c. Deleting the words “or the Standing Committee” from subsection 19(a) and subsection 19(f); and
 - d. Deleting the words “the Standing Committee” and replacing them with “Council” in section 19.1.
6. Bylaw 26/2018, Seniors’ Advisory Committee Bylaw, is amended by:
 - a. Adding the word “and” to the end of subsection 2(f);
 - b. Deleting the word “and” from the end of subsection 2(g);
 - c. Deleting subsection 2(h) in its entirety;
 - d. Adding the word “or” between the words “Council” and “Administration” in subsection 20(a);
 - e. Deleting the words “or the Standing Committee” from subsection 20(a), subsection 20(d), and subsection 20(f);
 - f. Deleting the words “or the Standing Committee’s” from subsection 20(c); and
 - g. Deleting the words “the Standing Committee” and replacing them with “Council” in section 20.1.
7. Bylaw 26/2016, Youth Advisory Committee Bylaw, is amended by:
 - a. Adding the word “and” to the end of subsection 2(f);
 - b. Deleting the word “and” from the end of subsection 2(g);
 - c. Deleting subsection 2(h) in its entirety;
 - d. Deleting the words “or the Standing Committee’s” from subsection 19(a);
 - e. Deleting the words “or the Standing Committee” from subsection 19(b), subsection 19(d), subsection 19(e), and subsection 19(h);
 - f. Deleting the words “the Standing Committee” and replacing them with “Council” in section 19.1.
8. The Chief Administrative Officer is authorized to issue consolidated versions of Bylaw 3/2018, Bylaw 10/1997, Bylaw 35/2015, Bylaw 26/2018, and Bylaw 26/2016 that incorporate the amendments made by this amending bylaw and otherwise conform with the requirements of section 69 of the *Municipal Government Act*.

EFFECTIVE DATE

9. This Bylaw comes into effect when it is passed.

READ a First time this 15th day of August, 2022.

READ a Second time this 15th day of August, 2022.

READ a Third time this 15th day of August, 2022.

SIGNED AND PASSED this 16 day of August, 2022.

C. Heur

MAYOR

David Leflar

David Leflar (Aug 16, 2022 16:01 MDT)

CHIEF LEGISLATIVE OFFICER










Bylaw 27_2022 to Repeal Standing Committee Bylaws

Final Audit Report

2022-08-16

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Consolidated Version
of
the Procedure Bylaw

(being Bylaw No. 24/2022 of the City of St. Albert, as amended by Bylaw No. 11/2023 consolidated and printed under the authority of the Chief Administrative Officer of the City of St. Albert)

This is certified to be a true copy of consolidated
Bylaw No. 24/2022 of the City of St. Albert.

Marta Caufield

Director of Legal, Legislative, and Records Services
Chief Legislative Officer

PROCEDURE BYLAW

| | NUMBER | 1ST READING | 2ND READING | 3RD READING | Signed and Passed |
|---------------|---------------------------------|------------------------|------------------------|------------------------|------------------------------|
| PASSED | 24/2022 (Repealed 3/2018) | December 6, 2022 | December 6, 2022 | December 6, 2022 | December 8, 2022 |
| 1 | 11/2023 | August 15, 2023 | August 15, 2023 | August 15, 2023 | August 17, 2023 |

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The text shown in parentheses in various locations throughout this document identifies the corresponding amending bylaw which authorized the change. For example (BL 5/2019) refers to Bylaw No. 5/2019.

CITY OF ST. ALBERT

BYLAW 24/2022

PROCEDURE BYLAW

A bylaw to set the procedures of Council

WHEREAS in accordance with section 145 of the *Municipal Government Act*, Council may pass bylaws in relation to the procedures to be followed by Council, Council Committees and other bodies established by Council;

AND WHEREAS in accordance with section 203 of the *Municipal Government Act*, Council may by bylaw delegate its powers, duties, or functions to a Council Committee;

AND WHEREAS the *Municipal Government Act* governs the conduct of Council, Councillors, Council Committees, municipal organization and Administration, public participation, and the powers of a municipality;

NOW THEREFORE COUNCIL OF THE CITY OF ST. ALBERT, ENACTS AS FOLLOWS:

SHORT TITLE

- 1 This bylaw may be referred to as “The Procedure Bylaw”.

DEFINITIONS

- 2 In this bylaw, the following definitions shall apply:
 - (a) “**Adjourn**” or “**Adjournment**” used in relation to any Meeting except a Public Hearing means to terminate the Meeting, and used in relation to a Public Hearing means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another Meeting or later in the same Meeting;
 - (b) “**Administration**” means the employees of the City of St. Albert;
 - (c) “**Agenda**” means the items of business for a Meeting to be addressed and the order in which they will be addressed at a Meeting, but does not include the Agenda Package, the associated reports, bylaws or other documents;
 - (d) “**Agenda Package**” means background or supporting material to the items on an Agenda, including reports, bylaws or other documents, or links to any of them;

- (e) **“Agent”** means a person who acts on behalf of another party in accordance with the procedure set out in this bylaw;
- (f) **“Chair”** means the Mayor, Acting Mayor, Deputy Mayor or other person who has authority to preside over a Meeting;
- (g) **“Chief Administrative Officer”** or **“CAO”** means the person appointed by Council to the position of chief administrative officer under section 205 of the *Municipal Government Act* and pursuant to Bylaw No. 13/2002, or their delegate;
- (h) **“City”** means the municipal corporation of the City of St. Albert;
- (i) **“Clerk”** means a member of Administration who serves as the parliamentary advisor to Council, or their delegate;
- (j) **“Closed Meeting”** means a Meeting or portion of a Meeting held without the public and media present;
- (k) **“Committee of the Whole”** means a committee comprised of all Councillors which conducts itself as a committee of Council;
- (l) **“Consent Agenda”** means those matters on an Agenda considered in accordance with sections 57 to 60 of this bylaw;
- (m) **“Council”** means the municipal Council of the City of St. Albert;
- (n) **“Council Committee”** means a Committee established by bylaw of Council under sections 145 and 146 of the *Municipal Government Act*;
- (o) **“Councillor”** means an elected Member of Council who continues to hold office. For the purposes of this bylaw only, the term Councillor does not include the Mayor;
- (p) **“Friendly Amendment”** means an amendment to a Motion that the mover of the Motion accepts as an improvement to way the Motion is worded and is willing to incorporate into the Motion without a formal Motion to Amend;
- (q) **“General Consent”** means informal agreement of Council to a proposed procedural step, or to a minor change to the wording of a Motion (including a Friendly Amendment) that does not significantly alter the substance of the Motion, confirmed by the Chair requesting a show of hands without a recorded vote being taken;
- (r) **“General Election”** means a General Election as defined in the *Local Authorities Election Act*;

- (s) **“Group”** means two or more persons advocating for substantially the same position, who have chosen one of them to speak for all;
- (t) **“Inaugural Meeting”** means the first Organizational Meeting following a General Election;
- (u) **“Mayor”** means the chief elected official of the City of St. Albert as defined in the *Municipal Government Act*;
- (v) **“Member”** means a member of Council and includes the Mayor;
- (w) **“Meeting”** or **“Council Meeting”** means any gathering of a Quorum of Members where Council provides direction on any matter over which Council has authority at that gathering, including gatherings of the Standing Committee of the Whole and Committee of the Whole;
- (x) **“Motion”** means a proposal by a Member, made in a Meeting, in a form that invites Council to vote on the proposal;
- (y) **“Minutes”** means a written record of a Meeting;
- (z) **“Notice of Motion”** means written notice given to Council by a Member to indicate the Member’s intent to bring a Motion to Council for consideration;
- (aa) **“Organizational Meeting”** means the Meeting held in accordance with sections 4 through 5 of this bylaw;
- (bb) **“Parliamentary Inquiry”** means an inquiry, directed to the Chair by a Member, to obtain information on a matter of parliamentary procedure (including interpretation of this bylaw) that applies to the business at hand;
- (cc) **“Pecuniary Interest”** means a pecuniary interest as defined in the *Municipal Government Act*;
- (dd) **“Point of Order”** means a request from a Member that the Chair enforce the rules of procedure;
- (ee) **“Public Hearing”** means a Council Meeting or portion of a Council Meeting during which a statutorily required public hearing is held for the primary purpose of hearing submissions;
- (ff) **“Question of Privilege”** means a question or concern raised by a Member during a Meeting relating to the safety, comfort, dignity or reputation of any Member, any member of Administration or the public, Council as a whole or the City, and includes an allegation or concern that a Member has

contravened or may have contravened the *Council Code of Conduct Bylaw* during a Meeting;

- (gg) “**Quorum**” means the minimum number of Members that must be present at a Meeting for business to be legally conducted;
- (hh) “**Resolution**” means a Motion passed in a Council Meeting;
- (ii) “**Special Meeting**” means a Meeting of Council called in accordance with sections 13 through 19 of this bylaw;
- (jj) “**Special Resolution**” means a Motion passed in a Council Meeting that is supported by at least two thirds of the Members of Council; and
- (kk) “**Standing Committee of the Whole**” refers to Meetings of Committee of the Whole that are scheduled on a yearly calendar of Meetings under section 8 of this bylaw.

APPLICATION AND INTERPRETATION

- 3** (1) This bylaw shall apply to all Meetings of Council, including Meetings of Committee of the Whole and Standing Committee of the Whole.
- (2) Council may make this bylaw applicable to a Council Committee, either in whole or in part.
- (3) Where Council makes this bylaw applicable to a Council Committee, it shall apply with all necessary modifications including the following:
 - (a) any reference to the Mayor shall be treated as a reference to the Chair of the Council Committee;
 - (b) any reference to a Member of Council shall be treated as a reference to a member of the Council Committee; and
 - (c) any reference to Council shall be treated as a reference to the Council Committee.
- (4) When a matter arises relating to proceedings in a Council Meeting that is not addressed by a provision of this bylaw or another enactment, the Chair will consider the most recent available edition of “Robert’s Rules of Order – Newly Revised.”
- (5) In the event of a conflict between this bylaw and “Roberts Rules of Order – Newly Revised” this bylaw shall prevail.

- (6) With the exception of the procedures respecting Public Hearings, Council may waive or vary all or some of the provisions of this bylaw for a Meeting or for a portion of a Meeting, if the Councillors present vote unanimously to do so.

COUNCIL MEETINGS

Organizational Meetings

- 4 An Organizational Meeting will be held annually no later than two weeks after the third Monday in October.
- 5 At the Organizational Meeting, Council will:
- (a) adopt a schedule for Deputy Mayor, appointing Councillors to the position for a two-month period on a rotating basis;
 - (b) appoint members of the public to serve on Council Committees and external boards and agencies;
 - (c) on the recommendation of the Nominating Committee pursuant to Council Policy C-CC-13, appoint Members to serve on Council Committees and external boards and agencies;
 - (d) establish the dates, time of commencement and place of regular Council Meetings and Standing Committee of the Whole Meetings;
 - (e) establish the date of the next Organizational Meeting; and
 - (f) conduct other business as identified on the Organizational Meeting Agenda.

Inaugural Meeting

- 6 At the Inaugural Meeting:
- (a) the Clerk will convene the Meeting and act as chair until the Members have taken the oath of office, following which the Clerk will relinquish the chair to the Mayor;
 - (b) Members will take the oath of office as prescribed in the *Oaths of Office Act*;
 - (c) each Member of Council shall sign an affirmation that they will comply with the Council Code of Conduct; and
 - (d) the Mayor has the option to deliver an inaugural address.

- 7 The Mayor shall occupy the seat at the centre of the Council table. The seats of Councillors shall be chosen by lot prior to the Inaugural Meeting. Council may reallocate the seating for Councillors by lot at any time by majority vote of Council.

Regularly Scheduled Council Meetings and Standing of the Whole Meetings

- 8 Council will approve the schedule for Meetings on an annual basis. The schedule shall specify the date, time and location of each Meeting. All Members must be present at the Meeting where the schedule for Meetings is approved.
- 9 Council, by Resolution, may change the time, date or location of any Meeting. Changes to Meeting dates and times must be determined with input from the CAO and Clerk in order to ensure that Administration has adequate time to prepare background material, to minimize conflicts between Meetings and to ensure that notification of the change to Members and to the public can be achieved.

Meetings Prior to a General Election

- 10 When Council establishes the annual schedule of Meetings, Council will not schedule Council Meetings between the close of the nomination period and the Inaugural Meeting.

Notice of Regularly Scheduled Council Meetings

- 11 Notice of regularly scheduled Meetings will not be given. The schedule of Meetings approved under section 8 of this bylaw will be posted on the City's public website.
- 12 Notification of a change in time, date, location, or cancellation of any Meeting will be posted on the City's public website.

Special Meetings

- 13 Where the Mayor or a Councillor believes a Meeting is required in addition to the scheduled Meetings set by Council under section 8, the additional Meeting shall be a Special Meeting.
- 14 The Mayor:
- (a) may call a Special Meeting whenever the Mayor believes there is a matter that requires Council consideration; and
 - (b) must call a Special Meeting if the Mayor receives a written request for a Meeting, stating its purpose, from a majority of the Councillors. The Special Meeting must be held within 14 days after the date the Mayor receives the

written request.

- 15 When the Mayor calls a Special Meeting, the Mayor must identify in a Notice of Special Meeting what matters will be discussed at the Special Meeting.
- 16 Council may set a Special Meeting by Resolution. The Resolution must specify:
 - (a) the matters to be placed on the Agenda for consideration; and
 - (b) the date, time and location of the Meeting.
- 17 Only matters identified in the Notice of Special Meeting may be considered at the Special Meeting, unless all of Council is present and agrees to deal with a matter not mentioned in the Notice.

Notice of Special Meeting

- 18 (1) A Notice of Special Meeting will be provided:
 - (a) to each Member in writing delivered electronically to their email address (Members are responsible to inform the CAO and Clerk of any change in their email address); and
 - (b) to the public by a notice on the City's public website.
 - (2) A Notice of Special Meeting will include the date, time and location of the Meeting and indicate the matters to be considered by Council at the Special Meeting.
- 19 A Special Meeting may be held with less than 24 hours' notice to all Members and without notice to the public, provided that at least two-thirds of Members agree to this in writing before the beginning of the Special Meeting.

Committee of the Whole Meetings

- 20 There shall be a Committee of the Whole and a Standing Committee of the Whole comprising all Members of Council.
- 21 The Mayor shall be Chair of the Committee of the Whole and the Standing Committee of the Whole unless another individual is chosen by the Mayor to act as Chair. The Mayor may at any time resume the Chair.
- 22 Council, by majority vote, may schedule a Committee of the Whole meeting or may resolve itself into Committee of the Whole.
- 23 Subject to the *Municipal Government Act*, Committee of the Whole and Standing Committee of the Whole may consider any matter that Council may consider

including any of the following:

- (a) the budget;
- (b) the audit;
- (c) transit and transportation issues;
- (d) development issues;
- (e) strategic planning;
- (f) legislative reform;
- (g) policing matters; and
- (h) policy formulation.

24 Committee of the Whole and Standing Committee of the Whole may:

- (a) conduct Meetings;
- (b) receive delegations and submissions, including from Council Committees;
- (c) receive information or briefings from Administration;
- (d) discuss and debate policy matters;
- (e) engage in dialogue with representatives of other municipalities, provincial governments and the federal government;
- (f) engage in dialogue with representatives of Indigenous governing bodies and others who represent or advocate for the interests of Indigenous peoples;
- (g) recommend annual appointments of members of the public to Council Committees, other City committees and other bodies on which the City is entitled to representation;
- (h) make recommendations to Council for motions or bylaws;
- (i) give direction to the Chief Administrative Officer in the preparation and continued development of a matter being reviewed by the Committee of the Whole or Standing Committee of the Whole, including but not limited to regarding the following matters:
 - (i) amendments to proposed motions;

- (ii) revisions to reports;
- (iii) amendments to bylaws; and
- (iv) guidance on development of plans, including concept and design plans;

(BL 11/2023)

prior to those matters being transmitted from Committee of the Whole or Standing Committee of the Whole to Council.

- 25** In addition to the restrictions contained in subsection 203(2) of the *Municipal Government Act*, Committee of the Whole and Standing Committee of the Whole shall not hold Public Hearings.
- 26** The Mayor may call for a Meeting of the Committee of the Whole at any time, including during a regular or special Council Meeting.
- 27** Subject to the *Municipal Government Act*, any Member of Council may make a Motion that Council move into Committee of the Whole to consider any matter either at the current Council Meeting or at another date. Instructions to the Committee of the Whole may be included in this Motion.
- 28** The reason for a Motion to move into Committee of the Whole may be briefly explained by the Member who makes the Motion but the Motion is not debatable.
- 29** Quorum of Committee of the Whole or Standing Committee of the Whole is a majority of Members.
- 30** In Committee of the Whole the procedures of Council shall be relaxed as follows:
 - (a) a Member of Council may speak even though there is no Motion on the floor, but if there is a Motion on the floor a Member of Council shall only address that Motion;
 - (b) a Member of Council may speak more than once, provided that each Member of Council who wishes to speak to the matter has already been permitted to do so;
 - (c) with the permission of the Mayor, persons other than Councillors may be seated at the Council table and on the Council floor;
 - (d) no notice need be given of any motion to be made; and
 - (e) the Mayor may make a Motion on any matter without relinquishing the Chair.
- 31** Subject to section 24, Committee of the Whole and Standing Committee of the Whole may make the following Motions: **(BL 11/2023)**

- (a) to receive agenda reports as information;
 - (b) to refer matters to Administration or a Council Committee for review;
 - (c) to make recommendations to Council;
 - (d) to give direction to the CAO; and
 - (e) to move into a Closed Meeting or to revert to an open Meeting.
- 31.1** Further to section 31, Standing Committee of the Whole may make a Motion to approve minutes from previous Meetings of the Standing Committee of the Whole. **(BL 11/2023)**
- 32** Meetings of Committee of the Whole must be open to the public unless criteria set out in the *Municipal Government Act* require or allow the public to be excluded from all or a portion of a Meeting.
- 33** No Motion may be made when Committee of the Whole is in a Closed Meeting except a Motion to return to a public Meeting.
- 34** When Council moves into Committee of the Whole within a Council Meeting with the intention of returning to Council for a decision at the same Meeting, Committee of the Whole is not required to vote on a recommendation to Council.
- 35** When Council moves into Committee of the Whole to consider a matter delegated to it by Council, Members of Council are required to vote on a recommendation to Council.

MEETINGS BY ELECTRONIC MEANS

- 36** All Meetings of Council, including Public Hearings, Committee of the Whole, and Standing Committee of the Whole, may be conducted by electronic means, or partially by electronic means, according to the provisions of the *Municipal Government Act* and associated regulations, if the communication method enables all persons attending to hear and communicate with each other during the course of the Meeting or Public Hearing.
- 37** The following electronic means are authorized for Meetings, including Public Hearings:
- (a) “Zoom” or “Teams” meetings or similar; and
 - (b) Livestreaming on one or both of: the City’s public website and YouTube.
- 38** For Meetings, including Public Hearings, held by electronic means, each Council

Member attending the Meeting must be visually identified by the Chair prior to the start of the Meeting.

- 39** For Meetings (including Public Hearings) held by electronic means, members of the public may access the Meeting and make submissions by sending an email request to Administration (Legislative Services) in accordance with Schedule E for Public Hearings and Schedule F for other Meetings.
- 40** Presenters and speakers at meetings of Council, including Public Hearings, Committee of the Whole, and Standing Committee of the Whole, must not make use of the chat feature while in the meeting. Use of the chat feature by speakers or presenters during a meeting of Council, including Public Hearings, Committee of the Whole, or Standing Committee of the Whole, may result in an individual being removed from the meeting.
- 41** When a meeting is held in person, Members, Administration and members of the public scheduled to attend may make a request to the Clerk to participate through electronic or other communication facilities. The request must be received by the Clerk by the end of the business day prior to the commencement of the Meeting so that the Clerk can make any required accommodations and communicate with the party making the request as to how their request will be accommodated. The Clerk will make reasonable efforts to accommodate the request or provide a reasonable alternative consistent with this bylaw and the *Municipal Government Act* and regulations.
- 42** Members participating in a Meeting, including a Public Hearing, held by electronic means are deemed to be present at the Meeting.

COMMENCEMENT OF MEETINGS

- 43** The Chair will call a Meeting to order as soon as a Quorum of Members is present following the time set for the start of the Meeting.

QUORUM

- 44** The Quorum for a Meeting is a majority of Members.
- 45** If there is a vacancy on Council, Quorum is the majority of the remaining Members.

NO QUORUM

- 46** If a Quorum is not present within 15 minutes after the time set for the start of a Meeting, the Clerk will record the names of the Members present upon which the Meeting is automatically and without Motion or ruling of the Chair Adjourned to the time set for the next regularly scheduled Meeting.

LOST QUORUM

- 47** If at any time during a Meeting Quorum is lost, the Chair will declare Meeting in recess and, if Quorum is not restored within 15 minutes of the commencement of the recess, the Chair will declare the Meeting Adjourned to the time set for the next regularly scheduled Meeting.

ATTENDANCE BY ADMINISTRATION

- 48** The Chief Administrative Officer and the Clerk must be present during a Meeting.

DUTIES OF THE CHAIR

- 49** The Mayor, when present, will Chair all Council Meetings unless:
- (a) the Mayor has delegated these responsibilities to another Member; or
 - (b) the Mayor has been stripped of this responsibility through the imposition of a sanction under the *Council Code of Conduct Bylaw*.
- 50** When the Mayor is not present at a Meeting or otherwise unable to act as Chair, the role of Chair will be assumed by:
- (a) the Deputy Mayor;
 - (b) the Acting Mayor if the Deputy Mayor is not present or otherwise unable to assume the role of Chair; or
 - (c) the next scheduled Acting Mayor identified in the adopted Acting Mayor rotation if the current Acting Mayor is absent, and so on through the rotation.
- 51** The Chair:
- (a) presides over all Meetings;
 - (b) preserves order and decorum in Meetings;
 - (c) decides all questions of procedure;
 - (d) ensures that each Member who wishes to speak on a debatable Motion is granted the opportunity to do so; and
 - (e) determines the speaking order for any one other than a Member who addresses Council.
- 52** The Chair may participate in debate and must vote on Motions but must relinquish the Chair in order to make Motions.

DEPUTY MAYOR

- 53** Each Councillor acts as Deputy Mayor based on the rotation assigned to that Councillor at the Organizational Meeting.

AGENDA

Preparation of Agenda

- 54** (1) The proposed Agendas for regularly scheduled Meetings, pre-scheduled Meetings of Committee of the Whole, and Standing Committee of the Whole Meetings shall be established in accordance with process outlined in Schedule A.
- (2) The Agenda for a Special Meeting is set in accordance with the notice given as to the matters to be considered at the Special Meeting when the Special Meeting was called.
- 55** After an Agenda has been determined, no addition shall be made to the Agenda unless Council agrees, by Special Resolution when adopting the Agenda, to add one or more urgent matters to the Agenda.

Adding Urgent Matters to an Agenda

- 56** (1) Urgent matters must be kept to a minimum in accordance with the principle of conducting municipal business in a transparent manner where notice of matters coming before Council is shared with the public in advance.
- (2) The CAO or a Member introducing an urgent matter is responsible for defining why it is urgent.
- (3) A matter proposed to be added as an urgent matter must be submitted to the Clerk as soon as possible.
- (4) The Clerk will make all reasonable efforts to distribute any written materials in relation to an urgent matter to the public during or following the Meeting.

Consent Agenda

- 57** The Consent Agenda may include:
- (a) Minutes;
- (b) a report with a recommendation to postpone Council's consideration of a matter or recommending a time extension for Council's consideration of a matter;

- (c) a report with a recommendation that Council receive the report for information with no further action;
- (d) a report with recommendation for routine business;
- (e) for a bylaw that requires a Public Hearing before it is passed, the proposed bylaw for first reading only;
- (f) for a bylaw that does not require a Public Hearing before it is passed, the proposed bylaw for first, second, and third reading;
- (g) Notices of Motion being introduced that have been published in the Agenda; and/or
- (h) any other item added at Council's discretion at the time of adoption of the Agenda.

58 Council may, by General Consent, add any item to the Consent Agenda at the time of adoption of an Agenda.

59 Any Member may request as of right that a matter be removed from the Consent Agenda. The matter shall be removed from the Consent Agenda without debate and placed on the regular Agenda, and the Member shall provide rationale for removing the matter from the Consent Agenda to Administration at the time of removal. **(BL 11/2023)**

60 Matters remaining on the Consent Agenda after items have been removed under section 59 of this bylaw shall be moved and voted on without debate by omnibus Motion.

Requests from the Public

61 This section does not apply to Public Hearings. Requests from the public to speak or to present at a Meeting will be administered in accordance with Schedule F.

Agenda Delivery

62 (1) The Clerk will distribute the Agenda and Agenda Package to Members and make the Agenda and Agenda Package available to the public prior to the Council Meeting in accordance with Schedule A.

(2) When a Special Meeting is set, the Clerk will distribute the Agenda and Agenda Package to Members of Council and make the Agenda Package available to the public as soon as possible.

- (3) The Clerk will, after consultation with the CAO, distribute confidential parts of an Agenda Package to all Members, but only to members of Administration as directed by the CAO.
- (4) Matters to be discussed in a Closed Meeting will not be made available to the public.

ORDER OF BUSINESS

- 63 The order of business for each Meeting will be determined by the Chair unless a matter has been scheduled for a specific time.
- 64 When the Agenda identifies a scheduled time for a matter, any matter currently being considered when that time arrives will be set aside and Council will consider the matter set for a specific time at its scheduled time.

ORDER OF PROCESS FOR AGENDA ITEMS INVOLVING A MOTION

- 65 The process for consideration of an Agenda item involving a Motion or potential Motion is as follows:
 - (a) the matter is introduced by the CAO or by a member of Administration assigned by the CAO to present it, who may make a presentation on the matter; **(BL 11/2023)**
 - (b) Members pose questions on the matter to the CAO who may refer Members' questions to other members of Administration. Members shall not frame questions in a way that invites Administration to engage in debate or calls into question the competence or good faith of Administration;
 - (c) a Motion is moved, and the Chair invites questions for clarification only from other Members posed to the Member who moved the Motion;
 - (d) When the Chair is satisfied that all questions from Members, either to the CAO or to the Member who moved the Motion, have been responded to, the Chair accepts the Motion provided that upon being accepted by the Chair a Motion may not be withdrawn by the Member who moved it, but a Motion may at any time prior to being put to a vote (including a vote on a proposed amendment to the Motion) be subject to revision through Friendly Amendment by way of General Consent;
 - (e) Members debate the Motion including any amendments to the Motion;
 - (f) the Member who moved the Motion has the right to be the last to speak on the Motion and in so doing may address questions or comments raised

during debate;

- (g) Council votes on the Motion (as amended if applicable); and
- (h) the Chair announces the result of the vote.

CONDUCT OF COUNCIL MEMBERS

- 66** In addition to any relevant provisions of the *Council Code of Conduct Bylaw* Members shall comply with the terms of conduct imposed by this bylaw.
- 67** Unless raising a Point of Order or Question of Privilege by calling out “Point of Order” or “Question of Privilege” in a respectful tone, a Member shall only speak when recognized and called upon to do so by the Chair.
- 68** The Chair shall determine the order in which Members are recognized to speak. Typically, Members shall be recognized by the Chair in the order in which Members indicate to the Chair their desire to speak.
- 69**
 - (1)** A Member shall not interrupt another Member who has been recognized to speak except to raise a Question of Privilege or a Point of Order.
 - (2)** A Member speaking when a Question of Privilege or Point of Order is raised shall immediately cease speaking to allow the other Member to explain and the Chair to respond to the Question of Privilege or Point of Order.
- 70** Unless otherwise permitted by the Chair, Members may speak on an Agenda matter once to ask questions and a second time during debate on the matter.
- 71** The Chair may grant permission to a Member to speak again to allow the Member, as the mover of a Motion, to close debate after the Chair has called for any further discussion and other Members have had an opportunity to be heard.
- 72** Members shall limit their comments to the Agenda matter under consideration and shall not ask Administration argumentative questions.
- 73** The Chair may call to order any Member who is out of order.

BREACH OF CONDUCT

- 74** A Member who fails to comply with the conduct required by this bylaw and who persists with unacceptable conduct, after being warned about their behavior and having been called to order by the Chair, may be ordered by the Chair to leave the Meeting. If necessary, the Chair may request that security personnel remove the Member.

- 75 A Member asked to leave the Meeting may return to the Meeting, at the discretion of the Chair, provided that the Member apologizes for their unacceptable conduct.

COUNCIL MEMBER SPEAKING TIME LIMIT

- 76 A Member shall not speak to a Motion for the purpose of engaging in debate or declaring their intended vote on a Motion or explaining the rationale for their intended vote, for a total time longer than five minutes. The time used by a Member in asking questions of the CAO prior to the making of a Motion, making a Motion, asking questions to the mover of a Motion or responding as mover to other Members questions on the Motion shall not be included in calculating the five-minute speaking time limit under this section.
- 77 Time taken by a Member on procedural matters such as a Parliamentary Inquiry, Question of Privilege or Point of Order shall not be included in calculating a Member's speaking time limit under section 76.

CONDUCT OF PUBLIC

- 78 In order to ensure a safe and respectful Meeting environment, members of the public attending a Meeting must not:
- (a) applaud;
 - (b) speak except when invited to speak by the Chair, cheer, boo or otherwise verbally interrupt the proceedings of the Meeting; or
 - (c) engage in any behaviour that is disruptive, disrespectful or intimidating to others.
- 79 The Chair may, after providing a warning to a member of the public to cease behaviours that disrupt the Meeting, order that person to leave the Meeting. If necessary, the Chair may ask security personnel to remove the person.

PARLIAMENTARY INQUIRY

- 80 Parliamentary Inquiries will be directed to the Chair.
- 81 The Chair may seek advice from the Clerk on a Parliamentary Inquiry and may call a recess to allow the Clerk time to research the matter before providing advice.
- 82 The response provided by the Chair to a Parliamentary Inquiry may be informational only or may be in the form of a ruling by the Chair.

POINT OF ORDER

- 83** When a Point of Order is raised, the Chair will ask the Member raising the Point of Order to briefly explain the Point of Order.
- 84** The Chair may respond to a Point of Order in the form of a ruling on the Point of Order.
- 85** Rather than making a ruling on the Point of Order, the Chair may ask that Council vote on the Point of Order. A vote by Council on a Point of Order cannot be appealed as in the case of a ruling by the Chair but may be rescinded by a two-thirds majority of Members present if the matter that gave rise to the Point of Order is still on the floor.
- 86** The Chair may seek advice from the Clerk on a Point of Order.

QUESTION OF PRIVILEGE

- 87** When a Question of Privilege is raised, the Chair will ask the Member raising the Question of Privilege to briefly explain the Question of Privilege. In giving the explanation the Member may offer a suggestion for addressing the Question of Privilege.
- 88** The Chair will rule on whether the issue raised by the Member is a Question of Privilege, and if the Chair rules the issue is a Question of Privilege and that ruling is not appealed, the Chair may then proceed to issue a ruling to:
- (a) direct that immediate corrective action be taken;
 - (b) direct that corrective action be taken at another time; or
 - (c) direct that Administration research and recommend possible corrective actions.
- 89** The Chair may call a recess to allow corrective action to be researched or be taken.
- 90** The Chair may seek advice from the Clerk on a Question of Privilege.

APPEALS OF RULINGS OF THE CHAIR

- 91** A Member may appeal any ruling of the Chair under this bylaw.
- 92** When a Member appeals a ruling of the Chair, the Member may speak for no more than two minutes to explain why the ruling of the Chair should not be upheld.
- 93** The Chair shall have no more than two minutes to respond to the comments of the Member and to explain to Council the reasons for their ruling.

- 94** After the Chair has spoken the Chair shall ask for a vote on the question “Is the ruling of the Chair upheld?” This is not a debatable question and no other Member shall be entitled to speak to whether the Chair’s ruling should be upheld: the question shall be put directly to a vote of Council.
- 95** The vote of Council on the appeal is final and must be accepted by the Chair.

MOTIONS

- 96** A main Motion may arise from any of the following sources:
- (a) a recommendation or alternative set out in a report on an Agenda matter;
 - (b) autonomously from a Member provided the Motion is germane to the Agenda item under discussion; or
 - (c) a Notice of Motion.
- 97** The Chair shall seek input from Administration on all Motions to ensure that legal, financial and operational impacts are addressed. This may be done in writing if time permits, or verbally.
- 98** When a Motion is introduced by a Member it should be provided to the Clerk in advance whenever possible.
- 99** After a Motion is moved, the mover may withdraw the Motion only with General Consent.
- 100** (1) A Motion is out of order if the Motion violates the *Municipal Government Act*, any other applicable legislation including the *Constitution Act* of Canada, or a municipal bylaw.
- (2) The Chair may consult with the Clerk or with the City Solicitor before making a ruling on whether a Motion is out of Order. The advice given by the City Solicitor may be given *in camera* if the City Solicitor considers it to be advice given under solicitor and client privilege unless Council by Motion explicitly waives the privilege.
- 101** The mover of a Motion may, with General Consent, make minor changes to the wording of the Motion during questions on the Motion.
- 102** When a main Motion is being considered only the following types of secondary Motions can be made:
- (a) subsidiary Motions;
 - (b) privileged Motions; and

(c) incidental Motions.

- 103** The types of secondary Motions and the process to be followed by Council in dealing with subsidiary Motions, privileged Motions and incidental Motions are set out respectively in Schedules B, C and D of this bylaw. No type of secondary Motions, other than those identified in Schedules B, C and D of this bylaw, will be in order even though other types of secondary Motions may be discussed in “Roberts Rules of Order - Newly Revised”.

REVIEW AND RECONCILIATION OF PRIOR COUNCIL DECISIONS

- 104** (1) After Council has passed a Resolution on a matter, Council cannot consider the same matter again unless:
- (a) a General Election has been held;
 - (b) six months have passed since the date the Resolution was passed; or
 - (c) a Motion to rescind the Resolution or defeated Motion has been passed.
- (2) When two or more Resolutions are in irreconcilable conflict, the most recent Resolution will stand as the expression of the will of Council.

RESCINDING A MOTION AT SAME MEETING

- 105** (1) A Motion to rescind a Resolution may be put before Council at the same Meeting at which the Resolution proposed to be rescinded was passed, provided no action has been taken in response to that Resolution that could result in adverse legal consequences if the Resolution were rescinded.
- (2) A Motion to rescind a Resolution can only be made at the same Meeting by a Member who voted in favour of the Resolution proposed to be rescinded.

NOTICE OF MOTION TO RESCIND

- 106** A Member may bring forward a Notice of Motion to request rescission of a Resolution passed at a Prior meeting, regardless of how the Member voted on the Resolution proposed for rescission or whether the Member was on Council at the time of the Resolution proposed for rescission, provided the City has not taken any action on the Resolution proposed for rescission that could result in adverse legal consequences if the Resolution were rescinded.

- 107** A Notice of Motion to rescind a Resolution must:
- (a) indicate the date of the Meeting when the Member will be making the Motion to rescind;

- (b) identify the Resolution that is proposed for rescission, including identifying whether rescission of the Resolution would require rescission of any secondary Motions; and
 - (c) explain what special or exceptional circumstances, which may include new information, would warrant Council rescinding the Motion.
- 108** In circumstances where time is of the essence, Council may by Motion waive the requirement for a Member to submit a Notice of Motion to rescind a Resolution and proceed directly to debate and voting on a Motion to rescind the Resolution.
- 109** Except where section 108 of this bylaw applies Administration will prepare a written report on a Notice of Motion to rescind a Resolution, advising Council whether the Resolution proposed to be rescinded has been acted upon in a manner that is impossible or impractical to reverse or modify or could lead to adverse legal consequences if rescinded.

RECESS AND ADJOURNMENT OF MEETINGS

- 110** The Chair may call for a recess at any time.
- 111** A Member may introduce a Motion to recess when they have the floor. A Motion to recess is not debatable but the duration of the recess is amendable.
- 112** A designated time for recess may be identified on an Agenda. If the Agenda specifies a time at which the Meeting will recess, the Meeting will recess at that time or a soon thereafter as any matter of business then under consideration has been dealt with, unless Council passes a Motion to cancel the recess.
- 113** Council may pass a Motion to Adjourn a Meeting and continue that same Meeting at another date and time. The date and time for reconvening must be included in the Motion to Adjourn, which is a debatable Motion.
- 114** In order to support a healthy and productive work environment for both Council and Administration, Council shall:
- (a) take a minimum of thirty minutes of recess within every four continuous hours of a Meeting, provided that each recess duration is at least ten minutes and that periods of recess for the purpose of drafting Motions are not included in the calculation; and
 - (b) Adjourn a Meeting to another day once the duration of the Meeting, excluding time spent in recess, has reached seven hours even if all matters on the Agenda have not been considered by Council.

CLOSED MEETINGS

- 115** Council must meet in open session unless criteria set out in the *Municipal Government Act* require or allows the public and media to be excluded from all or a portion of a Meeting.
- 116** Unless Council otherwise directs, the following persons shall be allowed to attend a Closed Meeting:
- (a) the CAO, except for a portion of a Closed Meeting directly related to the performance or employment contract of the CAO;
 - (b) the Clerk; and
 - (c) other members of Administration required to attend the Closed Meeting to support Council, as determined by the CAO or the Clerk;
 - (d) persons not members of Administration who are invited by Council to participate in all or a portion of a Closed Meeting.
- 117** Resolutions and bylaws cannot be passed in a Closed Meeting. The only Motion that can be passed in a Closed Meeting is a Motion to revert to an open Meeting where members of the public and media are permitted to attend.
- 118** Members of Council who attend a Closed Meeting via electronic means must take sufficient care to ensure that other individuals will not overhear the Closed Meeting.

NOTICES OF MOTION

- 119** (1) Prior to Council Adjourning a regular Council Meeting or a regular Standing Committee of the Whole Meeting, Members will be given an opportunity to present Notices of Motion by reading into the record their Notice of Motion and by providing the CAO and the Clerk with a written copy of the Notice of Motion which may be in email form. **(BL 11/2023)**
- (2) A Motion arising from an unscheduled presentation to Council or Standing Committee of the Whole shall be treated as a “Notice of Motion” and subject to the rules outlined in this section. **(BL 11/2023)**
- (3) In addition to the opportunity described in subsection 119(1) Members of Council may:
- (a) present a Notice of Motion during discussion or debate on a matter to which the Notice of Motion pertains; or
 - (b) present a Notice of Motion at any time by providing written notice, including by email, of the Motion to all other Members of Council, the

CAO, the Clerk, and any other members of Administration required by the CAO to receive notice.

- (4) A Notice of Motion presented under subsection 119(3)(b) will be read aloud at the next Council Meeting in cases where there is a regular Meeting of Council within a week of the Notice or be posted on the City's public website within one week.
- (5) A Notice of Motion must give sufficient detail to allow the subject of the Motion and any proposed action to be determined.
- (6) A Notice of Motion may state the date of the regular Council Meeting or Standing Committee of the Whole Meeting at which the Member wishes the Motion to be included in the Agenda, and if the date is stated, then the Member must provide the rationale for the date chosen when the Notice of Motion is presented in accordance with subsection 119(3)(b). **(BL 11/2023)**
- (7) If no date for debate and voting is provided in a Notice of Motion, the date will be determined through the process for establishing Agendas set out in Schedule A.
- (8) If a Motion for which notice was given is referred to Standing Committee of the Whole, the Standing Committee of the Whole shall, after consideration of the proposed Motion, refer it to a subsequent Council Meeting with a recommendation as to whether the Motion should be supported, not supported, or supported with revisions.
- (9) A date included in or determined for a Notice of Motion, including an emailed Notice of Motion, shall be no sooner than 20 days after the date on which the Notice of Motion is emailed to the parties identified in subsection 119(3)(b).
- (10) A Notice of Motion may be added to a Council Agenda with less notice than prescribed in subsection 119(9) if Council passes a Special Resolution waiving the time requirement for notice.
- (11) If a Motion for which notice was provided is not moved at the Meeting that was either indicated in the Notice of Motion or determined in accordance with Schedule A, it will appear on the Agenda for, and may be moved at, any of the next two regular Council Meetings.
- (12) A Notice of Motion cannot be made at a Special Council Meeting.
- (13) A Motion on notice is not debatable until a Member of Council moves the Motion.

VOTES OF COUNCIL

- 120** Each Council Member present must vote on every Motion unless the Member is required or permitted to abstain from voting under the *Municipal Government Act*.
- 121** The Chair will call for a vote on a matter once debate on the matter is complete. After the vote has been called, Members must refrain from further comment until the results of the vote are declared by the Chair.
- 122** Votes will be taken by electronic means and the votes of Members for and against a matter will be recorded in the Minutes. If the electronic system is not available, Members will vote by hand or verbally by stating “in favour” or “opposed”.
- 123** A vote is final once declared by the Chair. However, if the Chair determines that proper procedures were not followed or that a Member may have mistakenly voted in a manner that was not their intention, the Chair may immediately recall the vote and direct that a new vote be taken forthwith on the matter.
- 124** (1) A Motion is carried when a simple majority of Members present at a Meeting vote in favour of the Motion or, in those instances when support of more than a simple majority is required for a Motion to pass, when the required number of votes for passage is received.
- (2) A Motion or reading of a bylaw requiring a simple majority is defeated when the number of votes in support is equal to or less than the number of votes in opposition.

BYLAWS

- 125** Bylaws must be published in the Agenda Package before first reading of the bylaw to ensure that Council and the public have an opportunity to review the wording of the bylaw.
- 126** After first reading of a bylaw a Member of Council may move to have the bylaw read a second time.
- 127** Council may not give a bylaw more than two readings at a Meeting unless all Council Members present at the Meeting vote in favour of allowing the bylaw to be presented for third reading at the same Meeting. This unanimous consent to all three readings at the same Meeting may occur by way of an approved Consent Agenda indicating all three readings.

AMENDMENTS TO BYLAWS

- 128** The CAO or Clerk may draw Council’s attention to clerical error in a bylaw or recommend a minor change that does not materially affect the substance of the

bylaw and may recommend that Council consider a revision to the bylaw to correct the error or affect the change by General Consent.

129 Any amendments to a bylaw that are passed prior to the vote on third reading of that bylaw will be considered to have been given first and second reading and the amendments will be incorporated into the proposed bylaw prior to third reading.

130 If amendments to a proposed bylaw have been passed, all Members must be given an opportunity to review the full text of the bylaw as amended prior to third reading and, if necessary, the Chair shall provide a recess for the Members to do so. Alternatively Council may prior to third reading indicate by General Consent that they have fully understood the meaning and significance of all bylaw amendments.

DEFEATED BYLAWS

131 If a Motion to give second or third reading to a bylaw is not passed, any previous readings of the bylaw are rescinded.

132 Readings of a bylaw are rescinded if the bylaw does not receive third reading within two years after the date of the first reading.

BYLAWS SIGNED

133 The Chair and the Clerk must sign a bylaw as soon as reasonably possible after third reading is given. Signatures can be affixed electronically.

134 Once a bylaw has been passed, it may only be amended or repealed by another bylaw.

PUBLIC HEARINGS

135 Public Hearings, including non-statutory Public Hearings, shall be conducted in accordance with the provisions contained in Schedule E.

COUNCIL MEMBER INFORMATION REQUESTS

136 A Member may make a formal request for information to the CAO during a Meeting either:

(a) at the time designated for information requests on the Agenda; or

(b) during discussion of a matter on the Agenda to which the information request is related.

137 The request for information must directly pertain to City operations or Administration.

- 138** The Member requesting information will be permitted to speak for up to two minutes to introduce and explain the request.
- 139** (1) If the CAO is unable to answer an information request at the Meeting, the CAO will forward the request to the appropriate members of Administration for a response.
- (2) Unless the information request specifies that the Member wishes the information to appear on a subsequent Agenda, the information will be forwarded directly to all Members.
- 140** (1) If the CAO determines that a request for information:
- (a) does not directly pertain to City operations or administration;
 - (b) requires significant analysis or interpretation; or
 - (c) requires the expenditure of significant administrative resources or funds;
- the CAO shall request a Resolution to approve the request either at the same Meeting or a future Meeting.
- (2) The CAO shall not prepare or direct Administration to prepare a response to an information request described in subsection 140(1) unless Council passes a Resolution directing that a response be prepared.
- 141** If the CAO determines that the requested information should not be provided or should not be shared with the public on the basis that the City has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the CAO shall file a response with Council stating the reasons for not providing the information or for withholding the information from the public.
- 142** A Member of Council who has made an information request may at any time withdraw the request and shall so inform all of Council at the next scheduled Meeting under the appropriate heading on the Agenda.

MINUTES

- 143** The Clerk will record Meeting Minutes which must:
- (a) include the names of the Members present and absent from the Meeting;
 - (b) include the names of members of the public who speak to an item;
 - (c) include the names of the Members voting for or against a Motion and of those who are absent for the vote;

- (d) include any abstentions declared by Members under the *Municipal Government Act* other than abstentions for Pecuniary Interest, including the reason for the abstention;
- (e) include any abstentions declared because of a Pecuniary Interest and include the explanation provided by the Member of the nature of the Pecuniary Interest;
- (f) not include any notes or comments; and
- (g) be signed by the Chair and the Clerk once adopted by Council. Signatures can be affixed electronically.

144 Requests for correction of inaccuracies or omissions in draft Minutes should be submitted to the Clerk as soon as possible after draft Minutes are circulated to Members to allow the Clerk to:

- (a) review the request for a correction and verify any inaccuracy or omission; and
- (b) prepare a revised version of the Minutes, if required.

145 Questions about inaccuracies and omissions in Meeting Minutes must be reviewed by the Clerk against any audio-visual recording made of the Meeting by the Clerk.

TRANSITIONAL AND GENERAL

146 Any references to Bylaw No. 3/2018 in any City bylaws, policies, administrative directives, or other City records are deemed to be references to this bylaw until such records are revised as appropriate.

147 Administration may cause a version of this bylaw to be made available that attaches a Table of Contents and/or an Appendix to enable the reader to more easily search for relevant provisions. In such case the Table of Contents and Appendix are deemed to be for convenience of reference only and are not to be considered for any purpose related to interpretation of this bylaw or application of its provisions to any situation.

REPEAL

148 Bylaw No. 3/2018 is repealed upon this bylaw coming into force.

EFFECTIVE DATE

149 This bylaw comes into force on December 8, 2022.

SCHEDULE A Agenda Planning Process

- 1 Without debating or discussing the merits of any matters, the proposed Agendas for regular Council Meetings and pre-scheduled Meetings of the Committee of the Whole shall be established by the Mayor in consultation with the CAO.
- 2 Any Member may also participate in meetings or discussions with respect to establishing the Agendas, even if not acting in place of the Mayor.
- 3 The following may be considered when establishing the Agendas:
 - (a) The number and complexity of matters to be included on upcoming Agendas for regularly scheduled Council Meetings and Standing Committee of the Whole Meetings;
 - (b) determining a response for requests from the public to speak or present at Meetings on items that are not on the Agenda;
 - (c) identifying possible procedural issues that may arise at Meetings;
 - (d) estimating the time for individual Agenda matters in order to understand the estimated duration of each Meeting, and to balance as well as possible the workload of Council across a number of Meetings;
 - (e) determining whether specific times for recess are required;
 - (f) determining dates for Notices of Motion, as required when a date for a Notice of Motion has not been specified by a Member; **(BL 11/2023)**
 - (g) setting dates for Public Hearings;
 - (h) confirming the matters to be considered on the Consent Agenda; and
 - (i) determining that a matter will be discussed at a specific time on the Agenda.
- 4 The Mayor, in consultation with the CAO, shall review the submissions of individuals or Groups wishing to address Council on topics not on the Agenda and shall determine if:
 - (a) the Council Meeting or Standing of the Whole Meeting at which that individuals or Groups wish to make a presentation has sufficient time for Council to hear their presentation, and relevant staff from Administration will be available to answer any questions from Council arising from the topics not on the Agenda; or
 - (b) the topics not on the Agenda will be or are likely to be scheduled for a later

Council meeting.

- 5 When Council has passed a Motion directing that an item be considered by Council on by a specific date, the item may be postponed to an Agenda for a Meeting later than the date specified in the Motion except where the specified date is included in a Motion made on Notice or in a Motion applicable to a Motion made on Notice.
- 6 Agendas for Council Meetings and Standing Committee of the Whole Meetings shall be circulated to Members not less than five days prior to the Meeting (e.g., by the close of business on Thursday for a Meeting the following Tuesday) including the corresponding Agenda Package if it is ready for distribution at that time.
 - 6.1 Appropriate supporting materials for Public Hearings shall be posted to the City website on the same day that the first legal advertisement for the Public Hearing is published in accordance with section 606 of the *Municipal Government Act*, and a link to the Public Hearing page shall be included in the legal advertisements.
- 7 If an Agenda Package is not ready for distribution to Council or to Standing Committee of the Whole at the same time as the corresponding Agenda, an incomplete Agenda Package may, in the discretion of the CAO, be distributed to Members five days prior to the Meeting in question and the complete and final Agenda Package shall be distributed to Members as soon as possible thereafter but not later than the close of business on the Friday prior to the Meeting.
- 8 The final Agenda for a Council or Standing Committee of the Whole Meeting, and the complete and final Agenda Package for that Meeting, shall be distributed to Members and published on the City's public website not less than three days prior to that Meeting (i.e. not later than Saturday in the case of a Meeting taking place on Tuesday)

SCHEDULE B
Subsidiary Motions

- 1 When a main Motion is on the floor a subsidiary Motion can be introduced.
- 2 Subsidiary Motions are considered in order of precedence. The chart below outlines precedence from highest to lowest. When a subsidiary Motion is on the floor only a subsidiary Motion of higher precedence can be introduced.

| Type of Motion | Description | Process |
|--------------------------------|--|---|
| (a) Close Debate | A Motion to close debate, if passed, would end the current debate and require the Chair to immediately call the vote | Not debatable Not amendable May not interrupt a speaker Majority vote |
| (b) Limit or Extend Debate | A Motion to limit debate would shorten the time limits allowed on a specific item A Motion to extend debate would extend the time limits allowed on a specific item When legislated advertising has been provided to the public that identifies speaking time, a motion to limit or extend debate is not in order | Not debatable Can be amended (amendments are not debatable) May not interrupt a speaker Two-thirds majority vote |
| (c) Postpone to a certain time | A Motion to postpone consideration of an item postpones that item to a time specified in the Motion. When the item is resumed it will resume in the same place where it was postponed; all Motions pending will be on the floor. There is no maximum amount of time that an item can be postponed for however, an item can not be postponed indefinitely Can be handled informally when an item is going to be postponed within the same Meeting. Can be done by General Consent "Is there any objection to postponing this matter until later in the meeting?" | Is debatable Is amendable May not interrupt a speaker Majority vote |
| (d) Refer | A Motion to send the pending matter to a Council Committee or Administration. | Is debatable Is amendable |

| | | |
|-----------|---|---|
| | <p>Instructions may be included, such as the scope of the referral, deadline, etc</p> | <p>May not interrupt a speaker</p> <p>Majority vote</p> |
| (e) Amend | <p>A Motion to change the wording of another Motion</p> <p>Usually occurs by adding, deleting or replacing text. The changes must be germane to the main Motion and can not be contrary to the main Motion.</p> <p>Only one amendment to a main Motion and one amendment to that amendment is allowed, a third level amendment is not permitted to be on the floor at one time. Motions for additional amendments must wait until votes on the amendments on the floor have been held.</p> <p>Amendments that have carried will be incorporated into the main Motion.</p> | <p>Is debatable</p> <p>Is amendable</p> <p>May not interrupt a speaker</p> <p>Majority vote</p> |

SCHEDULE C
Privileged Motions

- 1 When a main Motion is on the floor a privileged Motion can be introduced. A privileged Motion does not relate to the pending matter but is a special matter of immediate and overriding importance. A privileged Motion can be introduced when no Motion is on the floor.

- 2 Privileged Motions are considered in order of precedence. The chart below outlines precedence from highest to lowest. When a privileged Motion is on the floor only a privileged Motion of higher precedence can be introduced. Any privileged Motion has a higher precedence than a subsidiary or incidental Motion.

| Type of Motion | Description | Process |
|----------------|--|---|
| (a) Recess | <p>A Motion to recess requests the Meeting to take a break. The Motion must include the duration of the break</p> <p>A recess can be handled informally as the Chair can call a recess at any time</p> | <p>Not debatable</p> <p>The duration of the recess is amendable</p> <p>May not interrupt a speaker</p> <p>Majority vote</p> |
| (b) Adjourn | <p>A Motion to Adjourn allows a Member to propose the close of the Meeting. This Motion can be made while business is pending</p> <p>When no business is pending, a motion to set a future time to Adjourn can be introduced</p> <p>An Adjournment can be handled informally as the Chair has the ability to declare a Meeting Adjourned when all business has been conducted.</p> | <p>Not debatable</p> <p>Not amendable</p> <p>May not interrupt a speaker</p> <p>Majority vote</p> |

SCHEDULE D
Incidental Motions

- 1 When a main Motion is on the floor an incidental Motion can be introduced.
- 2 Incidental Motions do not have an order or precedence.

| Type of Motion | Description | Process |
|------------------------------------|--|--|
| (a) Suspend the rules | <p>A Motion to suspend the rules sets aside the rules of this Bylaw or “Roberts Rules of Order - Newly Revised” as applicable</p> <p>A Motion to suspend the rules cannot be used to suspend the provisions of the <i>Municipal Government Act</i> or any other provincial legislation</p> | <p>Not debatable</p> <p>Not amendable</p> <p>May not interrupt a speaker</p> <p>Two-thirds majority vote</p> |
| (b) Division of a Question (sever) | <p>A Motion to divide a Motion to allow it to be considered in parts</p> <p>Can be handled informally as the Chair can require a Motion be divided (severed)</p> <p>The Motion to be divided (severed) must be able to have each separate part stand on its own</p> | <p>Not debatable</p> <p>Not amendable</p> <p>May not interrupt a speaker</p> <p>Majority vote</p> |

SCHEDULE E Public Hearings

- 1** Public Hearings are held in conjunction with a Council Meeting and Public Hearing dates are established in accordance with the Agenda planning process.
- 2** Council may follow the process for non-statutory Public Hearings on issues that Council determines would benefit from public input.
- 3** Public Hearings shall be held before second reading of a bylaw or before Council votes on a resolution.
- 4** A member of the public can participate in a Public Hearing by providing written submissions or by attending the Public Hearing to make verbal submissions, or by both of those methods.

Registration to Speak

- 5** Unless otherwise indicated in the advertising and notification for the Public Hearing, individuals or Groups wishing to address Council on their own behalf at a Public Hearing from a remote location by electronic means of communication must register with Administration (Legislative Services) by 11:00 AM on the day of the Public Hearing if the Public Hearing is being conducted either electronically or as a hybrid meeting with option of participating electronically. Where a Public Hearing offers the option to address Council in person, individuals and Groups wishing to address Council on their own behalf in person at the Public Hearing may register with Administration (Legislative Services) up to one hour prior to the commencement of the Public Hearing and additionally a sign-in sheet will be available at the entrance to Council chambers for individuals and Groups who have not previously registered but wish to address Council on their own behalf in person at the Public Hearing.
- 6** Individuals wishing to address Council in the capacity of Agent for one or more other persons at a Public Hearing, whether by electronic means of communication or in person where that format is available, must:
 - (a) register with Administration (Legislative Services) by 3:30 p.m. on the Friday preceding the Public Hearing, or by 3:30 on the Thursday preceding the Public Hearing if the Friday preceding the Public Hearing is a statutory holiday, declaring their intention to act as an Agent at the Public Hearing; and
 - (b) submit a separate, completed, and signed Agent Declaration form, which may be obtained from Administration (Legislative Services) for each affected party that they will be representing. An Agent Declaration form must be signed and dated by BOTH the individual being represented AND the representing Agent and must be submitted to Administration

(Legislative Services) no later than 11:00 AM on the day of the Public Hearing.

Written Submissions

- 7** Written submissions from members of the public must be received by the date indicated in the advertising and notification for the Public Hearing. Written submissions received after the deadline will not be accepted and will not be included in the Agenda Package for the Public Hearing. The Clerk will contact the person who sent in the written submission and advise them that the written submission will not be distributed to Members of Council or be made part of the Agenda Package. The submitter will be advised that they, or their delegate, can attend the Public Hearing to present their comments verbally to Council during the Public Hearing.

- 8**
 - (1)** Written submissions from the public will appear on the Agenda in the same format that they were received. No personal information will be redacted.

 - (2)** Anyone who submits written materials marked “in confidence” or “confidential” will be contacted by the Clerk who will explain that materials cannot be submitted “in confidence” or “confidentially” as all material submitted for Council consideration at the Public Hearing must form part of the public record. The submitter will be given the option to withdraw their submission, submit a revised submission prior to the deadline or have their original submission included in the Agenda with the notation that the submission is not “confidential.”

 - (3)** Unsigned or anonymous letters or emails that do not provide a proper name for the party sending the email will not be accepted as there is no way for Council to properly weigh the contents of the letter.

 - (4)** If, during the course of a verbal presentation, a presenter makes a PowerPoint presentation or provides documentation to Members which had not previously been submitted in accordance with section 7 of Schedule E, the Clerk will collect those documents and ensure they form part of the record pertaining to the Public Hearing after the close of the Public Hearing. **(BL 11/2023)**

- 9**
 - (1)** The Clerk may withhold a written submission from the Agenda Package if the Clerk, after consulting legal counsel, concludes the submission contains:
 - (a)** hate speech;

 - (b)** discriminatory language; or

- (c) defamatory language.
- (2) The Clerk shall contact the party making a written submission that is being withheld under this section and advise them that the submission is being withheld and that if the party wants to make submissions to Council that they, or their delegate, can attend the Public Hearing to present their comments verbally to Council during the Public Hearing.

Verbal Submissions

- 10 Members of the public may speak for up to five minutes. This does not include the time to respond to questions from Members.
- 11 Members of the public may make a request to the Clerk to utilize technology to show images, videos, presentations and other visual aids during a Public Hearing. The request must be received by the Clerk by the end of the working day on the third business day prior to the Public Hearing so that the Clerk can make any required accommodations and communicate with the party making the request as to how their request will be accommodated. The Clerk will make reasonable efforts to accommodate the request provided the necessary technology is available for use in Council Chambers or other location of the Meeting. The Clerk must advise the person making the request to refrain from using technology to show images, videos, presentations and other visual aids during a presentation if their request cannot be accommodated.
- 12 (1) Members of the public will speak in the order as determined by the Chair. The Chair may delegate the responsibility to determine the speaking order of members of the public to the Clerk.

(2) Regardless of the speaking order identified in the section above, the Chair will, prior to proceeding, ask if anyone else from the public wishes to speak to Council on the matter in order to ensure that everyone who wishes to speak is added to the list of speakers and is given an opportunity to speak.
- 13 During the Public Hearing, members of the public will not be offered an opportunity to rebut comments made by other speakers who may follow them in the speaking order.
- 14 The Chair may ask any person making a presentation to focus or refocus their comments on the matter that is the subject of the Public Hearing.
- 15 The Chair may, after providing a warning to a member of the public to cease behaviours that disrupt the Public Hearing, order that person cease speaking and may order the person to leave the Meeting. If necessary, the Chair may request that security personnel remove the person.

Voting on Matters Related to a Public Hearing

- 16** (1) If a Member of Council is absent for the entirety of a Public Hearing, the Member cannot participate in debate or voting on the subject matter of the Public Hearing.
- (2) If a Member of Council is absent for only a portion of a Public Hearing the Member can determine whether they will participate in debate and voting on the matter.

Order of Process for Public Hearing

- 17** The process for a Public Hearing, whether statutory or non-statutory, is as follows:
- (a) the Chair calls the Public Hearing to order;
 - (b) the Chair provides information on how the Public Hearing will be conducted and the rules of order, as outlined in Appendix E.1;
 - (c) Administration introduces the item. If there is an identified Applicant and Administration and the Applicant have worked together in the process, they may determine an effective and efficient approach to jointly presenting the pertinent information to Council. Alternatively, an Applicant may have a maximum of ten minutes to make a presentation to Council immediately following Administration's presentation;
 - (d) After both Administration and the Applicant have completed their presentations, Members may ask questions of Administration or the Applicant;
 - (e) When Members have completed their questioning, the Chair invites members of the public to speak:
 - (i) Members may ask questions of the speaker following the speaker's presentation;
 - (ii) When every person shown on the Chair's list of registered speakers has had the opportunity to speak, the Chair will call for any additional speakers in order to ensure that everyone wishing to speak has had the opportunity to do so;
 - (f) Members may ask questions of Administration on any points raised by the public that were not answered in previous questioning;
 - (g) the Chair may ask for a Motion to close the Public Hearing. If such a Motion is passed, this ends the opportunity for the public or Administration to provide further information on the matter;

- (h) the Motion or bylaw that is the subject matter of the Public Hearing is on the floor for Council's consideration after the Public Hearing is closed;
- (i) Council debates the matter. The normal rules of debate as set out in this bylaw apply to debate following a Public Hearing, including the ability of a Member to propose amendments to the Resolution or Bylaw;
- (j) Following completion of the debate, Council votes on the matter; and
- (k) The results of the vote are announced by the Chair.

Adjournment of a Public Hearing

- 18**
- (1)** In the case that a Public Hearing is closed at the same Meeting at which first reading is given to a bylaw that is the subject matter of the Public Hearing, then unanimous consent of the Members present must be obtained to close the Public Hearing. If unanimous consent is not obtained to close a Public Hearing in this circumstance, then the Chair must Adjourn the Public Hearing to a future Meeting, with a date for the resumption of the Public Hearing set by resolution of Council.
 - (2)** A Public Hearing may be Adjourned if Council determines that an Adjournment is reasonable which may be the case in a variety of circumstances including:
 - (a) if a bylaw requires referral to the Edmonton Metropolitan Region Board; or
 - (b) if a bylaw requires additional public circulation and response.
 - (3)** A Motion to Adjourn a Public Hearing may include the date, time and location at which the Public Hearing will be resumed.
 - (4)** If a Public Hearing has been Adjourned, Council may refer the bylaw or resolution in question to Administration, Standing Committee of the Whole, or an outside agency or group for new information, comment, or opinion. Any information resulting from such referrals shall be presented to Council at the Public Hearing when it resumes.
 - (5)** If during a period of Adjournment Members are given or receive information germane to the subject matter of the Public Hearing, that information must be shared with all Members of Council and the public when the Public Hearing resumes.

Limits on Receiving Information

- 19**
- (1)** Members of Council shall not seek additional information, advice or opinions from Administration, or members of the public on a matter that is the subject of a Public Hearing outside of the Public Hearing.
 - (2)** After a Public Hearing has been closed, Members must not accept any further written or verbal submissions germane to the Public Hearing until Council has voted on the related Resolution or second and third reading of the related bylaws.
 - (3)** After a Public Hearing has been closed, Members cannot ask any further questions for new, substantive information on the subject matter of the Public Hearing without holding another Public Hearing.

**Appendix E.1
Public Hearing Guide and Rules of Order**

| Description | Chair's Guide | Notes |
|--|---|---|
| Open Public Hearing | I hereby open the public hearing concerning _____ | |
| Councillor's Opportunity to Declare Conflict of Interest | Is there any councillor present who wishes to declare a conflict of interest with respect to this public hearing? | If yes, have Council member leave chambers or the electronic meeting and remain outside meeting for the debate and voting after the public hearing. |
| Chair outlines procedures for Public Hearing for all present | <p>For today's public hearing we will follow the procedures outlined in Procedure Bylaw 24/2022.</p> <p>First we will hear from Administration, then the Applicant, and then the public.</p> <p>Council may ask questions after each presenter has had the opportunity to speak.</p> <p>The Applicant will have up to 10 minutes to speak and members of the public will have up to 5 minutes to speak.</p> <p>Any written submissions that have been received after the stated cut-off time for inclusion in the Agenda Package, may be read into the record verbally by the presenter or their delegate.</p> <p>When there is no further information to share from the public, Administration, or the Applicant, a motion will be made to close the public hearing.</p> <p>There will be no debate on this matter nor a decision made on this matter until the public</p> | Administration and the applicant may choose to present together for efficiency and effectiveness. |

| | | |
|--|--|---|
| | hearing is closed. Debate will occur on consideration of 2 nd or 3 rd readings of this bylaw (or upon consideration of this matter when it is next considered later in this meeting or on ____ date). | |
| Administration's Presentation | We will now hear Administration's presentation. | |
| Applicant's Presentation | Is the Applicant in attendance? Do you wish to make a presentation? You will have up to 10 minutes to make your presentation. | |
| Public Submissions – Written | Council should note that written submissions were received from ____ individuals and they are included in your agenda package for this meeting. | Only say this if there are written submissions in the Agenda package. |
| Public Submissions – Verbal | We will now hear any verbal submissions. Does anyone in the public gallery (or in the electronic meeting) wish to speak on this matter? Is there anyone in the public gallery (or in the electronic meeting) wishing to speak on _____ tonight? (After each speaker) Does Council have any questions for this speaker? | Note: If the speakers become repetitive the Mayor can request that the speakers who come forward only come forward if they have NEW information. This respects the time of everyone involved. |
| Further Questions from Council to Administration Upon Hearing Public Submissions | Does Council have any further questions for Administration? | |
| Rebuttals | Does the Applicant, or Administration have anything further to add that arises solely from another person's verbal | If no one has anything further to add close the public hearing; if someone has something further to add, allow them to speak and |

| | | |
|-------------------------|--|---|
| | <p>submission that you have heard for the first time at this Public Hearing? Does anyone from the Public have anything further to add that arises solely from another person's verbal submission you have heard?</p> | <p>then ask again if Council has any further questions of Administration and ask of the Applicant or members of the public have anything further to add.</p> <p>IMPORTANT: Rebuttals must be allowed to ensure that the views of all involved are respected, but the Chair has the discretion to cut off a rebuttal if it becomes apparent the rebuttal is being used merely to repeat submissions already made</p> |
| <p>Close of Hearing</p> | <p>Could I get a motion to close the public hearing?</p> | <p>If the public hearing is being <u>Adjourned</u> to another date, ensure, if possible, that the date is selected before moving to the next item on the Agenda and everyone present has heard the date.</p> |

SCHEDULE F
Public Presentations

Time Limit

- 1** An individual or Group appointment shall not exceed five minutes unless:
 - (a) the Chair, at their discretion, extends the amount of time; or
 - (b) Council, by Resolution, extends the amount of time.
- 2** Notwithstanding section 1 of this Schedule F, if a Group is a Council Committee or invited by Council, ten minutes will be allotted for the appointment.
- 3** Individuals representing more than one person will only be allotted one presentation.
- 4** If requested by a Member, a vote of Council must be taken to approve an extension of time given by the Chair pursuant to subsection 1(a) of Schedule F.

Registration Process – Items on Agenda

- 5** Individuals or Groups wishing to address Council on an Agenda item scheduled for an upcoming Council Meeting, shall register with Administration (Legislative Services) by 11:00 AM on the day of the Council Meeting regardless of whether they wish to speak in person or by electronic means of communication, and shall provide their name, contact information and the Agenda item they wish to speak to. Individuals or Groups who have registered shall be given priority during the public presentation time, in the order in which they have registered, to make their presentations to Council.
- 6** On the day of the Council Meeting, a sign-in sheet shall be available at the entrance to Council chambers for people who have not registered but who wish to address Council on an Agenda item scheduled for that Council Meeting.
- 7** Individuals and Groups who have registered to address Council on specific Agenda items when those items come before Council shall be accommodated within the following steps:
 - (a) the Mayor will invite Administration to introduce the Agenda item;
 - (b) Council may ask questions of Administration;
 - (c) the Mayor may invite any interested member in the public gallery to speak to the Agenda item. The speaker will provide their name and municipality of residence; **(BL 11/2023)**

- (d) Council may ask questions of the presenters;
- (e) Council may ask further questions of Administration; and
- (f) Council will then debate and deal with the Agenda item.

Registration Process – Items not on Agenda

- 8** Individuals or Groups wishing to address Council on topics not on the Agenda for an upcoming Council Meeting or in respect of which the individual or group does not know whether the item will appear on an upcoming Council Agenda, shall register with Administration (Legislative Services) at least 5 business days prior to the Council Meeting they wish to attend and shall provide their name, contact information, their topic, and the outline and purpose of their presentation. **(BL 11/2023)**
- 9** Individuals and Groups who have registered to address Council on topics not on the Agenda shall be accommodated within the following steps:
 - (a) the Mayor will invite the presenter to state their name and municipality of residence, and to make their presentation on their topic not on the Agenda; **(BL 11/2023)**
 - (b) Council may ask questions of the presenter;
 - (c) Council may ask questions of Administration; and
 - (d) Council may ask Administration to further research the topic not on the Agenda and bring back any new recommendations to Council as an Agenda item.

Presentation Materials

- 10** If a presentation or other material will be presented to Council at the Council Meeting, the presentation materials must be provided to Administration (Legislative Services) at least 2 hours prior to the Council Meeting.
- 11** Members of the public who wish to make presentations to Council in Council Chambers shall arrive at least one-half hour prior to the commencement of the Council Meeting to install and test their own computer equipment.

CITY OF ST. ALBERT

BYLAW 11/2023

PROCEDURE BYLAW AMENDMENT

Being Amendment 1 to the Procedure Bylaw 24/2022

The Council of the City of St. Albert ENACTS AS FOLLOWS:

1. Bylaw 24/2022, Procedure Bylaw, is hereby amended by this Bylaw.
2. Section 24 is amended by:
 - a. Adding the following phrase immediately after the word “Officer” and before the word “regarding” in subsection 24(i):

“in the preparation and continued development of a matter being reviewed by the Committee of the Whole or Standing Committee of the Whole, including but not limited to”;
 - b. Deleting the word “and” from the end of subsection 24(i)(ii);
 - c. Adding the word “and” after the semicolon in subsection 24(i)(iii); and
 - d. Adding a new subsection 24(i)(iv) as follows:

“(iv) guidance on development of plans, including concepts and design plans;”.
3. Section 31 is amended by adding the phrase “Subject to section 24,” immediately before the phrase “Committee of the Whole”.
4. A new section 31.1 is added as follows:

“31.1 Further to section 31, Standing Committee of the Whole may make a Motion to approve minutes from previous Meetings of the Standing Committee of the Whole.”
5. Section 59 is amended by adding the following phrase immediately after the words “regular Agenda”:

“, and the Member shall provide rationale for removing the matter from the Consent Agenda to Administration at the time of removal.”

6. Section 119 is amended by:

- a. Adding the phrase “or a regular Standing Committee of the Whole Meeting” immediately after the phrase “regular Council Meeting” in subsection 119(1);
- b. Adding the phrase “or Standing Committee of the Whole” immediately after the word “Council” in subsection 119(2);
- c. Adding the following phrase immediately after the word “Agenda” in subsection 119(6):

“, and if the date is stated, then the Member must provide the rationale for the date chosen when the Notice of Motion is presented in accordance with subsection 119(3)(b).”
- d. Deleting the word “21” in section 119(9) and replacing it with the word “20”.

7. Subsection 3(f) of Schedule A (Agenda Planning Process) is amended by adding the following phrase immediately after the word “required”:

“when a date for a Notice of Motion has not been specified by a Member”.

8. A new subsection 8(4) is added to Schedule E (Public Hearings) as follows:

“8(4) If, during the course of a verbal presentation, a presenter makes a PowerPoint presentation or provides documentation to Members which had not previously been submitted in accordance with section 7 of Schedule E, the Clerk will collect those documents and ensure they form part of the record pertaining to the Public Hearing after the close of the Public Hearing.”

9. Section 8 of Schedule F (Public Presentations) is amended by deleting the word “and” immediately before the phrase “their topic” and adding the following phrase immediately after the word “topic”:

“, and the outline and purpose of their presentation”.

9.1 Section 9 of Schedule F (Public Presentations) is amended by deleting subsection 9(a) and replacing it with the following:

“the Mayor will invite the presenter to state their name and municipality of residence, and to make their presentation on their topic not on the Agenda;”

9.2 Section 7 of Schedule F (Public Presentations) is amended by deleting subsection 7(c) and replacing it with the following:

“the Mayor may invite any interested member in the public gallery to speak to the Agenda item. The speaker will provide their name and municipality of residence;”

9.3 Section 65(a) is amended by deleting the phrase “which shall not be more than 5 minutes in length unless a time extension is granted by the Chair.”

10. The Chief Administrative Officer is authorized to issue a consolidated version of Bylaw 24/2022 that incorporates the amendments made by this amending bylaw and otherwise conforms with the requirements of section 69 of the *Municipal Government Act*.

READ a First time this 15th day of August 2023.

READ a Second time this 15th day of August 2023.

READ a Third time this 15th day of August 2023.

SIGNED AND PASSED this 17th day of August 2023.



MAYOR



Marta Caufield (Aug 17, 2023 09:45 MDT)

CHIEF LEGISLATIVE OFFICER