

TOWN OF BANFF

BYLAW 44-7

Procedures Bylaw

A Bylaw to Establish Procedures and Conduct for Council and Committee Meetings

The Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1.0 CITATION

- 1.1 This bylaw may be cited as the “Procedures Bylaw”.

2.0 DEFINITIONS

- 2.1 In this bylaw,
- a) **Act** means the Municipal Government Act, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto.
 - b) **Agenda** means the list and order of business for any Meeting of Council or Committee.
 - c) **Business Day** means a day other than Saturday, Sunday or holiday.
 - d) **Committee** means a committee, board or other body established by Council; but does not include an assessment review board, a development appeal board, or a joint jurisdiction committee where Council has appointed Members; and in a section of this bylaw relating to a specific Committee means that specific Committee.
 - e) **Council** means the Council of the Town of Banff.
 - f) **Meeting** means a meeting under section 192, 193, 194, or 195 of the Act. These are an organizational meeting, a regular meeting, a special meeting or a committee of council meeting.
 - g) **Member** means an elected Member of Council or a voting Member of a Committee.
 - h) **Presiding Officer** means,
 - a) At a Council Meeting, the mayor; or, in the absence of the mayor, the deputy mayor; or in the absence of both the mayor and the deputy mayor, the acting mayor.

- b) At a Committee Meeting, the chair, or, in the absence of the chair, the vice-chair. If both the appointed chair and vice chair are absent, the Voting Body shall appoint another Member to chair the Meeting.
- i) **Social Media** means websites and applications that enable users to create and share content or to participate in social networking.
- j) **Town Manager** means a person appointed as Chief Administrative Officer by Council, or his or her delegate.
- k) **Unanimous Consent** means an informal way of taking a vote, used only for routine and non-controversial decisions, usually of procedural nature.
- l) **Urgent Business** is business, which is of an urgent nature, which requires action prior to the next regular Council Meeting.
- m) **Voting Body** means the Council or Committee of the Town of Banff.

3.0 MEETINGS

Application

- 3.1 This bylaw shall regulate:
 - a) Meetings of Council, and as much as practicable, the Meetings of Committees;
 - b) the conduct of Council, Councillors, Members of Voting Bodies and other persons attending Council and Committee Meetings.

Authority

- 3.2 The precedence of rules governing the procedure and of Council and Committees is:
 - a) The Municipal Government Act and any other federal or provincial legislation;
 - b) This bylaw; and
 - c) The current edition of Robert’s Rules of Order Newly Revised
- 3.3 The current edition of Robert’s Rules of Order Newly Revised (RONR) shall only apply in cases where the Municipal Government Act, other statutory legislation, and this bylaw are silent, and then only to the extent that RONR is applicable to the situation.
- 3.4 Where the relevance or applicability of RONR is disputed, the Presiding Officer shall determine the issue, subject to an appeal, in which case the Voting Body may uphold or override the Presiding Officer’s ruling by majority vote.
- 3.5 The rules contained in the bylaw shall be used to facilitate progress and shall be applied in the spirit of fairness, equality and common sense.

Suspension of Rules

- 3.6 In the absence of statutory obligations, any provisions of this bylaw may be temporarily altered or suspended on a case-by-case basis by a majority vote of the Members present or by Unanimous Consent.
- 3.7 In a case where a specific procedural provision that does not originate in the Act is inadvertently not adhered to, and no one's rights are being infringed upon nor is any harm done to the proper transaction of business, the procedural provision shall be deemed to have been suspended in that specific case.

4.0 MEETINGS**Organizational Meetings**

- 4.1 An organizational Meeting of Council shall be held annually pursuant to the Act.
- 4.2 The organizational Meeting immediately following a general municipal election shall be called the inaugural Meeting and the Town Manager shall chair the Meeting until the Mayor has taken the oath of office.
- 4.3 The business of the annual organizational Meeting shall include:
- a) The schedule of regular Council Meetings;
 - b) The roster of deputy mayor and acting mayor appointments;
 - c) The appointment of Members to Committees, joint jurisdictional committees, and external agencies;
 - d) Any other business as is required by the Act or determined by Council.
- 4.4 If not all Members are present at the organizational Meeting, the dates of regularly scheduled Meetings will be established by resolution at the next regular Meeting of Council with all Councillors present.

Regular Council Meetings

- 4.5 Notice for Meetings scheduled under 4.3 (a) which has been adopted by Council need not be given.
- 4.6 Changes to the Meeting schedule established under section 4.3(a) may be made in accordance with the provisions of the Act.
- 4.7 Notice of any change of day, time or place of a regular Meeting must meet the provisions of the Act regarding providing notice to the public.
- 4.8 Meetings of Council shall be held in the council chamber at the municipal office unless notice is given in accordance with the Act that they will be held elsewhere.
- 4.9 A regular Meeting of Council shall not exceed four hours in length unless the Members provide Unanimous Consent to an extension. If an extension is not approved, any remaining Agenda items will be considered at the next regular Meeting or at a special Meeting called to complete the business.

Committee Meetings

- 4.10 The Meeting schedule of Committees shall be established by each committee and the public must be given notice or advertised as required by the provisions of the Act.

Special Council Meetings

- 4.11 Special Meetings of Council shall be established as required in accordance with the provisions of the Act.
- 4.12 When a special Meeting is to be held, the Town Manger shall provide written notice of the time, date and place of the Meeting to each Councillor pursuant to section 5.2 of this bylaw and to the public at least twenty-four (24) hours prior to the Meeting and, in general terms, of the business to be transacted at the Meeting.
- 4.13 Notwithstanding 4.12, a special Meeting of Council may be held with less than twenty-four (24) hours' notice to Members, 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.
- 4.14 No business, other than that stated in the notice, shall be transacted at a special Meeting, unless the whole of Council is present at the Meeting and the Council agrees to deal with the matter in question.

Closed Meetings (In Camera)

- 4.15 Council and Committees may close all or any part of its Meeting to the public if the matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.
- 4.16 Before holding a closed Meeting, Council or a Committee must adopt a motion in a public Meeting, and the motion must include:
- a) The title or general description of the item(s) to be discussed; and
 - b) A listing of the specific sections under Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*, which provides the legislative authority to discuss the matter in a closed Meeting.
- 4.17 When a Meeting is closed to the public, the Meeting may include any person or persons invited to attend by Council or a Committee.
- 4.18 Where Council or a Committee resolves to close a portion of a Meeting to the public, in the addition to the resolution to do so, the Town Manager shall record in the minutes:
- a) The time that the in-camera portion of the Meeting commenced and concluded;
 - b) The names of the additional people attending and the reason each attended; and
 - c) The legislative authority including the specific sections under Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*, relied upon for authority to close the Meeting to the public.

- 4.19 No resolutions or bylaws may be passed during a closed Meeting.
- 4.20 No business other than that described within the resolution pursuant to section 4.16 may be discussed.
- 4.21 Matters discussed or to be discussed in a closed Meeting are to be kept in confidence until discussed at a public Meeting of Council or a Committee.

Meeting Through Electronic Communications

- 4.22 A Council Meeting or Committee Meeting may be conducted by means of electronic or other communications facilities according to the provisions of the Act and any policies and procedures adopted by Council. Any costs associated with this form of Meeting shall be borne by the Town.
- 4.23 Members of Council may attend a Council Meeting by means of electronic communications. Acceptable alternatives include: through the use of a telephone, ensuring dialogue is available for both parties; through the use of a personal computer; or other means as technology advances.
- 4.24 The Member presiding at the Meeting must not participate electronically.
- 4.25 A Member of Council who wishes to attend a Council Meeting by way of electronic communication, must notify the Town Manager at least two (2) Business Days in advance of the Meeting of their intention to do so.
- 4.26 A Council Member may attend a Council Meeting by means of electronic communications a maximum of three (3) times per calendar year, unless otherwise approved by Council.
- 4.27 A Council Member attending a Meeting via electronic communications is deemed to be present at the Meeting for whatever period of time the connection via electronic communications remains active.
- 4.28 The Presiding Officer shall announce to those in attendance at the Council Meeting that a Council Member is attending the Meeting by means of electronic communication.
- 4.29 When a vote is called, Members of Council attending the Meeting by means of electronic communications shall be asked to state their vote only after all other Council Members present at the Meeting have cast their vote by show of hands.

5.0 MEETING PROCEDURES

Methods of Giving Notice

- 5.1 Notice for Meetings in a schedule established under 4.3 (a) which has been adopted by Council need not be given

- 5.2 Notice of a Council or Committee Meeting is deemed to have been given to a Member if the notice is delivered to the Member's home or place of business either:
- a) personally,
 - b) by telephone or voice mail at the number specified by the Member, or
 - c) by electronic mail or similar method to the address specified by the Member.
- 5.3 Notice of Council or Committee Meeting to the public is to be given by posting notice of the Meeting at the front entrance of Banff Town Hall, as a minimum requirement, as well as on the Town's website and Social Media.

Agendas

- 5.4 The Town Manager, shall prepare the Agenda for all Meetings of Council and Committees.
- 5.5 The Agenda shall include the order of business and all items of business and associated reports, bylaws or documents, and shall be set out in accordance with the order of business.
- 5.6 The Town Manager shall ensure the Agenda and all supporting materials are made available to Members, Town administration and the general public no later than 12:00 noon at least four days before the Meeting.
- 5.7 If, for any reason, the Town Manager is unable to meet the deadline mentioned in Section 5.6, the Town Manager shall prepare and distribute the Agenda as soon as reasonably possible to allow Members and the public an opportunity to review the Agenda prior to the Meeting.
- 5.8 All submissions for consideration at a regular Council or Committee Meeting shall be received by the Town Manager no later than 12:00 noon on a Business Day at least seven days before the Meeting.
- 5.9 Public submissions of any written documentation wanting to be presented as information at a Committee Meeting must be received at the Town Office by 4:00 p.m. on a Business Day prior to the Meeting.

Urgent Business

- 5.10 The Town Manager may request to add a matter to an Agenda of a Meeting as Urgent Business after the Agenda has been prepared and distributed.
- 5.11 In these circumstances, the Town Manager shall distribute any requests to add a matter of Urgent Business to the Agenda to the Members as soon as they are available.

Notice of Motions

- 5.12 Members may add items or motions to a regular Meeting Agenda by:
- a) Submitting a motion in writing to the Town Manager in accordance with section 5.8. The motion shall appear as a notice of motion in the next regular Meeting Agenda.

- b) Giving verbal notice at a regular Meeting of their intention to introduce a motion and/or proposal at the following regular Meeting, and submitting the motion and/or document to the Town Manager no later than later than 12:00 noon on a Business Day at least seven days before the Meeting.
- 5.13 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 5.14 A notice of motion is not debatable, however the Member presenting the notice of motion may speak to the motion for a period not to exceed five minutes.

Quorum

- 5.15 A quorum for Meetings shall be a majority (more than half) of all the Members.

Commencement of Meeting

- 5.16 At the time set for the start of the Meeting, if a quorum is present, the Presiding Officer must call the Meeting to order.
- 5.17 If quorum is not present within thirty minutes after the time fixed for a Meeting, the Town Manager, or designate, shall record the names of the Members present and the Meeting shall stand adjourned until the next Meeting.
- 5.18 If a Meeting is adjourned for failure to constitute a quorum or for loss of quorum during a Meeting, the Agenda for that Meeting will be considered at the next regular Meeting or at a special Meeting called to complete the business.
- 5.19 If quorum is present within thirty minutes after the time fixed for a Meeting, but the mayor, deputy mayor and acting mayor are absent (or, in the case of a Committee, the chair and vice-chair are absent or have not yet been appointed), the Town Manager shall call the Meeting to order and shall call for a Presiding Officer to be chosen by resolution.

Order of Business at Meetings

- 5.20 The Agenda for regular Council Meetings shall ordinarily be as follows, and this order may be modified at any regular Meeting by a majority vote:

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| 1. Call to Order | 8. Bylaws and Staff Reports |
| 2. Approval of Agenda | 9. Committee Reports |
| 3. Adoption of Previous Minutes | 10. Correspondence |
| 4. Invited Presentations | 11. New/Urgent Business (may include Notices of Motion for a future Meeting, if any) |
| 5. Delegations | 12. Confidential Items |
| 6. Public Input on Agenda Items | 13. Adjournment |
| 7. Unfinished Business (may include business originating from minutes or originating from previous notices under item 11) | |

- 5.21 An item may be removed from the Agenda by unanimous consent of the Members present or added as New/Urgent Business by a majority vote..
- 5.22 The Agenda format for other Meetings of Council and for Meetings of Committees shall follow such order as may be deemed necessary by Town Manager.
- 5.23 The order of business established in sections 5.24 may be altered by majority consent of the Members present at a Meeting.

6.0 PUBLIC HEARINGS

- 6.1 The Agenda for public hearings shall state business in the following order, where applicable:
 - 1.Call to Order
 - 2.Presentation from administration and questions of clarification
 - 3.Public Oral Submissions
 - 4.Public Written Submissions (where no oral submission was made)
 - 5.Closing Comments From Administration
 - 6.Council Question Period
 - 7.Adjournment (if necessary)
 - 8.Close
- 6.2 Members of the public addressing Council at a public hearing will limit their presentations to five (5) minutes, exclusive of questions, unless Council, by motion, approves an extension of that time.
- 6.3 Individuals addressing Council shall provide the correct spelling of their name, who they represent and presentation material to the Town Manager to be included in the minutes of the Meeting.
- 6.4 Written submissions will not be read aloud.
- 6.5 The minutes of a public hearing shall include a summary of all oral presentations and complete copies of all written submission.
- 6.6 All persons with an interest in the proposed bylaw which is the subject of a public hearing will be afforded a reasonable opportunity to be heard or to present written submissions on matters contained in the bylaw.
- 6.7 In the case of a public hearing,
 - a) Written submissions and notices of oral submissions received prior to 12:00 noon on a Business Day at least four Business Days before the public hearing will be included in the Agenda.
 - b) Written submissions received after the deadline established in section 6.7(a), but before the close of the public hearing will be distributed to Council on the date of the public hearing and included in the record of the Meeting.

- c) Once any oral submissions included in the Agenda have been heard, the Presiding Officer will allow any other person present who wishes to speak an opportunity to do so.

6.8 A hearing may be adjourned to a certain date.

7.0 MEETING RECORDS

- 7.1 Minutes of Meetings shall be recorded in accordance with the Act.
- 7.2 Unless otherwise authorized by this or another bylaw, by statute, or by majority vote of Members present, discussion, questions, and debate shall not be recorded in the minutes.
- 7.3 Minutes of a Meeting shall be adopted by motion at the following regular Meeting, regardless of whether or not the same Members are present. Wherever possible, the motion to adopt minutes shall be made by a Member who was present at the Meeting where the minutes were taken.
- 7.4 Any Member may request a correction to the minutes before they are adopted. Corrections are deemed adopted when the motion to adopt the minutes has carried.
- 7.5 Clerical, typographical and grammatical errors in minutes may be corrected by the Town Manager. No change shall be made that would alter or affect the actual decision made by Council.
- 7.6 Approved minutes shall be signed by the Presiding Officer and the recording secretary who were present at the Meeting where the minutes were taken, wherever practicable. Where not practicable, the minutes shall be signed by the current Presiding Officer and recording secretary.
- 7.7 In the event a Committee is disbanded, the minutes of the final Meeting shall be approved by the Presiding Officer, and signed by the Presiding Officer and recording secretary.
- 7.8 The Town Manager is authorized to provide for streaming video and video recording of any open Meeting subject to any policies and procedures adopted by Council.
- 7.9 The video recording provided by the Town Manger may be used to determine the accuracy of a portion of the minutes.

8.0 DELEGATIONS AND INVITED PRESENTATIONS

Invited Presenters

- 8.1 Presenters who are invited by the Town do not have to request to be a delegation and are not subject to the requirements in section 8.3.

Delegations

- 8.2 A Member of the public may request in writing to be included on an Agenda as a delegation. The written request must:
- a) Include the name(s) of the person(s) who would be making the presentation if approved,
 - b) Provide a detailed synopsis of the request to appear before Council, and clearly state any requests being made of Council and any recommended Council resolutions, and
 - c) Be submitted in accordance with the deadline established in section 5.8.
- 8.3 No Member of the public shall address Council for longer than five minutes, exclusive of the time required to answer questions from Council, unless granted a time extension by a majority of Members present. A Council Member may ask questions of the delegation to clarify or correct information but must not enter into debate on the item which is the subject of the delegation and Council itself will not enter into debate on the information received.
- 8.4 The number of delegations placed on an Agenda may be limited to two. Delegations shall be placed on the Agenda on a first come basis.
- 8.5 The mayor may schedule delegations to another Council Meeting or Committee Meeting, or direct the Town Manager to ask staff to address the delegate's issue, as deemed appropriate according to the subject matter of the delegation.
- 8.6 The mayor may refuse to place a delegation on the Agenda:
- a) If the issue is not considered to fall within the jurisdiction of Council,
 - b) If the delegation is proposing to present the same information as presented within the last twelve months with no significantly new information.
- 8.7 Requests to appear before Council that are denied shall be:
- a) offered the opportunity to provide written information for distribution to Council; and
 - b) informed of their right to appeal the decision.
- 8.8 If the delegation wishes to appeal the mayor's decision, the information must be distributed under separate cover to Council for their consideration. A Council survey poll will be conducted to obtain Council's decision whether or not to allow the delegation to make a presentation. Council, by majority vote, can direct administration to place the delegation on an upcoming Council Agenda.

- 8.9 When a delegation includes a request for a Council decision, after considering the request Council may:
- a) Refer the request to administration or a committee for recommendation, or
 - b) Provide notice of motions on the request; or
 - c) Accept the request as information.

9.0 PUBLIC INPUT ON AGENDA ITEMS

- 9.1 A Member of the public may provide an oral submission to Council or a Committee during a regular Meeting in the time reserved for public input or at another time with the permission of the Presiding Officer, and shall be restricted to discussion of items approved on the Agenda.
- 9.2 A Member of the public may provide a written submission to Council or a Committee on an item approved on the Agenda subject to the following
- a) Written submissions received prior to 12:00 noon on the day prior to a Meeting will be copied and distributed to Council;
 - b) Written submissions received after 12:00 noon on the day prior and before the start of a Meeting must be submitted in-person to Banff Town Hall. Twelve (12) paper copies are required to be submitted for distribution at the Meeting.
 - c) Written submissions may be received during a Meeting to accompany an oral submission. The written submission will be added to the public record for the meeting.
- 9.3 Any Member of the public who addresses Council, either through a written or an oral submission, shall provide his or her name for inclusion in the minutes of the Meeting. Other information pertinent to issue under discussion may also be required at the discretion of Presiding Officer.
- 9.4 Unless granted a time extension by a majority vote of Members present public presentations shall not exceed five minutes, exclusive of the time required to answer questions from Council.
- 9.5 Public submissions regarding any unresolved matter that has been the subject of a public hearing shall not be included on the Agenda or otherwise considered.

10.0 CORRESPONDENCE

- 10.1 All written correspondence intended to be presented to Council must:
- Be addressed to Council;
 - Be legibly written, typed or printed;
 - Clearly set out the matter and issue and any request made of Council;
 - Be signed by at least one person who provides a printed name and contact information; and
 - Not be libellous or improper.

- 10.2 If the requirements of Section 10.1 are met, the Town Manager shall:
- a) Forward a copy of the correspondence to Council for information; and
 - b) If it relates to matters that fall within the scope of responsibility for a particular department, refer the communication to the administration of that department for a report or a direct response, and inform Council of the referral; or
 - c) If it relates to an item already on the Agenda, deliver a copy of the correspondence to Council with the Agenda or at the Meeting; or
 - d) Refer the correspondence to the Meeting considered to be most appropriate according to the subject matter of the correspondence and inform Council of the referral; or
 - e) Take any other appropriate action on the communication and inform Council of the action.
- 10.3 If the requirements of Section 10.1 are not met, the Town Manager may file the correspondence, dispose of it or take any other appropriate action on the communication.
- 10.4 The Town Manager must make reasonable efforts to respond to the person sending the communication and to advise that person of any action taken on the subject of the communication.
- 10.5 After considering correspondence Council may:
- a) Refer the correspondence to administration or a Committee for a report or recommendation;
 - b) Provide a notice of motion on the substance of the correspondence; or
 - c) Accept the correspondence as information.

11.0 ROLES AND CONDUCT AT MEETINGS

Role of the Presiding Officer

- 11.1 The Mayor, when present, presides as Presiding Officer over all Council Meetings.
- 11.2 If the Mayor is absent from a Council Meeting, the Deputy Mayor shall preside. If both the Mayor and the Deputy Mayor are absent the Acting Mayor shall preside over that Meeting.
- 11.3 Committees shall elect a chair and vice-chair from among their Members at the first regular Meeting following an organizational Meeting of Council, unless Council designates the chair or the manner in which the chair shall be selected. The chair, when present, presides as Presiding Officer. If the chair is absent, the vice-chair presides.
- 11.4 The chair of a Committee may be removed by a majority vote of the Members of the entire Committee.

- 11.5 A Presiding Officer who is a voting Member must vote like other Members, may make motions, and may participate in debate without vacating the chair, provided that the Presiding Officer shall participate under the same rules that apply to other Members.
- 11.6 During a Meeting, the Presiding Officer shall preserve order and decorum, keep a sequence of speakers, recognize Members, administration, or citizens to speak, make rulings on points of order, subject to appeals by Members, and perform such leadership functions as may be required for the efficient and effective conduct of the Meeting. The decision of the Presiding Officer is final unless reversed by a vote of the majority Members present without debate.

Conduct of Members

- 11.7 A Member or any other person wishing to speak at a Meeting shall address the Presiding Officer, and must be recognized by the Presiding Officer before speaking.
- 11.8 No Member shall normally speak more than five (5) minutes on a motion but may request permission to exceed this limit: the privilege shall be accorded without objection upon motion supported by a majority vote of the Council.
- 11.9 Any Member wishing to leave a Meeting that is in progress may only do so with permission of the Presiding Officer.
- 11.10 No Member shall leave a Meeting after a question has been put to vote, until the vote is taken.
- 11.11 All Members have the responsibility for ensuring that the rules of this Bylaw are adhered to. A Member may raise a Point of Order upon noticing a breach of Council's rules, but this must not be done frivolously or when the breach of rules is minor and causes no discernable harm to the proper transaction of business.

Conduct of Public

- 11.12 All persons in the public gallery at a Meeting shall:
- a) Refrain from addressing Council, a Committee, or a Member unless permitted to do so;
 - b) Maintain quiet and order;
 - c) Refrain from talking on cellular telephones;
 - d) Ensure that all electronic devices are silent and operated in such a manner that does not interfere with the Meeting or with another person's ability to hear or view the proceedings.
- 11.13 In order to ensure a safe and respectful Meeting environment:
- a) Any individual addressing Council or a Committee at a Meeting shall not shout, use profane, vulgar or offensive language, or speak on a matter not before Council or a Committee.

- b) Speakers shall refrain from abusive conduct, personal attacks or verbal attacks upon the character or motive of Members of Council, Members of Committees, administration or the public.
 - c) Aggressive clapping, heckling and booing will not be tolerated.
- 11.14 The Presiding Officer may, in accordance with the Act, expel and exclude any person who creates a disturbance or acts improperly.

12.0 CALLING A MEMBER TO ORDER

- 12.1 The Presiding Officer may call to order any Member who is out of order during the proceeding of a Meeting.
- 12.2 When a Member has been warned about breaches of order but continues to engage in them, the Presiding Officer may name the Member by stating his or her name and declaring the offence. The Recording Secretary shall note the offence committed by the Member in the minutes of the proceedings.
- 12.3 If a Member who has been named apologizes and withdraws any objectionable statements, then that Member may remain and continue participating in the Meeting and the Presiding Officer may direct that the notation of the offence be removed from the minutes. However, if the Member fails or refuses to apologize, the other Members who are present shall vote on a motion to expel the Member so named for the remainder of the Meeting and, if the motion is carried, the Member must leave the Meeting.
- 12.4 A motion to expel any Member from a Meeting shall be decided without debate.
- 12.5 Any Member who has been expelled must leave the Meeting immediately. The Presiding Officer may cause the Member to be removed if that person does not leave voluntarily.

13.0 MOTIONS

- 13.1 Council may discuss an item on the Agenda, including asking questions of administration, before a motion is made, for the purposes of determining what, if any, motion should be made in relation to the item.
- 13.2 A motion does not require a seconder.
- 13.3 A motion may be withdrawn at any time before voting, subject to no objection from any Member present. Motions withdrawn in this manner shall not be recorded in the minutes.
- 13.4 A friendly amendment, or a change in wording that enhances and strengthens the original motion, may be proposed and adopted if no Members present object. Only the motion as amended by the friendly amendment will appear in the minutes.

- 13.5 After a motion has been made and is being considered, no other motion may be made except for:
- a) A motion to amend the motion on the table; or
 - b) A motion to refer the main motion to some other group for consideration; or
 - c) A motion to postpone the main motion to a definite time (usually the next regular Meeting); or
 - d) A motion to postpone a main motion indefinitely.
- 13.6 Amending motions must relate to the subject matter of the motion under discussion. The Presiding Officer shall allow only one amendment at a time to the main motion and only one amendment to that amendment may be allowed at a time.
- 13.7 A motion to refer a main motion to some other group for consideration may include a definite time that the motion will be returned to Council.
- 13.8 When a motion contains more than one distinct proposition, Council shall vote on each proposition separately if a Member so requests or the Presiding Officer so directs.
- 13.9 After a motion for first reading of a bylaw, Council shall vote on first reading without amendment or debate on the substance of the bylaw. A Member may ask questions concerning the bylaw provided that such questions are simply to clarify the intent, purpose or objective of the bylaw, and do not indicate the Member's opinion for or against the bylaw. Debate on a motion for first reading must be confined to the appropriateness of continuing with further consideration of the bylaw.
- 13.10 After a motion for second or third reading of a bylaw, Members may:
- a) Debate the substance of the bylaw;
 - b) Propose and vote on amendments to the bylaw,
 - c) Refer by motion the bylaw to administration for further information or a committee for further review, and
 - d) Make a motion to postpone the vote on a motion for a reading.
- 13.11 An adopted or defeated motion may be revisited at the same Meeting at which the original motion was decided via a motion to reconsider. The motion:
- a) Must be made by a Member who voted on the prevailing side of the motion in question, or by a Member who was not present when the vote was taken on the motion in question;
 - b) Is debatable.
- 13.12 An adopted motion may be revisited at a subsequent Meeting at which the original motion was decided via a motion to rescind or amend something previously adopted provided it has not been acted upon. The motion:
- a) Requires a notice of motion;
 - b) May be made by a Member who voted on the prevailing side, a Member who was not present when the vote was taken on the motion in question, or any Member after six months have passed; and

- c) Is debateable.
- 13.13 A defeated motion may be revisited at a subsequent Meeting by being reintroduced as new business, following the normal processes that apply to the introduction of new business.
 - 13.14 The same or substantially the same motion that receives the same outcomes at two Meetings shall not be revisited for six months after the date of the original motion, unless the Members, by a majority vote agree to do so.
 - 13.15 Debate on a motion to reconsider, rescind something previously adopted or to amend something previously adopted must be confined to reasons for or against reconsideration, or the whether the original motion will be rescinded or amended.
 - 13.16 When a motion has been made, all discussion shall be restricted to the subject of the motion except when:
 - a) A Member believes that a rule or procedure pertaining to the conduct of the Meeting has been violated; or
 - b) A Member requires more information about a rule or procedure before proceeding with debate or making a motion; or
 - c) A Member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake, or that confidential information is about to be revealed.
 - 13.17 Any matters brought forward under section 13.16 shall be considered immediately and ruled upon by the Presiding Officer.

14.0 VOTING

- 14.1 Unless otherwise stipulated in a Town bylaw or by statute, all votes shall be decided by a majority vote of Members present.
- 14.2 Any question receiving a tie vote is defeated.
- 14.3 A Member may vote against his or her own motion.
- 14.4 Unless a provincial or federal statute requires or permits a Member to abstain from voting, all Members present shall vote. If a Member excuses him or herself from voting in accordance with the requirements of a federal or provincial statute, the abstention and reason for it shall be recorded in the minutes.
- 14.5 Motions will be recorded in the minutes as “carried” or “defeated” and, in the case of a split vote, the names of those who voted for and those who voted against the motion shall be recorded in the minutes.
- 14.6 Where the mayor is authorized by the Act to be a Member of a Committee, the mayor shall be entitled to vote on all questions considered by the Committee.

15.0 COMMITTEES

- 15.1 In accordance with the Act, Council may pass bylaws establishing and determining the functions of Committees.
- 15.2 Unless otherwise stipulated in a statute or in a bylaw passed further to section 15.1,
- a) Council shall appoint Members to Committees when the Committee is initiated, and after that at each annual organizational Meeting.
 - b) Where a Committee position is vacant for any reason, Council may appoint a replacement for the remainder of that term.
 - c) The term of Membership on a Committee may not exceed three years, and no Member shall serve on a Committee for more than six consecutive years.
 - d) Council may allow a Member of a Committee to be re-appointed for a term longer than six consecutive years if Council determines that conditions warrant such an appointment.
 - e) Town employees may serve as advisors and provide administrative assistance to Committees, but may not serve as voting Members.
 - f) Council may terminate the appointment of a Member of a Committee through a majority vote.
- 15.3 Unless otherwise authorized by statute or bylaw, Committees are charged only with making recommendations to Council. Recommendations shall be made by motion at Committee Meetings and submitted to a subsequent Council Agenda for consideration, in a form determined by the Committee.
- 15.4 The provisions of the Act regarding pecuniary interest shall apply to Members of Committees.

16.0 SEVERABILITY

- 16.1 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

17.0 REPEAL

- 17.1 Procedures Bylaw 44-6, is repealed.

18.0 ENACTMENT

- 18.1 This bylaw comes into force when it receives third reading and is signed by the Mayor and the Town Manager or designates.

READ A FIRST TIME this 11th day of October, 2018.

READ A SECOND TIME this 11th day of October, 2018.

READ A THIRD TIME this 22nd day of October, 2018.

SIGNED AND PASSED this 25th day of October, 2018.

On original
Karen Sorensen
Mayor

On original
Robert Earl
Town Manager