



BYLAW 2021-12

*Being a Bylaw of the Municipal District of Lesser Slave River No. 124,
in the Province of Alberta, to be known as "The Organizational and Procedural Bylaw."*

WHEREAS, pursuant to Section 145 of the Municipal Government Act, RSA 2000, Chapter 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;

NOW THEREFORE, the Council of the Municipal District of Lesser Slave River, duly assembled, enacts as follows:

BYLAW INDEX

1. Definitions
2. Application and Interpretation
3. Chief and Deputy Chief Elected Official
4. Providing Notice of Meetings
5. Meetings
 - 5.1. Organizational Meetings
 - 5.2. Inaugural Meetings
 - 5.3. Regular Meetings
 - 5.4. Special Meetings
 - 5.5. Committee of the Whole
 - 5.6. Public Hearings
6. Quorum
7. Electronic Communication System Meetings
8. Electronic Devices
9. Agenda and Minutes
10. Delegations
11. Closed Session
12. Council Meeting Conduct
13. Public Disturbance/Conduct
14. Motions
 - 14.1. Purpose of Motion
 - 14.2. Rules of Motions
 - 14.3. Referring a Motion
 - 14.4. Splitting a Motion
 - 14.5. Tabling a Motion
 - 14.6. Postponing a Motion
 - 14.7. Notice of Motion
15. Voting
 - 15.1. Voting – Question
 - 15.2. Voting – Recording
 - 15.3. Voting – Pecuniary Interest
 - 15.4. Requirement to Vote
 - 15.5. Unprovided Cases
16. Rules for Bylaws
17. Adjourning a Meeting
18. Council Committees
19. Staff Interaction
20. Enactment/Transition

1. Definitions

"Act" or "MGA" means the *Municipal Government Act (MGA), RSA 2000, Chapter M-26*, as amended, or any statute enacted in its place.

"Administration" means the Chief Administrative Officer (CAO) or an employee accountable to the CAO.

"Agenda" means the list of items and order of business for any Meeting.

"Chair" means the person who has been given authority to direct the conduct of a Meeting; for Meetings of Council the Chair is the Reeve.

"Challenge" means an appeal of a ruling of the Chair.

"Chief Administrative Officer" means the person appointed by Council to the position of Chief Administrative Officer (CAO) or their designate.

"Council" means the duly elected municipal Council of the Municipal District of Lesser Slave River.

"Council Committee(s)" means a Special Committee, Board or other body that is carrying out a power, duty or function delegated to it by Council, but excluding Committee of the Whole.

"Committee of the Whole" means a Committee comprised of all Council which conducts itself as a Committee of Council.

"Corporate Record" means the record of agendas, minutes and other related Meeting material, which is dealt with by Council or Council Committees. It also includes all documents to which the Municipal's corporate seal is affixed.

"Councillor" means a Member of Council elected pursuant to the *Local Authorities Election Act*.

"Deputy Reeve" means the Member of Council who has been appointed and/or determined to act in the absence or incapacity of the Reeve.

"Designated Officer" means individuals appointed to designated officer positions under the *Municipal Government Act*.

"Freedom of Information and Protection of Privacy Act" (FOIP Act) means the *Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25*, as amended, or any statute enacted in its place.

"General Municipal Election" means an election held in the Municipality to elect the Member of Council as described in the *Local Authorities Elections Act, RSA 2000, Chapter L-21*, as amended, or any statute enacted in its place.

"Closed Session" means a Meeting or a portion of a Meeting that is closed to the public in accordance with the *FOIP Act*.

"Reeve" means the Chief Elected Official as defined by the Act.

"Meeting" is a Regular Meeting; Special Meeting or Committee of the Whole of Council Meeting held in accordance with the Act.

"Minutes" means the formal record of decisions, without note or comment, of a Meeting.

“Member” means a Member of Council duly elected who continues to hold office, or a Member of a Council Committee duly appointed by Council to that Committee.

“Municipality” means the municipal corporation of the Municipal District of Lesser Slave River No. 124 or the area contained within its boundaries.

“Municipal Office” the municipal office shall be the administration office located in Slave Lake.

“Oath” means when a person is required to take an official oath on being appointed to an office.

“Orders of Business” means the order of business and time schedule for a Council Meeting.

“Organizational Meeting” means the annual Organizational Meeting of Council held pursuant to the Act.

“Pecuniary Interest” is described as something which could monetarily affect the Member, their spouse, or adult interdependent partner, or children, their parents, or the parents of their spouse (in other words, their immediate family), or a business which employs the Member or in which they have an interest. Pecuniary interest means an interest in a matter which could monetarily affect:

- The Member
- a corporation, other than a distributing corporation, in which the Member are a shareholder, director or officer
- a distributing corporation in which the Member
 - beneficially own voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which they are a director or officer
- a partnership or firm of which they are a member

“Person” means without limiting the generality of the term, any individual or any business entity including, but not limited to, a firm, partnership, association, corporation, society, or legal entity.

“Point of Order” means a demand by a Councillor that the Chair enforces the rules of procedure.

“Point of Privilege” means a request made to the Chair by a Councillor on any matter related to the rights and privileges of Councillors and includes

- Comfort of Councillors
- Conduct of Municipal employees or members of the public in attendance
- The reputation of Council and Councillors

“Postpone” means to delay consideration of a matter to a later date or indefinitely.

“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.

“Quorum” means the number of Members entitled to vote who must be present in order to conduct a Meeting and is a majority of the Membership of the voting body.

“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.

“Refer” means to send a pending motion or agenda item to a Council Committee or administration for investigation and report.

"Table" means to set a matter aside until a majority decides to address the item again by means of a motion to take from the table.

2. Application and Interpretation

- 2.1 This Bylaw will govern all Council Meetings and Council Committee Meetings, unless otherwise specified in this bylaw as applicable only to Council or only to Council Committee. This Bylaw shall be binding upon all Committee Members, whether Council or public Members.
- 2.2 To the extent that a matter is not dealt with in the Act or by this Bylaw, Members will have regard to Robert's Rules of Order.
- 2.3 The precedent of rules governing the procedure of Council and Council Committees is:
- a) The Act,
 - b) Other provincial legislation,
 - c) This Bylaw, and
 - d) Robert's Rules of Order (current edition).
- 2.4 In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council if the majority of Council Members present vote in favour of dealing with the matter under consideration.

3. Chief and Deputy Chief Elected Official

- 3.1 In accordance with the Act, the chief elected official (CEO) shall have the title of Reeve and the deputy chief elected official shall have the title of Deputy Reeve.
- 3.2 Annually, at the Organizational Meeting, Council shall appoint a Deputy Reeve.
- 3.3 Members shall address the CEO as "Your Worship" or the Chair as "Mr./Madam Chair" and shall refer to each other as "Councillor."

4. Providing Notice of Meetings

- 4.1 Except for meetings scheduled on the adopted Meeting Calendar, the CAO must notify Council and the public as soon as possible, no less than twenty-four (24) hours in advance, when meetings are scheduled, rescheduled, postponed or cancelled. Notice is deemed to be given by:
- a) notifying Council;
 - b) updating the Municipalities website;

5. Meetings

5.1 Organizational Meetings

- 5.1.1 An Organizational Meeting of Council shall be held annually as required by the Act.
- 5.1.2 At this Meeting, Council shall by resolution:
- a) appoint a Deputy Reeve in accordance with the Act;
 - b) set the dates, times and locations for the Regular Council Meetings (if all Councillors are present);
 - c) set dates and times for Committee Meetings, if deemed necessary by Council;
 - d) appoint Councillors as Members on Committees, Boards and Commissions, as required;
- 5.1.3 Council will conduct any other business identified within the Organizational Meeting agenda.

5.2 Inaugural Meeting

- 5.2.1 The first Meeting immediately following a general municipal election must be called the Inaugural Meeting.
- 5.2.2 The Inaugural Meeting shall be held within fourteen (14) days following a general municipal election.
- 5.2.3 Each Councillor, including the Reeve, must take the Oath of office, as prescribed by the Act, as the first order of business.
- 5.2.4 Until the Reeve has taken the oath of office, the CAO must be designated Chair.
- 5.2.5 Each Councillor, including the Reeve, must affirm the Council Code of Conduct Bylaw.

5.3 Regular Meetings

- 5.3.1 Council will hold Regular Meetings on the dates established at the Organizational Meeting, typically every second and fourth Wednesday. If a regular Council Meeting falls on a statutory holiday, or event, the Meeting will occur on the next business day unless otherwise voted on by Council.
- 5.3.2 Regular Council Meetings and Public Hearings will be held in Council Chambers at the Slave Lake Administration Building unless otherwise scheduled and advertised.
- 5.3.3 Council and Committee Meeting dates and changes must be determined with input from the CAO to minimize conflict between meetings and to ensure proper notification of the public.
- 5.3.4 Council and Committees may cancel or revise their respective meetings or schedule additional meeting dates or times as required in consultation with the CAO. The CAO must provide notice of the changes or additions.
- 5.3.5 The Chair may cancel a scheduled Meeting in consultation with the CAO if the deadline for agenda submissions has passed and there is no time-sensitive business to bring to that Meeting.

5.4 Special Meetings

- 5.4.1 In accordance with the Act, a Special Council Meeting shall be scheduled by the CAO when required to do so by the Reeve or by a majority of Council.

5.5 Committee of the Whole

- 5.5.1 There shall be a Committee of the Whole comprising all Members of Council.
- 5.5.2 The Reeve must be Chair of the Committee of the Whole Meeting unless the Reeve chooses another individual to act as Chair. The Reeve may at any time resume the Chair.
- 5.5.3 Committee of the Whole Meetings may be held immediately following the adjournment of the Regular Meeting.
- 5.5.4 The Reeve, in consultation with the CAO, may call for a Committee of the Whole Meeting at any time.

- 5.5.5 Subject to the Act, the business of a Committee of the Whole Meeting may include but is not limited to:
- a) Briefings from Councillor(s), administration and public, and
 - b) Consideration of policies, bylaws and plans for recommendation to Council
- 5.5.6 Committee of the Whole may:
- a) receive delegations and submissions
 - b) meet with other municipalities and other levels of governments
- 5.5.7 The Committee of the Whole is authorized only to make recommendations, by motion, to Council.
- 5.5.8 In addition to the restrictions contained in Section 203(2) of the Act, the Committee of the Whole Meeting must not hold Public Hearings.
- 5.5.9 Committee of the Whole may move into Closed Session in accordance with the Act and the FOIP Act. No motions may be made when the Committee of the Whole is sitting Closed Session in accordance with the FOIP Act except motions to return to the public Meeting. The following exceptions to the bylaw apply to Committee of the Whole:
- a) Councillors may discuss an issue without a motion on the floor
 - b) Councillors may speak to an issue for longer than 5 minutes
 - c) Councillors must first be recognized by the Chair prior to speaking but may then direct questions and answers to administration and each other
 - d) Minutes of a Committee of the Whole Meeting shall be adopted by motion at the next Committee of the Whole Meeting

5.6 Public Hearings

- 5.6.1 Council must conduct the Public Hearing during a Regular or Special Council Meeting.
- 5.6.2 Public Hearing Procedures:
- a) The Chair shall state the purpose of the public hearing (i.e. bylaw number and general description of the bylaw) and declare the hearing open. The Chair will outline the public hearing procedures for all those present.
 - b) The CAO shall confirm that the public hearing has been advertised in accordance with the applicable legislation and present an overview regarding the resolution, bylaw, or matter to be dealt with.
 - c) The Chair shall allow presentations from the public. Public presentations may be made verbally, in writing, or both, with copies of written submissions filed with the CAO.
 - d) The Chair shall request those who wish to make a verbal presentation to identify themselves.
 - e) Those in support of the proposed bylaw, resolution, or matter to be dealt with. Each presenter will be given one opportunity to address Council. Written submissions in support shall be read into record.
 - f) Those opposed to the proposed bylaw, resolution, or matter to be dealt with. Each presenter will be given one opportunity to address Council. Written submissions that are opposed shall be read into record.
 - g) The applicant (if applicable), to make closing comments.

- h) Presentations shall be directed to the Chair and be limited to ten (10) minutes in duration.
- i) A delegation of more than one member shall be considered to be one person for the purpose of a public hearing. Regardless of the number of members of the delegation who may be present, one spokesperson shall be entitled to speak once only for a limit of 10 minutes.
- j) Councillors may ask persons making presentations questions to clarify the speaker's comments. Council will not debate the matter during the hearing. The decision(s) regarding whether or not to grant the bylaw(s) further readings or approve the resolution will be dealt with following the close of the public hearing, which may be later in the Meeting or at a subsequent Meeting.
- k) Council may resolve to reopen a Public Hearing which has been concluded when it is determined that critical new information has arisen, provided that the Public Hearing is reopened at the same Meeting of Council or is scheduled for another specific Meeting of Council in the future and follows same advertising protocols.
- l) The Chair shall adjourn the public hearing when all persons wishing to speak on an issue have been given the opportunity to speak.

5.6.3 The Minutes of a Public Hearing will reflect the presenters' names and include a summary of the presentations.

5.6.4 The Minutes are to be adopted at the next Regular Council Meeting.

5.6.5 The vote on an item for which a Public Hearing has been held must comply with the following:

- a) Councillors who are absent for the whole of a Public Hearing on a matter are not entitled to vote on the matter; and
- b) Councillors who are absent from part of a Public Hearing on a matter may choose to abstain from voting on the matter.

5.6.6 If there is more than one (1) Public Hearing on the agenda, the Reeve must close one (1) Public Hearing before opening another Public Hearing.

6. Quorum

6.1 Quorum of Council is a majority of Council.

6.2 At the time set for the start of the Meeting, if a quorum is present, the Reeve/Deputy Reeve must call the Meeting to order.

6.3 If Quorum is not achieved within thirty (30) minutes after the time the Meeting is scheduled to begin, the CAO will document the names of those who are present, and the Meeting will be adjourned and rescheduled.

6.4 When a Councillor leaves Council Chambers while a Meeting is in progress, the minutes shall reflect the time of departure and return.

6.5 If at any time during a Meeting the Quorum is lost, the Meeting must be recessed, and if Quorum is not achieved again within fifteen (15) minutes, the Meeting must be deemed to be adjourned.

6.6 Members shall notify in advance, either the Chair or CAO, if the Member will be absent from a Meeting.

- 6.7 If vacancies, illness or disability reduces the number of Councillors to less than a quorum, the Minister will determine a quorum.
- 6.8 The rules of Quorum shall apply to Committees and Council Committees.

7. Electronic Communication System Meetings

- 7.1 In addition to ordinary Public Meetings, Council Meetings can be held by means of electronic or other communication facilities if:
- a) it is to be a public Meeting; public notice is given on the Meeting, how it is to be conducted and where they can watch or listen to it;
 - b) the facilities allow the public to watch or listen to the Meeting at a place specified in the public notice of the Meeting, and at least one Designated Officer is in attendance at that place, and
 - c) the facilities allow all the Councillors at the Meeting to participate in it and to hear or watch, as the case requires, the discussion by all of the other participants at the Meeting and to vote.
- 7.2 A Councillor participating in a Meeting described above is considered to be present at the Meeting.

8. Electronic Devices

- 8.1 Cell phone use is prohibited during a Meeting and must be set to silent.
- 8.2 Meetings may be recorded at the approval of the Chair.

9. Agendas and Minutes

- 9.1 The CAO has the authority to set out the standard order of business for agendas and may follow the agenda structure:

Regular Council Meeting

- Title and Heading
- Call to Order
- Acceptance of the Agenda
- Approval of Minutes
- Announcements
- Delegations
- Public Hearings
- Bylaws
- Reports
- Requests for Decision
- Financial
- Confidential Items – Closed Session
- Notice of motion
- Adjournment

Committee of the Whole

- Title and Heading
- Call to Order
- Acceptance of the Agenda
- Reports & Presentations
- Consideration of Bylaws & Policies
- Plans for Recommendations to Regular Council
- Consent Agenda (Correspondence, Board Reports)
- Adjournment

- 9.2 Committee of the Whole and Regular Council Agendas shall allow for Councillor reports to provide each Councillor opportunity to bring forward any matter of general interest to the Council or the Municipality as a whole.
- 9.3 Committee of the Whole Agendas shall include correspondence addressed to Council and board reports that are not subject to exemption under FOIP. All other correspondence shall be provided to Council regularly.
- 9.4 The CAO will establish the Agenda in consultation with the Reeve.
- 9.5 Councillors may request discussion items be added to an upcoming Agenda by forwarding a written request to the CAO by 4:30 p.m., six days prior to the Regular Meeting. The CAO will assign responsibility to the appropriate director for Agenda inclusion. Should the CAO defer the request due to the complexity of the item or length of the current Agenda, the discussion item shall be placed on the following Agenda.
- 9.6 Complete Agenda packages shall be distributed electronically to Councillors at least two working days prior to the Meeting and made available to the public.
- 9.7 Once an Agenda is distributed to the public, the addition of items to the prepared Agenda will require approval of the majority of Councillors at the time of the Meeting.
- 9.8 At the Meeting, during the adoption of the Agenda, Councillors may request an item be added to the Agenda provided that:
 - 9.8.1 the matter is of sufficient urgency or of a time-sensitive nature, such that it is not possible to refer it to the next Regular Council Meeting and;
 - 9.8.2 there is adequate information available to decide on the matter and;
 - 9.8.3 approved by resolution of Council
- 9.9 Where practical, the CAO shall be notified of additions or changes no less than two (2) hours prior to the Meeting.
- 9.10 Where a Councillor wishes to present an item that does not meet the criteria as set out in 9.8, the Councillor may serve Notice of Motion of the matter.
- 9.11 Approval of the Consent Agenda shall be by one single resolution, without debate, and may include approval of all the recommendations contained in the respective reports. A Councillor may exempt any item from the Consent Agenda, and such request must be made before voting occurs on the Consent Agenda.
- 9.12 If an alteration to the order of business is desired to take up an urgent matter or for the Meeting's convenience, the Chair may make such alteration. Still, it shall not delete any portion of the business set out in the adopted Agenda.
- 9.13 Where administration has made a recommendation to Council regarding a matter, the recommendation shall take the form of a draft motion. A recommendation does not constitute a motion until a Councillor has expressly moved it.
- 9.14 The preparation and distribution of Minutes are the responsibility of the CAO.
- 9.15 Any Councillor may make a motion to request that the Minutes be amended to correct any inaccuracy or omission.
- 9.16 The CAO may make minor changes to the Minutes to correct errors in grammar, spelling, motion numbers, sentence structure and punctuation. No change is permitted that would alter or impact the actual decision made by Council.

9.17 Meeting Minutes, once adopted by Council, shall be made available to the public by posting on the Municipal website and upon request.

10. Delegations

- 10.1 Anyone wishing to be heard before Council shall submit a written request to the CAO, at least six (6) days prior to the Meeting, which identifies the issue or topic to be addressed, unless otherwise invited by Council to attend.
- 10.2 Delegation requests shall be reviewed during the Agenda review and may be approved, referred to administration, or refused. If a delegation request is referred to administration or refused, the reason(s) shall be communicated to the requestor (s). Approved delegations may not necessarily be scheduled on the date requested.
- 10.3 Delegations are requested to provide presentation material to administration at least six (6) days prior to the scheduled delegation to ensure material is included in Council's Agenda package.
- 10.4 Delegations shall be scheduled for no more than fifteen (15) minutes unless, in reviewing the Meeting agenda, exceptional circumstances are approved, and a longer delegation period is warranted.
- 10.5 During the delegation, the matter at hand may not be debated by Councillors, nor shall the Chair recognize any motions pertaining to the matter.
- 10.6 Matters brought forward by a delegation may be discussed, debated and decided upon during the CAO Report and Action List portion of the Agenda unless the matter appears elsewhere in the Agenda.

11. Closed Sessions

- 11.1 Council may consider a matter in a Closed Session Meeting in accordance with exceptions to disclosure in Part 1, Division 2 of the FOIP Act.
- 11.2 A resolution must be made to go into a closed session with the time of day, the attendees who will remain in the closed Meeting. A resolution must be made to return to the open Meeting.
- 11.3 Council or a Committee must not make motions or vote at a closed session except on a motion to recess or revert to a Public Meeting or unless otherwise stated in the Act.

12. Council Meeting Conduct

Guiding principles for Meeting debate:

- 12.1 No person shall speak before being recognized by the Chair.
- 12.2 All discussion at a Meeting of Council may be through the Chair.
- 12.3 Unless otherwise granted by resolution, a Councillor may speak once to any motion and once to an amendment.
- 12.4 Once all Councillors have spoken, the Councillor who has made the motion may speak a second time to close the debate.
- 12.5 A Councillor may speak in response to questions posed by another Councillor.

- 12.6 A Councillor may ask questions of administration or other Councillors on any motion or amendment to a motion.
- 12.7 A Member when speaking may be interrupted by the Reeve or Chair if the Member is speaking out of order or the Member has exceeded the time allowed.
- 12.8 When speaking, a Member may only be interrupted by another member of Council on:
- a point of privilege; or
 - a point of order
- 12.9 When a point of order or privilege is raised, the Member speaking shall refrain from continuing. The Chair may seek clarity on the point of order being raised and allow for a brief response; otherwise, the point of order or privilege is non-debatable.
- 12.10 The Chair must rule on a point of order or privilege. No vote will be taken unless the decision of the Chair is challenged.
- 12.11 Councillors will appropriately conduct themselves and will be held accountable for their conduct in accordance with the Municipal District Council Code of Conduct Bylaw.

13 Public Disturbance/Conduct

- 13.1 Subject to the Act, and the provisions of the Procedural Bylaw, visitors and delegations and any member of the public have the right to be present at Council Meetings and Committee Meetings held in public.
- 13.2 The Chair may order any member of the public who disturbs the proceedings of Council by words or action to be expelled from the Meeting.
- 13.3 If the health or safety of the Meeting participants is deemed to be at risk, the individual may be disallowed from attending future Meetings.
- 13.4 If a member of the public who has been expelled refuses to leave the premises, the CAO may, at their discretion, request the Royal Canadian Mounted Police or Peace Officer to remove the person.

14 Motions

14.1 Purpose of Motions

- 14.1.1 A **Main Motion** brings a question before the Council for consideration.
- Introduces a new subject for discussion or action
- 14.1.2 A **Subsidiary Motion** is to modify or dispose of the main motion under discussion.
- Lay on the table
 - Call for the previous question
 - Limit or extend limits of debate
 - Postpone definitely
 - Refer to Committee
 - Amend
 - Postpone indefinitely
- 14.1.3 A **Privileged Motion** has no connection to the main motion but is of such importance to demand immediate attention:
- Set the dates and times of Meetings or change scheduled Meeting dates

- Set a time to adjourn
- Adjourn
- Recess
- Raise a question of privilege

14.1.4 An *Incidental Motion* is a miscellaneous motion that cannot be placed in any of the three groups.

- Raise a point of order
- Call for a division of the question
- Withdraw a motion

14.2 Rules for Motions

14.2.1 A Motion must be made prior to any debate or vote occurring.

14.2.2 Once a motion is presented and acknowledged, the motion belongs to the Council. Motions do not require a seconder.

14.2.3 A recommendation included in a request for decision is not a motion until moved by a Councillor.

14.2.4 Once moved, a motion cannot be withdrawn without the majority consent of Council through motion to withdraw.

14.2.5 A Councillor may request the motion being discussed be read at any time during the debate, except while a Councillor is speaking.

14.2.6 Once debate on the main motion has begun, the Councillor who moved the motion may, with general consent, make minor changes to the wording or agree to a minor change proposed by another Councillor. A motion must be made prior to any discussion or vote occurring.

14.2.7 Motions of Council will record the direction of Council and Minutes of the Meeting will reflect the name of the Councillor making the motion.

14.2.8 The following motions are not debatable:

- motion to withdraw
- motion to table
- motion to recess or adjourn

14.2.9 When a motion has been made and is being considered, no other motion may be made with the exception of one made:

- to refer the motion to Committee of the Whole, to administration, a Council Committee or some other group or person for consideration
- to postpone consideration of the motion
- to amend the motion
- to withdraw the motion if the motion to withdraw is made by the mover

14.2.10 The following motions or actions cannot be reconsidered:

- a motion that created a contractual liability or obligation shall not be reconsidered, altered, varied, revoked, rescinded, or replaced without legal opinion to ensure no interference with the liability or obligation
- motion to adjourn
- motion to close nominations
- motion to be split into parts
- motion to adopt the agenda
- motion to record a vote
- motion to table, if adopted
- motion to repeal a bylaw, if adopted

- first and third reading of a bylaw
- point of order, procedure, or privilege

14.2.11 Unless otherwise required under the Act or this Bylaw, a simple majority vote shall be required.

14.3 Referring a Motion

14.3.1 A Councillor may move to refer any main motion and any pending amendments to a Council Committee or administration for investigation and report.

14.3.2 A motion to refer is

- debatable
- shall include instruction for the referring body, what action is required and time frame for response

14.4 Splitting a Motion

14.4.1 When a motion is lengthy, complicated or contains several independent issues dealing with different subjects, a Councillor may request a motion be split into parts to be voted upon individually.

14.4.2 Under the guidance of the CAO, a Councillor who requests that a motion be split into parts may reword the parts but must ensure the integrity of each part is maintained.

14.5 Tabling a Motion

14.5.1 A motion may be tabled by a majority vote of Council to enable Council to delay with other more pressing items. A table motion may remain tabled for the current Council session.

14.5.2 A motion to table includes all other motions and takes precedence over any other motion connected with the motion being tabled.

14.5.3 A motion that has been tabled may be taken from the table at any time by a majority vote of Council.

14.5.4 Motions taken from the table are brought back with all motions connected with it, exactly as it was when tabled.

14.5.5 Motions not taken from the table at the end of the Council session are deemed to be defeated.

14.6 Postponing Motion

14.6.1 A motion may be postponed:

- to later in the Meeting
- to a specified time and/or date
- until the occurrence of an event; or
- indefinitely

14.6.2 Motion to postpone includes all connected amendments.

14.6.3 A motion that has been postponed may be considered at any time by a majority vote of Council.

14.6.4 When a motion to postpone is brought back to Council for consideration, it is brought back with all motions connected with it, exactly as it was postponed.

14.6.5 Motions that have been postponed to a specific time and/or date or until the occurrence of an event will be automatically placed on the Agenda for consideration at that time and date or upon the occurrence of the event.

14.7 Notice of Motion

14.7.1 The Notice of Motion shall be read into the minutes, and a written copy of the motion to be considered shall be provided to the CAO.

14.7.2 A Notice of Motion at a Regular Meeting will be placed on the next Agenda unless otherwise stated.

14.7.3 A Notice of Motion cannot be made at a Special Meeting of Council.

14.7.4 A Notice of Motion is not debatable until a Councillor moves the motion.

15 Voting

15.1 Voting – Question

15.1.1 When the Chair, having determined that no further information is required, calls for a vote, no Councillor shall speak to or present another motion until the vote has been taken on such motion or amendment.

15.1.2 The Chair shall announce the result of the vote. This shall include whether the motion has been “Carried” or “Defeated” and shall be recorded as such in the Meeting minutes.

15.1.3 No Councillor shall leave the Meeting after a question has been put to a vote until the vote is taken, unless during this time frame the Councillor recognizes pecuniary interest where the Councillor will declare the conflict and leave the Meeting.

15.1.4 Any vote that results in an equal number for or against a resolution or bylaw, the resolution or bylaw is defeated.

15.2 Voting - Recorded

15.2.1 A Councillor may request that a vote be recorded prior to the taking of the vote.

15.2.2 When a recorded vote is called, all Councillors present, unless required or permitted to abstain, shall cast their vote as the Chair calls for those in favor or opposed.

15.2.3 The Chair shall read aloud the names of the Councillors in favor, and the names of the Councillors opposed before the result have been declared and record in the Minutes.

15.2.4 Once the vote has been taken, any request for the vote to be recorded shall only be considered by unanimous consent of Council.

15.3 Voting – Pecuniary Interest

15.3.1 Councillors who have a reasonable belief that they have a pecuniary interest (as defined in the Act) in any matter before Council, any Committee of Council or any Board, Commission, Committee or Agency to which they are appointed as the representative of Council, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions or voting on any question relating to the matter and shall remove themselves from the room in which the Meeting is being held until the

matter is concluded. The minutes shall indicate the declaration of disclosure, the time at which the Councillor left the room and the time the Councillor returned.

15.4 Requirement to Vote

15.4.1 Every Councillor present, including the Chair, shall vote on every matter, unless:

- a) the Councillor is required to abstain from voting under this or any other bylaw or enactment; or
- b) the Councillor is permitted to abstain from voting under this or any other bylaw or enactment.

15.4.2 A Councillor present at a Meeting shall request a recess if, for any reason, they may be away from Council Chambers during a time when a vote on a matter is imminent unless that Councillor is excused from voting pursuant to this section.

15.4.3 Should any Councillor refrain from voting when any question is put, for any reason other than mentioned in the last preceding section, he/she shall be deemed disqualified from Council.

15.5 Unprovided Cases

15.5.1 In all unprovided cases in the proceedings of the Council or Committees, "Robert's Rules of Order" shall be followed; however, the Act shall take precedence over "Robert's Rules of Order" and this policy and procedure document.

16 Rules for Bylaws

16.1 When a bylaw is presented to a Meeting for enactment, the CAO will include the number, short title, and brief description on the agenda.

16.2 Before the Meeting at which first reading is to take place, each Councillor present must be given or have had the opportunity to review the full text of the proposed bylaw.

16.3 The passage of all bylaws shall be as follows:

- a) A proposed bylaw shall be introduced for first reading by a motion that the bylaw be introduced and read a first time. Council shall vote on the motion for first reading of a bylaw without amendment or debate.
- b) A bylaw shall be introduced for second reading by a motion that the bylaw be read a second time where the following applies:
 - Council may debate the substance of the bylaw
 - Council may propose and consider amendments to the bylaw and;
 - Council may refer by motion the bylaw to administration for further information or a Committee for further review prior to second reading

16.4 All aspects of a second reading shall apply to third reading of a bylaw
No. x A bylaw shall not be given more than two readings at one Meeting unless the Councillors present at the Meeting unanimously agree that the bylaw may be presented for third reading at the same Meeting at which it received two readings.

16.5 Once passed, the CAO may correct clerical, typographical, and grammatical errors in bylaws.

16.6 The CAO may consolidate bylaw amendments into the original bylaw by incorporating all amendments to it into one bylaw.

17 Adjourning the Meeting

- 17.1 When the Chair is satisfied that all the business and purposes of a Meeting have been addressed, the Chair must adjourn the Meeting or request a motion to adjourn the Meeting.
- 17.2 Regular Council Meetings shall adjourn by 4:00 p.m. if in session at that hour unless otherwise agreed by a vote of Council present.
- 17.3 When a Meeting requires continuation beyond 4:00 p.m., Council will decide one of the following by a motion passed by the majority of Councillors present:
- a) extend the Meeting
 - b) reconvene the following day
 - c) call a special Meeting of Council on a specified day to address unfinished business, or
 - d) add unfinished business to next Regular Council Meeting
- 17.4 Any Councillor may move to adjourn the Meeting at any time.

18 Council Committees

- 18.1 Council hereby establishes various Council Committees as established by resolution having general responsibilities to deal with items directed to them from time to time by Council or review staff reports for recommendations to Council.
- 18.2 In the spirit of Section 153 (c) of the Act., each Councillor shall participate in Council Committee structures, and Council at its Organizational Meeting shall spread out its Committee appointments equitably as possible.
- 18.3 Council Committees must follow the same procedural rules as Council Meetings, including, but not restricted to, a notice of Meetings to the public and Members and those Meetings are held in public.
- 18.4 The CAO may delegate the minute recording to employees of the municipality.
- 18.5 The Council may, from time to time, appoint a select Committee to inquire into any matter and to report its findings and opinion to the Council.
- 18.6 The general duties of all Committees or Board or Commission appointees by Council shall be as follows:
- To present and report to Council, at any Regular Council Meeting or Committee of the Whole Meeting
 - To carry out the instructions of the Council expressed by resolution regarding any matter referred by the Council to any Committee for immediate action
 - The Chair shall provide monthly reports on his/her Council activities if requested by Council
- 18.7 Council from time to time may appoint ad hoc or select Committees with duties as prescribed.
- 18.8 Appointment of Council Members to Boards/Committees
- 18.8.1 Council may appoint Council Members to an external Board or Committee seeking formal representation, should it be deemed in the MD's best interest.
- 18.8.2 Boards or Committees seeking Council representation must first submit a written request for consideration through the CAO.

- 18.8.3 The CAO will schedule the requesting organization a delegation time during a Committee of the Whole Meeting to allow for presentation.
- 18.8.4 Subsequent to the Committee of the Whole presentation, the request shall be placed on the next Regular Council Meeting Agenda.
- 18.8.5 The continuation of Board and Committee appointments shall be re-evaluated annually prior to the Organizational Meeting.
- 18.8.6 Minutes of a Board or Committee having Council representation must, once adopted, be submitted to the CAO.
- 18.8.7 In the event that an organization fails to maintain its Society Status, the CAO shall be immediately informed so that the appointment can be rescinded.
- 18.8.8 During the Organizational Meeting, or as required, the Chair shall call for nominations for an appointment being considered by the Council. Council Members may self-nominate.
- 18.8.9 After the third call and hearing no further nominations, the Chair shall declare nominations closed by general consent. Alternatively, the Chair may accept a motion that nominations cease.
- 18.8.10 If more Council Members are nominated for a Board or Committee than the number of positions open, a vote shall be conducted via secret ballot.
- 18.8.11 If, however, the secret ballot results in a tie, each Council Member involved in the tie shall have an opportunity to speak to their nomination, after which time a second secret ballot shall be held.
- 18.8.12 If a tie persists, then the Council Members' names involved in the tie shall be written on blank pieces of paper, identical in size, shape and colour, and then the names shall be folded and placed in a container. The CAO shall draw a name from the container, and the Member whose name was drawn shall be appointed to the Board or Committee, or as Deputy Reeve as the case may be.
- 18.8.13 Where not directly appointed, the Reeve is an ex-officio Member of all Council Committees established under the Act with the exception of the MPC as per Section 154(3) of the Act.

18.9 Appointment of Members at Large

- 18.9.1 For the purposes of this Bylaw, all persons who submitted their name in writing to serve on a committee or Board as a Member at large will be considered, to be nominated to serve on the relevant Committee or Board, unless they are otherwise prohibited. Though nominated, no person shall be appointed to serve as a Member at Large unless Council passes a resolution confirming the appointment.
- 18.9.2 Where there are more nominees than there are positions for a Committee or Board, Council shall vote, using a secret ballot, to determine the person or persons selected for the Board or Committee.
- 18.9.3 The CAO and one other staff Member shall review all ballots cast and determine the result without referencing the number of votes cast for each nominee.
- 18.9.4 In the case of a tie, Council will cast a second ballot only considering the nominees involved in the tie vote. A tie-breaking ballot is not required if appointing all nominees involved in the tie would not exceed the number

of positions available. For example: If there were three positions available and three candidates were tied for the most votes, all three candidates would be selected. On the other hand, in the above example, if two people were tied for third, a run-off ballot would be required as only three people could be appointed. In the run-off ballot, Council would only vote on which of the two nominees (the ones tied for third) would be appointed to the Board or Committee.

18.9.5 The CAO will destroy the ballots.

18.9.6 After the appointees have been established, Council shall pass a resolution confirming the Members' appointment for the specified term.

19 Staff Interaction

19.1 Council, in accordance with the Act, is responsible for the development of policies and programs of the Municipality, and the CAO ensures the implementation of the said policies and programs. Councillors may seek information or make inquiries of employees of the Municipality but not to the extent of directing the implementation of the policies and programs of the municipality.

20 Enactment / Transition

20.1 Should any provision of this bylaw be deemed invalid, then such invalid provision will be severed from this bylaw, and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.

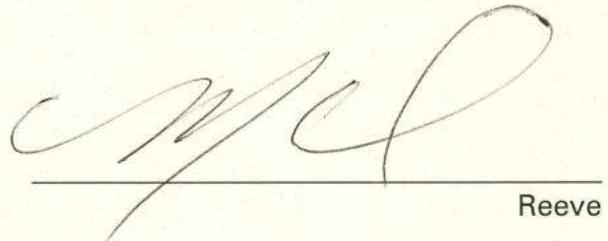
20.2 Bylaw No 2001-14 and Bylaw No. 2017-05 are hereby rescinded.

20.3 This Bylaw shall come into force and effect upon signing.

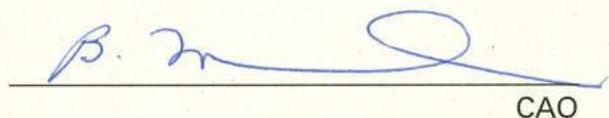
Read a first time this 14th day of April, 2021.

Read a second time this 14th day of April, 2021.

Read a third time and finally passed, this 14th day of April, 2021.



Reeve



CAO