

BYLAW NO. 464/18

BEING A BYLAW OF THE VILLAGE OF GLENDON TO REGULATE THE PROCEEDINGS OF COUNCIL AND COUNCIL COMMITTEES.

WHEREAS pursuant to Section 7 of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, a Council may pass bylaws to establish Council Committees and to regulate the conduct of Council meetings and Council Committee meetings to promote orderly proceedings and to provide for open and effective government.

NOW THEREFORE, the Council of the Village of Glendon in the Province of Alberta, duly assembled, hereby enacts as follows:

I. SHORT TITLE

1. This Bylaw may be cited as the "Procedure Bylaw".

II. DEFINITIONS AND INTERPRETATIONS

2. In this Bylaw:

- (a) "Agenda" is a list of items and the order of business of any meeting of Council.
- (b) "Bylaw" is a Bylaw of the Village of Glendon
- (c) "Chief Administrative Officer" is the individual appointed by Bylaw to the position of the Village Administrator, to be referred to in this bylaw as the CAO
- (d) "Chief Elected Official" is the member of Council duly appointed to the office of Council pursuant to the MGA, to be referred to in this bylaw as the CEO
- (e) "Council" means the CEO and Councillors of the Village of Glendon to the time being, elected pursuant to the provisions of the Municipal Government Act whose term is unexpired, who have not resigned and continue to be eligible to hold office as such under the terms of the Municipal Government Act.
- (f) "Delegation" a person or group chosen to represent themselves or others to address Council
- (g) "Deputy Chief Elected Official" means the member who is appointed by Council pursuant to the provisions of section 152 of the Municipal Government Act, to act as CEO in the absence or incapacity of the CEO, to be referred to in this bylaw as the Deputy CEO
- (h) "MGA" means the Municipal Government Act 1994 M-26.1, and amendments thereto.
- (i) "New Business" means business dealing with a matter which has not been introduced at the same time or at a previous meeting and of which no notice has been given of the intention to present it.
- (j) "Privilege" means the rights and immunities of Council collectively or the position and conduct of members of Council in their official character as elected representatives and "A Matter of Privilege" means any matter affecting privilege.

- (k) "Quorum" means the majority
 - i) the majority of all the Councillors that comprise the council under section 143, or
 - ii) if there is a vacancy on the council and the council is not required to hold a by-election under section 162 or 163, the majority of the remaining Councillors that comprise the council under section 143.
- (m) "Special Meeting" is a meeting convened pursuant to the provisions of the MGA
- (n) "Unfinished Business" means business which has been raised at the same or at a previous meeting and which has not been completed.
- (o) "Village" means the corporation of the Village of Glendon in the Province of Alberta and, where the context so requires, means the area included within the boundaries of the Village and its property.
- (p) "Communication Facility" means telephone, social media, or any other form of electronic communication where the user can be heard by those in attendance at the meeting.

APPLICATION OF BYLAW

- 3.0 This Bylaw is to be binding on all members of Council, staff, and visitors or delegates attendant at a Council meeting.
This Bylaw applies to
 - i) all regular and special meetings of Council, and
 - ii) the conduct of the meetings of all committees of Council.
- 3.1 Wherever this bylaw requires that a motion be made, a bylaw be passed, or any other action be taken by a vote of a simple majority of Council.

In any matter of meeting conduct in which this bylaw conflicts with any Statute of Alberta relating to the actions of Municipal Government, the Statute of Alberta shall have precedent.

ORGANIZATIONAL MEETING OF COUNCIL

- 4.0 An organizational meeting of Council shall be held annually no later than two weeks after the third Monday in October, in accordance with Section 192 of the MGA.
- 4.1 The Chief Administrative Officer will fix the time and the place for the organizational meeting, the business of the meeting to be limited to:
 - a) the administration of the oaths of office and the introduction of new members,
 - b) the election of the CEO, if not elected at the last general election by ballot,
 - c) the election of the Deputy CEO,
 - d) the appointment of Council members to sit on committees, boards, and other bodies on which Council is entitled to representation,
 - e) the appointment of residents to sit on committees, commissions, boards, and other bodies to which Council is required to appoint a representative other than a Council member,
 - f) internal appointments,
 - g) any other business as is required by the MGA or Council.
- 4.2 The CAO will call the meeting to order and preside over the meeting until the oath, as prescribed in the Oaths of Office Act, has been administered to the CEO.

REGULAR MEETINGS

- 5.0 All regular meetings of Council will be held in Council chambers as follows:
- a) during the third week of every month.
 - b) Council, by majority vote, may change the date and/or location of a regular meeting, at any regular meeting held prior to the scheduled meeting date, for any reason they deem appropriate with 24 hour written notice.
- 5.1 Regular meetings of Council will commence at the time as set out at the previous meeting and will last no longer than three hours unless, while in session, a motion is passed by the majority of Council to extend the time.
- 5.2 Council may, by resolution, go into an "In Camera" session. Such meeting shall:
- a) be held in private
 - b) exclude any person or persons other than the members of Council, the CAO, and any other person as directed by Council according to the guidelines of the Freedom of Information and Protection of Privacy Act
 - c) not have the power to pass any resolution except to revert to the open meeting.
- 5.3 Council may, by a majority vote, cancel any Regular Meeting prior to the scheduled meeting date, for any reason they deem appropriate with 24 hour written notice.
- 5.4 The CEO may on his/her own initiative and shall when requested by a majority of Council, summon a special meeting at such time as the request of Council shall indicate. Written notice of such meeting shall be given at least 24 hours prior to the meeting and indicate in general terms the business to be transacted, or upon shorter notice as he/she deems sufficient if at least two-thirds of the members of Council give their consent in writing to such notice before the commencement of the meeting.
- 5.5 A Council meeting or council committee meeting may be conducted by means of electronic or other communication facilities if:
- a) notice is given to the public of the meeting, including the way in which it is to be conducted
 - b) the facilities enable the public to watch or listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place, and
 - c) the facilities enable all of the meeting's participants to watch or hear each other.
- Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.
- 5.6 Council members may attend Regular Council and Committee meetings by means of a communication facility, if they are unavailable to attend the scheduled meeting in person.
- 5.7 As soon after the hour of the meeting as there shall be a quorum present, including members participating by means of a communication facility, the CEO shall take the chair and call the members to order.
- 5.8 If there is no quorum present within half an hour after the time appointed for the meeting of Council, the CAO shall call the roll and take down the names of the members present, and the Council shall stand absolutely adjourned until the next meeting, unless a special meeting be duly called in the meantime.
- 5.9 In case the CEO or Deputy CEO is not in attendance within fifteen minutes after the hour appointed for a meeting, and a quorum is present, the CAO shall call the meeting to order and a Chairman shall be chosen by the Councillors present who shall preside during the meeting until the arrival of the CEO or Deputy CEO.
- 5.10 The CEO or presiding officer shall preserve order and decorum, and decide questions of order. Subject to an appeal of Council, the decision of the CEO or other presiding officer shall be final.
- a) a member called to order by the CEO or other presiding officer shall immediately discontinue speaking and the debate shall be suspended until the point of order is decided, but the member may be allowed to explain.

- b) the person presiding at any meeting may cause to be expelled and excluded any person who has been guilty of improper conduct at the meeting.
- 5.11 The CEO, when present, and every Councillor present shall vote on every matter of motion
 - a) unless, in a specified case, the CEO or Councillor is excused by resolution of the Council from voting, or
 - b) unless disqualified from voting by reason of pecuniary interest, which shall be duly noted in the minutes, and the recording secretary shall, whenever a recorded vote is demanded by a member of the Council, record in the minutes the name of each member of the Council present and whether the member voted for or against the matter, and
 - c) voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the presiding officer.
- 5.12 Any Bylaw or resolution upon which there is an equality of votes shall be deemed to be decided in the negative.
- 5.13 The recording secretary shall record the time of arrival and departure of Council members at meetings should a member arrive late at a meeting or depart prior to completion of a meeting.
- 5.14 When a member of Council is addressing the Chair every other member shall:
 - a) remain quiet and seated,
 - b) not interrupt the speaker,
 - c) not carry on a private conversation.
- 5.15 When a member of Council is addressing the Council, he/she will:
 - a) not reflect on any vote of Council except when moving to rescind a motion and when so doing will not reflect on the motives of the members who voted for the motion, or the mover of the motion,
 - b) not shout, or immoderately raise his/her voice or use profane, vulgar or offensive language,
 - c) assume personal responsibility for any statement he/she quotes to Council or upon the request of the Council will give the source of the information.
- 5.16 Members of the public who constitute the audience in the Council Chamber during a Council meeting will:
 - a) not address the Council without the permission of the Council and should be on the Agenda as a Delegation,
 - b) maintain order and quiet,
 - c) not applaud or otherwise interrupt any speech or action of the members of the Council or any other person addressing Council.
- 5.17 The CAO shall ensure that the minutes include the proper place, date, and time of the meeting, roll of the Council present and absent, roll of the staff members present, delegations, and record faithfully without comment the proceedings of the meeting.

SPECIAL MEETINGS

- 6.0 The Chief Elected Official
 - a) may call a special meeting whenever the official considers it appropriate to do so
 - b) must call a special meeting if the official receives a written request for the meeting, stating the purpose, from a majority of the Councillors.
- 6.1 A special meeting must be held within 14 days after the date the Chief Elected Official receives the request
- 6.2 The Chief Elected Official calls a Special Council Meeting by giving at least 24 hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time and place at which it will be held.

- 6.3 A Special Council Meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if at least 2/3 of the whole council agrees to this in writing before the beginning of the meeting.
- 6.4 No matter other than what is stated in the notice calling the Special Council Meeting may be transacted at the meeting unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.

COUNCIL COMMITTEE MEETINGS

- 7.0 24 hours' notice of a Council Committee Meeting must be given
- a) to the members of the Council Committee, and
 - b) to the public.

METHOD OF GIVING NOTICE

- 8.0 Notice of a Council or Council Committee Meeting is deemed to have been given to a Councillor or Member of a Council Committee if
- a) the notice is delivered to an adult person at the Councillor's or Member's home or place of business
 - b) the Councillor or Member has been notified by telephone
 - c) the Councillor or Member has been notified verbally in person
 - e) the Councillor or Member has been notified through any other communication facility.
- 8.1 Notice of a Council, Council Committee Meeting or Special Meeting is deemed to have been given to the Public if
- a) notice of the meeting is posted on the Village of Glendon Website and/or
 - b) notice of the meeting is posted on the Village of Glendon notice board and/or
 - c) notice of the meeting is posted on the Village of Glendon's social media site

AGENDAS AND PROCEEDING AT MEETINGS

- 9.0 Unless otherwise specified in this Bylaw the order of business for a regular meeting of Council shall be contained in the Agenda for the meeting, which shall be prepared by the Chief Administrative Officer. Copies of reports, correspondence, minutes, financial statements, or other communications to be dealt with shall be placed at the disposal of the Council.
- a) The Chief Administrative officer will prepare, or cause the Agenda to be prepared for a regular meeting in sufficient time to have it and any attachments and enclosures available to each Council member no later than the Friday before the Council meeting.
 - b) in the case of a special meeting, by means as specified in Section 5.6 of this Bylaw.
- 9.1 The order of business in the Agenda shall be as follows:
- a) Order
 - b) Additions or deletions to Agenda, adopt agenda
 - c) Business arising from minutes
 - d) Adoption of minutes
 - e) Public Hearing (if any)
 - f) Delegations
 - g) Adoption of Financial Statement
 - h) List of Disbursements
 - i) Bylaws
 - j) New Business
 - k) Old Business
 - l) Committee Reports
 - l) Correspondence
 - m) In Camera
 - n) Adjournment

- 9.2 The order of Business established in the foregoing shall apply unless Council otherwise shall, by resolution, change the order so as to deal with a matter of priority.
- 9.3 A person or representative of any delegation of a group of persons, who wishes to bring any matter to the attention of the Council, or who wishes to have any matter considered by Council shall address a letter to the Council outlining their purpose, and full explanation of their concern. The letter shall be signed by the correct name of the writer and must be delivered to or received at the office of the Chief Administrative Officer one week prior to the scheduled meeting.
- a) Council reserves the right to limit the time required for presentations to 10 minutes.
- 9.4 When a group or person wishes to present to the Council a petition on any matter within its jurisdiction, the petition shall be typed or legibly written, shall clearly set out the matter at issue, and shall be signed by the required number of persons whose signatures shall be in compliance with Section 224 of the Act. The petition shall indicate if a representative wishes to address the Council as a Delegation on the subject matter of the petition.
- a) Council may refer the petition to any appropriate standing committee, receive it for further consideration, or if the petition concerns a matter the Council deems urgent, the Council may consider it and take immediate action.
- 9.5 Where an individual, group, agency or organization wishes to bring a matter to the attention of Council as a Delegation or to have any matter considered by Council the Delegate will submit the matter to the CAO in a written form which will:
- a) be printed, typed, or legibly written,
b) clearly set out the matter at issue and the request made of Council,
c) be signed by the writer,
d) contain the correct mailing address and telephone number of the writer,
e) be delivered or mailed to the Village Office so as to arrive no later than noon one week prior to the meeting at which it is to be presented.
f) where a Delegation wishes to appear before Council, the request should be directed to the CAO who will arrange for an appointment during the Delegation section of the Agenda. The written request should be made no later than noon one week prior to the requested appearance and should contain a brief explanation of what will be presented.
g) The Council will not give final consideration to any request until all members of Council have had an opportunity to ask the CAO to fully research the matter, and the matter is debated or unless the majority of Council agree to final consideration at the meeting in which it is presented.

PROCEEDINGS AT PUBLIC HEARINGS

- 10.0 The CEO will call the public hearing to order and state the purpose of the hearing and under what authority it is being held. ie: MGA, direction of Council, etc.
- 10.1 The CEO will briefly outline the rules and procedures that will be followed at the Hearing.
- 10.2 The order of presentation will be as follows:
- a) the applicant
b) those who have submitted a written presentation to the CAO within the advertised time limit,
c) any person, group of persons, or person representing them , who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures outlined by the Council, and
d) may hear any other person who wishes to make representations and whom Council agrees to hear.

- 10.3 The applicant will be given an opportunity for rebuttal.
- 10.4 Questioning by Council members will be allowed after each presentation.
- 10.5 Council members should refrain from making any comments to the public that would indicate any bias either for or against the proposal.
- 10.6 If for any reason, the Council feels that more information is required, they will recess the Public Hearing for a specified period of time. Advertising of the Public Hearing must be undertaken prior to reconvening the Hearing.
- 10.7 When Council feels it has all the information required to make a decision, the Public Hearing will be adjourned.
- 10.8 Council will then discuss the matter, postpone the discussion of the proposal to a later time, or revert to in camera. No decision will be made immediately after a Public Hearing.
- 10.9 A decision must be made concerning the proposal in accordance with the act under which the hearing has been called by authority of the Council, within 30 days of the Public Hearing.
- 10.10 In making its decision, the Council will conform with the applicable Municipal Bylaws and Provincial Statutes.
- 10.11 The Council's decision will be in writing and include the purpose of the Hearing, a brief outline of the submissions received, the information on which they based their decision, and the signatures of the CEO and the CAO.
- 10.12 A copy of the decision is to be mailed to all the parties affected by the decision and to all those who made presentations at the Public Hearing.

MOTIONS

- 11.0 Pursuant to the MGA, a motion before Council does not need to be seconded.
- 11.1 The mover of the motion will clearly state or read the motion.
- 11.2 No motion introducing any new matter can be made until the original motion is dealt with unless it is made as an amendment to the original motion.
- 11.3 After a motion is made it will be deemed to be in the possession of Council but may be withdrawn at any time before debate or decision, with the permission of Council.
- 11.4 A motion to adjourn can be made by any member of Council.

BYLAWS

- 12.0 Where a Bylaw is presented to Council for enactment, the CAO will cause the number and short title of the Bylaw to appear on the agenda in the appropriate place.
- 12.1 The CAO will cause the proposed Bylaw to be copied in full and forwarded to the members of the Council with the Agenda.
- 12.2 A Bylaw shall be passed on the third reading with majority vote of the members present.
- 12.3 A Bylaw can be amended after either the first or second reading by a motion of Council and the majority of Council voting for the amendment.
- 12.4 A copy of the Bylaw, as amended, will be presented to Council as outlined in Sections 9.0 and 9.1 before a third reading will be considered.
- 12.5 A Bylaw shall not be given more than two readings at any one meeting unless the members present at the meeting unanimously agree that the Bylaw may be presented to Council for third reading at the same meeting at which it has received two readings.
- 12.6 When Council unanimously agrees that a Bylaw may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the Bylaw than if it has received third reading at a subsequent meeting.
- 12.7 The Chief Elected Official or Deputy Chief Elected Official and CAO will sign and seal every Bylaw after its final passing.
- 12.8 Every Bylaw of general application shall be printed or otherwise duplicated so as to be available to all interested parties; other Bylaws shall be recorded and filed as well as amendments thereto, and the CAO shall retain the original of every Bylaw on file and properly record any amendments thereto.

- 12.9 Every Bylaw which has passed the Council shall immediately after being sealed with the seal of Corporation, and signed by the CEO or Deputy CEO and CAO, be securely deposited by the CAO.

SEVERABILITY

- 13.0 If any portion of this bylaw is declared invalid by a court of compiled, then the invalid portion must be severed and the remainder of the bylaw is deemed valid

PARLIAMENTARY RULES

- 13.0 In all cases not provided for in the proceedings of Council or in Committee, the law of the Parliament of Canada shall be followed, and in such cases the decision of the Chief Elected Official or other presiding officer shall be final and accepted without debate.
- 13.1 That this Bylaw shall come into effect upon the date of final reading.
- 13.2 The Procedural Bylaw 417-11 is hereby repealed.

Read a first time this 15 day of January, 2018.

Read a second time this 15 day of January, 2018.

Read a third time and finally passed this 15 day of January, 2018.



Chief Elected Official



Chief Administrative Officer