

BYLAW NO. 906
THE PROCEDURE BYLAW
OF THE TOWN OF SPIRIT RIVER

A BYLAW OF THE TOWN OF SPIRIT RIVER IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS IN THE COUNCIL OF THE TOWN AND THE COMMITTEES THEREOF, AND TO DEFINE CERTAIN OF THE DUTIES OF THE COUNCIL, THE COMMITTEES AND CERTAIN OFFICERS OF THE TOWN

WHEREAS the Municipal Government Act R.S.A. 2000 Chapter M-26 as amended or repealed and replaced from time to time, provides that the Council should establish rules and provisions to regulate the conduct of business in Council meetings, to control and maintain order in Council meetings, to provide for standing and special committees, to provide for the enactment of Municipal Legislation, and to provide for dealing with presentations, submissions, and other interactions by the public with Council;

NOW THEREFORE the Council of the Town of Spirit River, in the Province of Alberta, duly assembled, enacts the following:

1. SHORT TITLE: This Bylaw may be referred to as "The Procedural Bylaw"
2. DEFINITIONS:
 - Acting Mayor the Councilor presiding at a Regular Meeting in the absence or incapacity of both Mayor and the Deputy Mayor
 - Agenda the agenda for a Regular or Special meeting of Council prepared pursuant to this Bylaw
 - Bylaw Municipal legislation enacted by Council
 - CAO the Chief Administrative Officer of the Town of Spirit River and whatever subsequent title may be conferred on that officer by Council or statute, or their designate
 - Chair is the person who has been given authority to direct the conduct of a meeting including the appointed head of a Committee
 - Committee of the Whole a procedural device that permits Council greater freedom of debate for a specific purpose
 - Council the Mayor and Councillors of the Town of Spirit River
 - Councillor a member of Council, duly elected and continuing to hold office
 - Council Committee the Committees defined at the Organizational Meeting and by amendments made thereafter by Council resolution. A list of Council Committees is part of this Bylaw and is attached through Schedule B of this Bylaw for ease of use and will be attached to the Master Rates and Schedule Bylaw for future amendments.
 - Deputy Mayor the deputy chief elected official appointed by Council as provided for in the Municipal Government Act
 - In Camera Council retreats to private discussion through a motion to discuss matters of land, legal, labour, or other sensitive materials. No motions can be passed while Council is In Camera.
 - Mayor the chief elected official of the Town whether elected or appointed as described in the Municipal Government Act
 - Municipal Government Act the legislation that governs the activities of municipal government. - *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended or repealed and replaced from time to time and herein referred to as the "Act" or "MGA".
 - New Business list of items presented to Council for the first time and requiring direction, decision or resolution

<u>Organizational Meeting</u>	the meeting held as described in Section 6.0
<u>Point of Order</u>	a demand that the Chair enforce the rules of procedure
<u>Privilege</u>	the rights and immunities of Council collectively or the position and conduct of members of Council in their official character as elected representatives. A “ <u>Matter of Privilege</u> ” means any matter affecting Privilege
<u>Public Hearing Meeting</u>	a Council Meeting held for statutory hearings
<u>Quorum</u>	the majority of all the Councillors that comprise the Council under section 143 of the Municipal Government Act, the quorum of a Council as described in section 167 of the Municipal Government Act.
<u>Table</u>	a motion to delay consideration of any matter in order to deal with more pressing matters or due to lack of time available which does not set a specific time to resume consideration of the matter
<u>Town</u>	the Town of Spirit River, in the Province of Alberta
<u>Two-Thirds Vote</u>	a vote by two-thirds of Council Members present at the meeting and entitled to vote on the motion
<u>Unfinished Business</u>	incomplete business which has been raised at the same or a previous meeting and requires further action from Council

3.0 APPLICATION OF BYLAW

- 1) This Bylaw applies to
 - i. all Regular and Special meetings of Council, AND
 - ii. subject to the provision of Section 3.2 the conduct of the Meetings of all Committees of Council
- 2) Wherever this Bylaw requires that a motion be made, a Bylaw be passed or any other action be taken by a vote of
 - i. A simple majority of Council OR
 - ii. Two-thirds or any other stipulated fraction of Council members OR
 - iii. All members of Council,
 the requirements shall be interpreted as meaning such majority, fraction or total of the Members of Council who are present and voting on the matter.
- 3) Notwithstanding Subsection 3.2
 - i. no motion need be seconded AND
 - ii. Councillors may speak more than once to any motion or question

4.0 FIRST MEETING OF COUNCIL FOLLOWING GENERAL MUNICIPAL ELECTION

The business of Council at the First Meeting following the general municipal election shall be limited to the following:

- 1) the CAO shall fix the time and place for the First Meeting of Council following the general municipal election UNLESS Council,
 - a. by a two-thirds vote taken at the preceding Regular Meeting, selects the First Meeting place and/or time OR
 - b. by a unanimous vote taken at a Special Meeting, determines that the First Meeting of Council shall be held at a different place and/or time
- 2) the CAO will call the meeting to order
- 3) the Returning Officer must report
- 4) Every member of Council must take the Oath of Office
 - a. the CAO shall administer the official oath to the Mayor as prescribed in the Oath of Office Act THEN

- b. the Mayor shall preside over the Organizational Meeting and administer the official oath of office to the remaining Councillors
 - c. after the official oaths have been taken as required, the Councillors who have been added to Council by the last general election shall be introduced by the CAO
- 5) the appointment and swearing in of the Deputy Mayor as noted in Section 5.0 of this Bylaw
 - 6) the appointment of Members to act on Committees, Commissions, Boards and other bodies on which Council is entitled representation and other such business as is required by the Municipal Government Act and noted in Section 6.0 of this Bylaw

5.0 DEPUTY MAYOR AND ACTING MAYOR

To determine the position of Deputy Mayor and who acts in place of the Mayor and/or Deputy Mayor in their absence or due to a vacancy

- 1) At the First Meeting after the general municipal election, the Organizational Meeting, the system for a six month rotation of Councillors to fill the position of Deputy Mayor will be determined by consensus of Council. Alphabetically has proven efficient to always have a Deputy Mayor in waiting.
- 2) Appointment and swearing in of the Deputy Mayor position will occur
 - a. at the First Meeting of Council Following a General Municipal Election as per 4.5 of this Bylaw
 - b. at Regular Council Meetings for all subsequent appointments throughout the term of office
- 3) Council may at any time appoint one of its Members to be an Acting Mayor due to the absence or inability of the Mayor and Deputy Mayor to act. If no appointment is made and a regular system of rotation of members to be Deputy Mayor is established, the Member who would be Deputy Mayor next shall be deemed to be Acting Mayor.

6.0 THE ORGANIZATIONAL MEETING

The Organizational Meeting must be held in October in each year and at this meeting

- 1) it is called to order by the Mayor except when Section 4.0 of this Bylaw applies
- 2) Procedure Bylaw brought forward to Agenda item for amendments or final reading
- 3) a list of Council Committees/Boards and their general duties/obligations shall be put forward and the Council shall
 - a. name the Councillors who shall serve on each Committee/Board so that no Member of Council shall be appointed to more than three such Committees/Boards AND
 - b. the manner of Committee/Board selection will be done by having each Councillor put forth their name for the Committee/Board of their choice
 - i. if more Councillors put forth their name for a particular Committee/Board than is needed, selection will occur by draw of names until all the Committee/Board positions are filled
 - ii. if not enough Councillors put forward their name to fill a Committee/Board, all remaining Members eligible to fill spots, will be selected by draw until the Committee/Board has full representation
- 4) the structure of the Standing Policy Committee will be set
 - i. Council will designate the Member of Council who shall be the Chair of the each Standing Policy Committee
 - ii. the Mayor shall be a voting Member of all Standing Policy Committees without being so named but shall not be the Chair on any of these Committees
 - iii. the CAO shall be an ex-officio member of each Standing Policy Committees but shall not have a vote

7.0 MEETINGS OF COUNCIL

Council will convene meetings of Regular Council, Special Council, Committee, Committee of the Whole, Agencies & Board, Public Hearing, and other bodies that Council is entitled representation and other such business as is required by the Municipal Government Act

- 1) Regular Council Meetings, subsequent to the First Meeting following the general municipal election, shall be held in the Council Chambers of the Town Office
- 2) on the first and third Monday of each month
- 3) to commence at 1900 hours and shall continue no later than 21:30 hours UNLESS
 - a. an extension is given by unanimous vote to stay in session until no later than 22:30 hours, up to and including the last speaker, which may go past the time requirement before the vote is called for extension
- 4) notwithstanding anything contained in this or other Sections of this Bylaw, Council may by a two-thirds vote of the Members present and eligible to vote at any Meeting of Council direct that
 - a. the next Regular Council Meeting will be held in another location AND/OR
 - b. the next Regular Council Meeting will be held on a day other than the regularly scheduled Monday AND/OR
 - c. the next Regular Council Meeting will be cancelled due to seasonal holidays, absences, etc AND/OR
 - d. any Meeting of Council may commence at any other time than that set for such Meeting in this Section
- 5) Commencement of Council Meeting
 - a. If there is no quorum within half an hour after the time set for any Meeting, the CAO will record the names of all the Councillors present, a Special Meeting may be duly call in the meantime, and the meeting will be adjourned to the time of the next regular Council Meeting
 - b. The agenda for this adjourned meeting will be considered at the next Regular Meeting of Council prior to the Agenda set for the subsequent Meeting unless a Special Meeting was called to deal with the business of the adjourned meeting.
 - c. If there are sufficient Councillors present to constitute Quorum at the time set for the commencement of the Meeting, or as soon thereafter as a Quorum is present but not to exceed thirty minutes, the Mayor or the Acting Mayor as outlined in Section 5.0, shall take the Chair and call the Members to order.
- 6) Adjournment of a Regular or Special Meeting of Council
 - a. Subject to the provisions in 7.6.b, a Councillor may move a Motion to Adjourn the Meeting at any time
 - i. in order to terminate the debate on a certain subject OR
 - ii. because the business on the Agenda has been completed and a subsequent Meeting shall be considered a new Meeting
 - b. EXCEPT when
 - i. another Councillor is in possession of the floor OR
 - ii. a call for a division has been made OR
 - iii. Council is In Camera OR
 - iv. a previous Motion to Adjourn has been defeated and no other intermediate proceeding has taken place, no Councillor shall move that the Meeting Adjourned.
 - c. A Motion to Adjourn shall be put without comment or debate.
 - d. If a motion to adjourn is passed, all matters not dealt with by adjournment time are to be tabled to the next Council Meeting unless such matter is deemed urgent whereas a Special Meeting of Council shall be scheduled to discuss this urgent matter only
- 7) Special Council meetings may be called by the chief elected official in accordance to the Municipal Government Act Section "Special Council Meetings" (as of final reading, Section 194)

8.0 AGENDA FOR COUNCIL MEETINGS

- 1) The CAO, after consulting with the Mayor and the Chair of each of the Standing Committees, shall prepare an Agenda, which shall
 - a. refer to and present for approval the Minutes of any previous Meetings which have not already been delivered to Members of Council at a Regular Council Meeting
 - b. list the business to be conducted at the Meeting
 - i. include the Bylaws to be considered and indicate the readings or action required of Council

- ii. contain the notices of Motion to be presented to Council for consideration
 - iii. list any and all other matters which require Council, from time to time, to provide direction or decision.
- 2) The CAO shall prepare the Agenda Packages and hand deliver or have them mailed to each Member of Council so it will be received in each case not less than two days before the time for commencement of the Meeting for which it is prepared.
- 3) All material for inclusion in the Agenda shall be in the hands of the CAO not later than 16:30 hours of the third clear day immediately preceding the Regular Council day on which the Council Meeting is held for which the Agenda is prepared.
- 4) Unless Council shall otherwise direct, no material which has not been received by the CAO by the time set out in 8.3 hereof, shall be considered at the Meeting for which the Agenda is prepared.

9.0 PRIVILEGE

- 1) When a Councillor desires to address Council on a Matter of Privilege, they shall be permitted to raise such a question of Privilege but must explain in brief and concise terms in what way the personal Privilege of the Councillor or the Privilege of Council are affected.
- 2) After the Member has stated the point of Privilege the Mayor/Chair presiding at the Meeting shall rule whether or not the point raised is deemed a Matter of Privilege.
- 3) A matter, which is ruled to be a Matter of Privilege, shall take precedence over all other matters before Council.
- 4) Where the Mayor/Chair has ruled that a matter raised is a Matter of Privilege, the Councillor raising the point may speak on it but there shall be no debate on the point unless a Motion thereon is put to Council.
- 5) If the question of Privilege concerns a situation, circumstance or event, which arose between Meetings of Council, the Councillor bringing the matter before Council shall do so immediately after the Adoption of the Minutes of the previous Meeting.

10.0 CONTROL AND CONDUCT OF COUNCIL MEETINGS

- 1) Subject to being overruled by a majority vote of the Members of Council, of which the vote shall be taken without debate, the Mayor or other presiding Officer shall
 - a. maintain order and preserve decorum of the Meeting,
 - b. decide points of order without debate or comment other than to state the rule governing,
 - c. ascertain that all Councillors who wish to speak on a Motion have spoken thereon and that the Members are ready to vote by asking the question: "Are you ready for the question?" and shall thereafter require the CAO to put the vote,
 - d. shall rule when a Motion is out of order, AND
 - e. call a Councillor to order.
- 2) In the event that a Councillor refuses to come to order as required by 10.1, hereof when called to order, the Mayor (or presiding Officer) shall request the Deputy Mayor (or their presiding Officer), or if the Deputy Mayor is the unruly Councillor then a Member of Council, to move a Resolution to remove the unruly Councillor
 - a. for the balance of the Meeting OR
 - b. until a time which shall be stated in the Motion OR
 - c. until the Councillor makes an apology acceptable to Council for their unruly behaviour,
 whichever of the three listed above, shall be the shortest time

- 3) If a majority votes in favour of the Resolution the Mayor shall direct the unruly Councillor to leave the Council Chamber and if the Councillor refuses to leave direct that they be removed by a Police Constable.
- 4) When a Councillor wishes to speak at a Council meeting they shall raise their hand and address the Chair.
- 5) When a Member has the floor, other Council Members shall not carry on a private conversation and shall not cross between the speaker and the Chair.
- 6) When a Councillor is addressing the Council, they shall
 - a. not speak disrespectfully of Her Majesty the Queen, Her Official representatives or Her government
 - b. not use offensive words in referring to any Member of Council, to any Official or any employee of the Town
 - c. not reflect on any vote of Council except when moving to rescind it and when so doing shall not reflect on the motives of the Members who voted for the Motion,
 - d. not shout or excessively raise their voice or use profane, vulgar or offensive language, AND
 - e. assume personal responsibility for any statement they quote to Council or, upon the request of Council, shall give the source of the information provided
- 7) When the Mayor/Chair calls a Member to order the Councillor shall resume their seat but may afterwards explain their position in making the remark for which they were called to order.
- 8) When a Member wishes to leave the Council Chamber while a Meeting of Council is in progress, they shall rise to the Mayor/Chair and await their silent acknowledgment before leaving their seat
- 9) No member shall leave the Council Chamber after a question is put to a vote until the vote is taken.
- 10) Unless they first obtain permission from the Mayor/Chair, a person who is not a Member or Officer of the Council shall not approach Council during a Meeting of the Council.
- 11) Members of the public, who constitute the audience in the Council Chamber during a Council Meeting, may not address Council without permission of the Council, shall maintain order and quiet and shall not applaud or otherwise interrupt any speech or action of the Members of Council.
- 12) The Mayor/Chair may direct that a Peace Officer remove any person in the audience who creates any disturbance during a Meeting.

11.0 PROCEEDINGS AT MEETINGS

- 1) Subject to the other provisions of this section the order of business for a meeting shall be contained in the Agenda for the Meeting.
- 2) The regular order of business for a Regular Meeting of Council shall be as follows:
 - a. Call to Order
 - b. Additions/Deletion to Agenda
 - c. Adoption of Minutes
 - d. Presentations
 - e. Public Input
 - f. Action List
 - g. New Business
 - h. Unfinished Business
 - i. Correspondence
 - j. Financial
 - k. Committee Reports
 - l. In Camera
 - m. Council Discussion and Question Period
 - n. Next meeting confirmation

o. Adjournment

- 3) If an alteration of the order of business is desired for the convenience of the Meeting, Council may, by a two-thirds vote, make any such alteration of the order of business but shall not in so doing delete any portion of the business which is set out in the approved Agenda.
- 4) Notwithstanding the order of business set out in 11.2 hereof, where the same subject matter appears in more than one place in the same Agenda, unless Council by Resolution otherwise determines, Council shall deal with all items on the Agenda relating to said subject matter at the time of the first appearance of the subject matter on the Agenda.
- 5) The CAO, in putting together copies of the Agenda may inset immediately following the first appearance of an item a copy of any document dealing with the same subject matter although the said item may appear in any subsequent portion of the Agenda.
- 6) The CAO, in preparing the Minutes of the Council Meeting, shall note in the proper place as provided in 11.2 hereof, that the item listed as having been dealt with under a previous order of business, was dealt with in accordance with 11.4.
- 7) A Councillor wishing to make an inquiry for answer at a subsequent Meeting shall put the inquiry to the Council during the Question and Discussion Period and the CAO shall have the information ready for the next Council Meeting or as soon as practical.
- 8) Unless requested by a majority of the Members the Minutes of the previous Meeting shall not be read aloud.
- 9) The Mayor shall present the Minutes to the Council with a request for a Motion adopting them.
- 10) If Members of Council deem any correction or corrections to be necessary for the accuracy of the Minutes, those changes shall be recorded in the Minutes of the present Regular Meeting and incorporated therein.
- 11) The CAO shall cause the Minutes of each Council Meeting to be prepared, copied and distributed to the Members of Council for the next Regular Meeting.

12.0 COMMUNICATIONS AND PETITIONS

- 1) Where a person wishes to bring any matter to the attention of Council or to have any matter considered by Council, they shall address the communication to the Town Office, Attention Town Council. The communication shall
 - a. be typewritten or legibly written by hand,
 - b. be signed by the correct name of the writer,
 - c. contain the full location and mailing address of the writer,
 - d. indicate if the writer wishes to address Council on the matter or to answer questions in relation to the communication.
- 2) Council shall not receive any petition until deemed sufficient by the CAO. Where a petition, communication or other matter has been presented to Council, has been dealt with by Council in any final manner, then a person or group cannot direct a communication to Council on substantially the same matter again within six months. Subject to 12.4, Council shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 3) Notwithstanding 12.3, Council, by a two-thirds vote of Council, may again consider the matter at an earlier time than the time set by 12.3.
- 4) Pursuant to the provisions of 12.1 a communication intended for Council is received through the Town Office, the CAO shall
 - a. include it as an item on the Agenda for the next Regular Meeting of Council OR
 - b. refer it to the appropriate Standing Policy Committee of Council together with any necessary reports from the Town departments OR
 - c. refer for reply to the Mayor.

13.0 PRESENTATIONS AND PUBLIC INPUT

- 1) Persons wishing to address Council in person shall contact the CAO pursuant to 8.3 to have the matter dealt with as a Presentation and shall address Council
 - a. for a time period of not more than 15 minutes, exclusive of questions and answers AND,
 - b. choose one person to speak for the group AND
 - c. can expect a response from the CAO within the timeframe set out in Council direction.
- 2) If a person wishes to address Council on a matter which is not on the Agenda, Council has provided an opportunity on the Agenda for Public Input and that person shall address Council,
 - a. being aware that the Mayor shall rule as out of order any personal remarks regarding individual Councillors or Staff Members,
 - b. being aware that this is not the proper venue for individual billing or tax enquiries,
 - c. for a period of not more than 5 minutes, AND
 - d. have no expectation of any response from Council as this is taken as information only.

14.0 MOTIONS IN COUNCIL

- 1) Unless they have given notice at a previous Regular Meeting of Council, a Councillor shall not make a motion introducing a new matter for consideration of Council.
- 2) 14.1 shall not be construed as preventing a Motion on any subject matter discussed or dealt with pursuant to an item appearing on the Agenda for the Meeting at which it is discussed or preventing a motion on a question of Privilege.
- 3) Notwithstanding 14.1 Council may, by a two-thirds vote, waive the requirement for notice contained in this section.
- 4) A notice of Motion and the substance thereof shall be in writing and shall be presented at a Regular Meeting of Council and shall be placed on the Agenda for the next Regular Meeting.
- 5) If the Motion is one for which no notice is required or if Council has waived the requirement for notice pursuant to 14.3,
 - a. either the Councillor making the Motion or the CAO shall reduce the Motion to writing before it is considered by Council,
 - b. A Councillor wishing to make a notice of Motion instead of introducing it as provided in 14.4 may reduce the Motion in writing and forward it to the CAO with the request that it be discussed with the Mayor.
 - c. Upon receipt of such a notice of Motion and request, the CAO shall discuss the notice of Motion with the Mayor who shall direct the CAO to refer the notice of Motion directly to the appropriate Standing Policy Committee or include the notice of Motion on the Agenda for the next Regular Meeting of Council.
 - d. After the Motion has been moved it is the property of Council and may not be withdrawn without the consent of the majority of Council.
 - e. Before the Motion has been put forward and voted on Council may give permission to withdraw the Motion.
- 6) Except as provided specifically elsewhere in this Bylaw, the following Motions are debatable by Council
 - a. a Motion arising out of any matter or item included in the Agenda for the Council Meeting at which it is debated
 - b. a Motion concerning any question, matter, subject or item tabled to a date certain from a previous Meeting at which it was discussed,
 - c. a Motion for concurrence in, rejection of, or further consideration of a report to Council or a Motion arising out of any matter dealt with in a report to Council,
 - d. a Motion for the second reading of a Bylaw,
 - e. a Motion for the third reading of a Bylaw,
 - f. a Motion for appointment of a Committee, dismissal of a Committee,
 - g. a Motion for the Council to go into In Camera,

- h. a Motion for amendment to any Bylaw properly presented before Council or any matter arising directly out of any Bylaw properly presented before Council,
 - i. any such other Motion made upon routine proceedings as may be required for the observance of the proprieties of the Council, the maintenance of its authority, the appointment of conduct of its Officers, the management of its business, the arrangements of its proceedings, the correctness of its records, the fixing of its sittings or the days and times of its sittings or the time of the Meeting or Adjournment.
- 7) When a Motion has been made and is being considered by Council, no Member may make any other Motion EXCEPT
 - a. a Motion to refer the main question to some other person or group for consideration,
 - b. a Motion to amend the main question or an amendment to it,
 - c. a Motion to table the main question,
 - d. a Motion to postpone the main question until some future time,
 - e. a Motion to Adjourn the Meeting.
- 8) A Member moving a Motion to table any matter whether the matter is contained in a petition, enquiry, Motion or other matter before the Council shall include in the tabling Motion the time at the present Meeting or the date for a future Regular or Special Meeting to which the Motion is to be tabled.
- 9) A Motion to table a matter shall not be debated except as to the time within Council will again consider the Motion.
- 10) A matter, which has been tabled to date certain, shall not be again considered by Council before the date set except on a vote of two-thirds of the Members of Council present and voting on it.
- 11) When there is a Committee appointed for the purpose, a Town Department normally dealing with the subject matter of a Motion or a Town Official who would normally deal with such matters, Council may refer the question before it to the CAO who shall have the appropriate Committee, Department or Official deal with the matter.
- 12) A Motion to refer a matter shall be put forthwith without amendment or debate.
- 13) A Member of Council who is moving a referral Motion shall be required to include in the Motion,
 - a. the terms on which the Motion is being referred, AND
 - b. the time when the reference is returnable, AND
 - c. whatever explanation is necessary as to the purpose of the Motion.
- 14) Notwithstanding 14.12 when, pursuant to the provision of 14.11, a Motion to refer a matter is made, a Councillor may ask of the Mayor or other person presiding at the Council Meeting a question relative to any of those matters which, as provided in 14.13 may be included in a referral Motion.
- 15) After a Motion has been made, notwithstanding 14.6 & 14.7 or any other relevant sections contained elsewhere in this Bylaw, a Member may, with the consent of Council,
 - a. on their own initiative while they are speaking on the same, OR
 - b. when requested by another Councillor speaking on the Motion OR
 - c. agree to a change proposed by another Councillor if the alteration does not change the intention of the Motion.

15.0 MOTIONS CONTAINING DISTINCT PROPOSITIONS

- 1) A Motion containing several distinct propositions is not out of order for that reason alone.
- 2) Where a Motion contains two or more propositions,
 - a. if a majority of Council so requires OR
 - b. if the Mayor or other Officer presiding so order, Council shall vote on each proposition separately.

16.0 AMENDMENTS

- 1) Notwithstanding anything elsewhere herein contained no amendment to,
 - a. a Motion to refer a question to some other person or body for consideration,
 - b. a Motion to table a question,
 - c. a Motion to postpone discussion on a matter to a date certain,
 - d. a Motion to adjourn a Meeting, or
 - e. a Motion for the first reading of a Bylaw shall be made.
- 2) While a Motion is under discussion by Council, a Councillor may not move
 - a. an amendment which does not relate to the subject matter of the principal Motion OR
 - b. an amendment directly contrary to the principal Motion.
- 3) Where an amendment has been moved to a Motion, which is under discussion, an amendment to the amendment may be moved but no further amendment may be moved to the amendment or to the principal question after the amendment to the amendment is voted on.
- 4) A Councillor who moved a Motion may not move an amendment to it.
- 5) The Mayor or other presiding Officer shall not put the principal Motion under debate until all amendments to it have been put and voted upon.
- 6) The Mayor or other presiding Officer shall put amendment in the reverse order to which they have been moved.
- 7) When all amendments are voted upon the Mayor or other presiding Officer shall put the principal Motion incorporating therein any amendments already adopted.
- 8) Notwithstanding the provision of 16.5 where the blanks of times and amounts are being filled in a Motion the amendments containing the longest time and the largest amounts shall be put first and other times and amounts put in descending order until one is passed.

17.0 MOTION OUT OF ORDER

- 1) When a Motion is out of order, the Mayor or other presiding Officer shall so advise the Council and shall cite the rule or authority applicable thereto.
- 2) Any Member of Council may raise the question of whether or not a Motion is in order.

18.0 DEBATE ON MOTION

- 1) Except as otherwise provided in this section Councillors may speak more than once on any Motion.
- 2) Notwithstanding 18.1, a Councillor after receiving permission from the Mayor or other person presiding at the meeting may speak in explanation of a material part of their speech, which has been misquoted or misunderstood, but they may not introduce any new matter and there shall be no debate on the explanation.
- 3) Notwithstanding 18.1, a Councillor who has moved a substantive Motion other than
 - a. a Motion to approve or accept a recommendation in the CAO report or in another report made to Council OR
 - b. a Motion to appoint or instruct a Committee, OR
 - c. a Motion that the main question before the Council be immediately put to a vote, may speak in reply to close the debate after all other Members of Council have been given an opportunity to speak.
- 4) Notwithstanding 18.1 before the debate has been closed and the question called on a Motion and when another Councillor does not have the floor, a Councillor may during the debate,

- a. ask a question which relates directly to the debate, contains no argument and introduces no new material on the Motion, OR
 - b. Request that the Motion or a part of thereof be read aloud
- 5) Unless Council, by a majority vote, extends the time, no Councillor thereof shall speak longer than
 - a. 5 (five) minutes on any original Motion before Council OR
 - b. 3 (three) minutes on any amendment to an original Motion before Council.
- 6) When a Councillor who has moved a Motion closes the debate the Mayor shall put the Motion to a vote.
- 7) When the Motion has been declared, as per Section 10.1(c), no Councillor shall debate further on the question or speak any words except to request that the Motion be read aloud.
- 8) Unless the Mayor is overruled by a majority vote of the Members present at a Council Meeting they shall determine when a Motion is to be put and their decision shall be final.

19.0 RECONSIDERING AND RESCINDING A MOTION

- 1) When a Councillor wishes Council to reconsider, alter or rescind any Motion already passed or action taken at a previous Meeting and when such matter does not appear on the Agenda, they shall bring the matter before Council by a Notice or Motion, which shall
 - a. be given at a Regular Meeting, preceding the Meeting at which they wish Council to reconsider the matter,
 - b. specify the Meeting at which they propose to bring the matter to Council, AND
 - c. indicate either in the preamble or in the substantive portion of the Motion the action which they wish to propose that Council shall take on the matter UNLESS
 - i. A Notice of Motion was given at a previous Meeting that the matter would be raised at the Meeting at which the Councillor wishes to raise it, OR
 - ii. It has been under three months since the Motion was passed, in which case the matter may only be reintroduced after the three months have passed
 - iii. Council by a vote of two-thirds of the Members present and voting thereon waives the requirement for the notice, no Councillor shall make a Motion on any matter which does not appear on the Agenda for the Meeting then in session and on which Council passed a Motion at a previous Meeting.
- 2) When Council wishes reconsider any action taken or the subject matter of any Motion passed at the same Meeting a Councillor may move to reconsider the matter and if a majority of the Members of Council vote for the reconsideration, the matter may again be dealt with at the same Meeting.
- 3) Where a matter on which Council has made a previous Motion or taken a previous action is properly before Council as provided in this section, Council may by a simple majority pass a Motion which alters, rescinds or conflicts with any previous action taken or Motion made without specifying that the previous Motion or action is being altered or rescinded and the provisions of such Motion shall override the provisions of any previous Motion with which they conflict.
- 4) Notwithstanding anything provided in this section where pursuant to any Motion duly passed by Council the Town has a contractual liability or obligation, Council shall not consider, alter, vary, revoke, rescind or replace the Motion except to the extent that it does not attempt to avoid or interfere with liability of obligation.

20.0 VOTING ON MOTIONS

- 1) Unless excused from voting by reasons defined in the Act, each Councillor including the Mayor, shall vote on every matter before Council when present at the Meeting.
- 2) No Member who is absent from the Council Chamber when the vote is put shall be allowed to vote.

- 3) Before a vote is taken by Council, a Councillor may request that the vote be recorded and such vote shall be recorded pursuant to the Act.

21.0 IN CAMERA

- 1) 1. Upon the passing of a Motion that the Council go In Camera, the Mayor/Deputy Mayor shall remain as Chair thereof and shall, maintain order as stated in Subsection 10.0.
- 2) Council by Motion, shall enter into In Camera to discuss,
 - a. Legally sensitive issues,
 - b. Human resource issues,
 - c. Purchase or sale of land, OR
 - d. Politically sensitive issues.
- 3) All discussion that takes place while Council is in Camera is to be held in strict confidence, not to be discussed with any person not in Council Chambers at the time, including absent Members.
- 4) Should the content of an In Camera session be required to be divulged to absent Councillors at a later Meeting, Council will be required to move into camera for that purpose.
- 5) When a Motion to move into In Camera is made, Council Chambers must clear of all public, media, and staff unless the presence of the CAO, or any other interested party Council deems required is requested to stay.
- 6) Once Council Chambers clears, Councillors shall not leave the Council Chambers unless a Motion is made to come out of In Camera.
- 7) The only Motion to be made while Council is In Camera is the Motion to come out of In Camera, which Motion shall not be debatable.
- 8) Any matters discussed In Camera, which require a Motion, will be moved after the Motion to come out of In Camera is carried.

22.0 STANDING POLICY COMMITTEES

- 1) Nomination and appointment to the Standing Policy Committees shall be done pursuant to Section 6.0, at the Organizational Meeting.
- 2) Council shall by policy establish generally or in detail the duties and responsibilities of the Standing Policy Committees.
- 3) The size of quorum required for a Meeting of a Standing Policy Committee shall be three Councillors.
- 4) The CAO shall be responsible for reporting to Council via Standing Policy Committee Minutes.

23.0 COUNCIL BOARDS AND AUTHORITY

- 1) Nomination and appointment to Council Boards shall be done pursuant to Section 6.0

24.0 INTERMUNICIPAL & MULTI-JURISDICTIONAL COMMITTEES AND BOARDS

- 1) Subject to the provisions of the Municipal Government Act, Council shall appoint Members to fulfill the requirements of representation of the Town to Intermunicipal and Multi-jurisdictional Committees and Boards as per Bylaw and Section 6.0.

- 2) Council shall appoint a Councillor for each Committee with an alternate, if required, at the Organizational meeting.
- 3) Members of Council appointed to such Committees shall be eligible to stand for executive positions on such Committees or Boards.
- 4) Council shall appoint members at large, from the public, to such Committees and Boards, if required, at the Organizational Meeting, UNLESS
 - a. a vacancy occurs mid-term, OR
 - b. a vacancy is not filled by the date of the Organizational Meeting.
- 5) Appointments to fill vacancies for members at large shall be appointed as names are submitted for vacancies, which occur pursuant to 25.4.
- 6) Council Members shall be responsible for reporting to Council as per policy.

25.0 AD HOC COMMITTEES

- 1) Council shall appoint Councillors to Ad Hoc Committees as necessary or expedient for the orderly and efficient handling of the affairs of the Town as per policy.
- 2) Such Committees will consist of three Members of Council.
- 3) Quorum will consist of two Councillors.
- 4) Committees will exist for a certain purpose and cease upon completion of the task.
- 5) Council Members shall be responsible for reporting to Council as per policy.

26.0 COMMUNITY COMMITTEES

- 1) Council shall appoint Councillors, with alternates as required, to Community Committees as necessary to fulfill requirement for Town representation on Community Committees and subject to 4.4.
- 2) Council Members shall not allow their names to stand for executive positions.
- 3) Council Members shall not represent the Community Committee in Council Chambers.
- 4) Council Members shall be responsible for reporting to Council as per policy.

27.0 BYLAWS

- 1) Where a Committee of Council approves the principles of the subject matter of a proposed Bylaw, it shall refer the matter to the CAO with instructions of the preparation of the Bylaw.
- 2) Unless and until the Bylaw is approved by the CAO as to form, phraseology and legal validity, a Committee to which a Bylaw is referred for preparation shall not submit the Bylaw to Council in final form for enactment.
- 3) Where a Bylaw is presented to Council for enactment the CAO shall cause the number and the title of the Bylaw to appear in the Agenda in the appropriate place.
- 4) Every Bylaw shall be passed pursuant to the provisions of the Act.
- 5) Council shall vote on the Motion for the first reading of the Bylaw without amendment or debate.

- 6) If a Councillor does not elaborate on the subject matter of the Bylaw or phrase their question so as to set out their opinion for or against the Bylaw, notwithstanding the provisions of 28.5, they may ask a question or questions concerning the Bylaw.
- 7) Unless the Act or some other statute requires a greater majority, a Bylaw shall be passed when a majority of the Members present and voting on the third reading vote in favour of the Bylaw.
- 8) After a Councillor has made the Motion for the second reading of the Bylaw Council may
 - a. debate the substance of the Bylaw, OR
 - b. propose and consider amendments to the Bylaw.
- 9) A proposed amendment shall be put to a vote and if carried shall be considered as having been read a first time and incorporated in the Bylaw.
- 10) The CAO shall be responsible for keeping a record of any amendments to the Bylaw passed by Council.
- 11) When all amendments have been accepted or rejected the motion for second reading of the Bylaw as amended shall be put.
- 12) After Council votes affirmatively for a third reading of a Bylaw it comes into force pursuant to the Act.

28.0 MATTERS SUBMITTED TO A VOTE OF ELECTORS

- 1) Matters requiring a vote of the electors shall be dealt pursuant to the provisions of the Act.

29.0 ENQUIRIES

- 1) Unless an Enquiry from a Councillor specifies that they wish the Enquiry and the answer thereto to appear on a subsequent Council Agenda the CAO shall send or give the answer directly to the Member of the Council making the Enquiry, unless the information requested is privileged pursuant to Federal or Provincial legislation, and neither the Enquiry nor the answer shall appear in the Council Agenda.
- 2) Where a Member's Enquiry involves a written answer to be given at a future Meeting and it appears to the CAO that the cost to the Town will be incurred by reason of
 - a. time of Town employees which must be taken from performance of their regular duties or overtime which must be worked,
 - b. the need to hire additional employees,
 - c. the necessity of obtaining and paying for the information from other than Town employees
 the CAO shall use their discretion and if needed shall report the anticipated cost to Council and shall not proceed with the investigation necessary to answer the Enquiry unless and until Council
 - i. directs that the Enquiry shall be made, AND
 - ii. Provides in a supplementary budget or otherwise for the payment of the cost.
- 3) Notwithstanding anything else contained in this section or elsewhere in this Bylaw the subject matter of an Enquiry is not debatable until the reply thereto has been made or presented to Council.
- 4) Notwithstanding the other provisions of this section a Member of Council wishing to obtain information or to make an Enquiry may instead of following the procedure set out in 30.1 reduce the Enquiry to writing and forward the same to the CAO with the request that it be discussed with the Mayor.
- 5) Upon receipt of the Enquiry and the request, the CAO shall discuss the enquiry with the Mayor who may
 - a. refer the Enquiry to the appropriate one of the Standing Policy Committees, OR
 - b. refer the Enquiry to the CAO for a reply, OR
 - c. refer the Enquiry to the CAO and to the appropriate department of the Town for a report to be made either
 - i. to the appropriate Standing Policy Committee, OR

- ii. to the Council, OR
- iii. directly to the Councillor who made the Enquiry.

30.0 COUNCIL APPOINTED BOARDS

- 1) The CAO will advertise for members of the public to serve on Boards requiring public representation at the time the Municipal Elections are called, AND
 - a. names of persons suitable for appointment that are submitted for Council’s consideration by the date of the Organizational Meeting may be approved by Council at the Organizational Meeting, AND
 - b. names of person suitable for appointment that are submitted for Council’s consideration after the date of the Organizational Meeting may be approved by Council at subsequent Regular Council Meetings until all Board positions are filled.
- 2) The term of office for Council appointed positions on Boards shall coincide with the municipal term of office.
- 3) Members of the public appointed to board positions by Council will be remunerated:
 - a. for their board meetings by payment of the per diem established in the Per Diem Policy,
 - b. payment for Council approved submitted expenses for travel, meals, or education related to Board service.
- 4) The Subdivision and Development Appeal Board (SDAB) for the Town of Spirit River shall operate as set down in the Bylaw of the same name and all amendments thereafter.
- 5) The Subdivision Authority Board for the Town of Spirit River shall operate as set down in the Bylaw of the same name and all amendments thereafter.

31.0 COUNCIL, BOARD, AND COMMITTEE REMUNERATION

1. Councillors shall be Remunerated at the rates as set out in the Per Diem Policy for:
 - a. Meeting per diems
 - b. Travel day per diems,
 - c. Travel expenses, including travel to and from Council approved activities,
 - d. Regular Council meetings.
 - e. Special Council meetings,
 - f. AUMA
 - g. Committee Meetings,
 - h. Public Open Houses and Meetings.
2. Councillors shall be Remunerated at the same rates for other Meetings approved as set out in the Council Advocacy and Education Policy as set out in the Per Diem Policy.
3. Council appointed Board Members shall be Remunerated as set out in the Per Diem Policy for:
 - a. Meeting per diems,
 - b. Travel expenses for Board approved travel.

32.0 PROCEDURE NOT COVERED BY BYLAW

1. When any matter relating to proceedings in Council or in the Committees thereof arises which is not covered by a provision of this Bylaw, the matter shall be decided by a reference to the Act.

33.0 GENERAL

- 1) Should any provision of this Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.
- 2) The schedules included with this Bylaw are an integral part of the Bylaw and

are included for ease of use but will be listed in the Master Rates and Schedule Bylaw No. 904 for any amendment purposes

3) This Bylaw shall come into force upon receipt of its third and final reading.

4) Bylaws No. 630, 789, 889, and Bylaw 894 are hereby repealed.

READ a first time in Council this 21st day of September, 2009.

READ a second time in Council this 19th day of October, 2009.

READ a third and final time in Council this 19th day of October, 2009.

MAYOR

ADMINISTRATOR

SCHEDULE A

The Regular Order of Business for a Regular Meeting of Council shall be as follows:

- (a) Call to Order
- (b) Additions/Deletions to Agenda
- (c) Adoptions of Minutes
- (d) Presentations (15 minutes)
- (e) Public Input (5 minutes)
- (f) Action List Updates
- (g) New Business
- (h) Unfinished Business
- (i) Correspondence
- (j) Financial
- (k) Committee Reports
- (l) In Camera
- (m) Council Discussion and Questions
- (n) Next Meeting confirmation

(o) Adjournment

SCHEDULE B
COUNCIL AGENCIES, BOARDS, AND COMMITTEES

AGENCIES AND BOARDS

Assessment Review Board
Subdivision Authority
Subdivision and Development Appeal Board

INTERMUNICIPAL/INTER-JURISDICTIONAL BOARDS AND COMMITTEES

Grande Spirit Foundation
Health Council
Peace Region Economic Development Association (PREDA)
Central Peace Regional Waste Management Commission (CPRWMC)
Library
Central Peace Health Centre Co-Owners Committee
South Peace Water Region Committee (SPWRC)
Family and Community Support Services (FCSS)
Intermunicipal Development Planning
Clinic Planning Committee
Regional Co-operation Committee
Rycroft Regional Protocol Committee
G3 Committee

Councillors shall follow the governing Bylaws of the outside Committee/Board.
Committee Meetings dates are set independently of Council and shall be relayed to Council in Committee Report.
Committee Reports shall be submitted as per policy and the body of the report shall contain the substance of the Meeting. Reports will contain notice of Motions from the outside Committee/Board for inclusion in Council Agenda.

COMMUNITY COMMITTEES

Communities in Bloom

Committee Meeting dates are set independently of Council and shall be relayed to Council in Committee reports. Committee reports shall be submitted as per policy and the body of the report shall contain the substance of the Meeting. Reports will not relay requests from these Committees as the Councillor shall not advocate for the Community Committee.

STANDING POLICY COMMITTEES

Public Works
Recreation and Community Services
Human Resources and Safety and Protective Services
Finance and Administration