

**VILLAGE OF BARONS
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 722

BYLAW 722, BEING THE BYLAW OF THE VILLAGE OF BARONS, IN THE PROVINCE OF ALBERTA, TO ADOPT THE MEETING PROCEDURES BYLAW.

WHEREAS pursuant to Section 145(b) of the *Municipal Government Act*, R.S.A 2000, Chapter M-26 and amendments thereto, a Council may pass by bylaw in relation to the procedure and conduct of Council, Council committees and other bodies established by Council,

AND WHEREAS the Council of the Village of Barons, hereby establishes the following rules and regulations for the order and conduct in which the business of all Council and identified Committee meetings shall be transacted.

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF BARONS, DULY ASSEMBLED, ENACTS AS FOLLOWS:

PART I – BYLAW TITLE

This Bylaw shall be cited as the “Meeting Procedures Bylaw”

PART II – DEFINITIONS

- 1) In this Bylaw, unless the context otherwise requires:
 - a) “Act” means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and regulations made under the Municipal Government Act as amended.
 - b) “Administration” means the employees of the municipality.
 - c) “Agenda” means the agenda for regular or special meetings of Council.
 - d) “Chief Administrative Officer” or “C.A.O.” means the person or his or her designate appointed to that position by Council under the provisions of the Act.
 - e) “Council” shall mean the duly elected Council of the Village of Barons.
 - f) “Defer” means a motion to delay considerations of any matter to deal with more pressing matters, which does not set specific time to resume consideration of the matter.
 - g) “Deputy Mayor” shall mean the member who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor.
 - h) “Electronic Communications” shall mean that members of Council may attend a Council meeting through electronic communications. This can include using a telephone with the use of the speaker, via personal computer, or other means as technology advances.

- i) “Executive Session” means the portion of the meeting at which only members of Council and other persons designated by Council may attend, approved by motion including the related section of the FOIP Act, and under the legislation of the *Municipal Government Act*.
- j) “Freedom of Information and Protection of Privacy Act” or “FOIP” means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended or legislation substituted therefore.
- k) “Mayor” shall mean the Chief Elected Official of the Village of Barons as defined in the *Municipal Government Act*.
- l) “Member” means a member of Council duly elected and continuing to hold office, or where the context requires, a member of a Council committee appointed by Council.
- m) “Motion” means a standard terminology used by Council to describe the original statement whereby business is brought before a meeting, and also means resolutions.
- n) “Presiding Officer” means the Mayor, or in absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor, any other member of Council chosen to preside at the meeting.
- o) “Public Hearing” means a meeting of Council convened to hear matters pursuant to the Act.
- p) “Pecuniary Interest” means a pecuniary interest with the meaning of the Municipal Government Act.
- q) “Quorum” means more than half of all members unless Council provides otherwise with this bylaw.
- r) “Special Meeting” means a meeting called by the Mayor pursuant to the Act.
- s) “Village” means the corporation of the Village of Barons.

PART III – STRUCTURE OF COUNCIL

- 2) The Council of the Village of Barons shall consist of three (3) Members of Council.
- 3) All Councillors shall be elected by a vote of electors of the Village.
- 4) The Chief Elected Official shall be elected by a vote of the Council of the Village at the Organizational meeting.
- 5) The Chief Elected Official shall be designated the title of “Mayor” and addressed as Mayor (last name).
- 6) Councillors of the Village shall be designated as the title of: Councillor” (last name).
- 7) The Mayor shall preside when in attendance at the meeting of Council.

- 8) The Mayor may, at the discretion of the Mayor, be a member of all Council Committees and all bodies to which Council has the right to appoint members under the Act.

PART IV – APPLICATION

- 9) This bylaw applies to all meetings of Council and Council committees as identified.
- 10) Where Council makes this bylaw applicable to a Council committee, it shall apply with all necessary modifications, and
 - a) any reference to the Mayor shall be treated as a reference to the Chair of the Council committee;
 - b) any reference to a Councillor shall be treated as a reference to a member of the Council committee; and
 - c) any reference to Council shall be treated as a reference to the Committee.
- 11) To the extent that it is a matter not dealt with the Act or this bylaw, Council shall refer to *Robert's Rules of Order Newly Revised*.
- 12) The precedence of the rules governing the procedures of Council is:
 - a) The Municipal Government Act;
 - b) Other Provincial legislation;
 - c) This Bylaw; and
 - d) *Robert's Rules of Order Newly Revised*.
- 13) In the absence of statutory obligation, any provision of this bylaw may be temporarily altered or suspended by an affirmative vote of two-thirds of all members present. A motion to temporarily alter or suspend this bylaw is not debatable or amendable.

PART V – INAUGURAL MEETING

- 14) The first Meeting of Council after a general election shall be held on the date and time established at the previous years' Organizational Meeting.
- 15) Every member of Council shall make and subscribe to the official oath prescribed by the Oath of Office Act before undertaking any Council duties and shall deposit the oath with the CAO

PART VI – ORGANIZATIONAL MEETING

- 16) Council shall hold an Organizational Meeting not later than two weeks after the third Monday in October each year.

- 17) The CAO shall set a time and place for the Organizational Meeting, the business of the meeting shall be limited to:
 - a) the appointments of members to Committees which Council is entitled to make;
 - b) any other business required by the Act, or which Council or the CAO may direct.
- 18) Appointments of Council members to committees shall be for a term of one year, unless otherwise specified and reviewed at the Organizational Meeting.

PART VII – EDUCATIONAL SESSION

- 19) Sessions for educational purposes may be held as required, based on the following criteria:
 - a) sessions are optional and do not require quorum;
 - b) are strictly educational (one-way information), allowing for clarifying questions;
 - c) do not progress matters within Council's jurisdiction;
 - d) minutes shall not be taken;
 - e) information provided may be shared with the public (not confidential);
 - f) where no directions or instructions shall be given to Administration; and
 - g) where no procedural or Council business decisions are made by the Members.

PART VIII – REGULAR AND SPECIAL MEETINGS

- 20) Regular Council meetings will be scheduled for the second Tuesday of any given month, commencing at 6:00 pm at the Village Administration Office.
- 21) If there are changes to the date and time of a regular meeting, the municipality must give at least twenty-four (24) hours' notice of the change to all members and post the notice in the public office. Posting a public notice in the front foyer of the Village's Administration Office is sufficient notice to the public if Administration is unable to advertise the change in the local newsletter.
- 22) All meetings will be open to members of the public, except for Executive Session portions of the meeting, and approved by motion including the related section of the FOIP Act and following the legislation of the Act.
- 23) Council has the authority to move into Executive Session pursuant to Section 197(2) of the Act for the purposes of:
 - a) protecting the Village, its operations, economic interests, and delivery of its mandate from harm that could result for the release of certain information; and

- b) to comply with Division Two of Part One of the *Freedom of Information and Protection of Privacy Act*.

PART IX – QUORUM

- 24) When quorum is present at the time set for commencement of a Council meeting, the Mayor shall call the meeting to order.
- 25) If there is a quorum present at the time set for commencement of a Council meeting, but the Mayor or Deputy Mayor are absent, the CAO shall call the meeting to order and shall call for a presiding officer to be chosen by resolution.
- 26) If the quorum is not constituted within fifteen (15) minutes from the time set for commencement of a Council meeting, the CAO shall record the names of all the members present and adjourn the meeting.
- 27) Whenever a vote on a motion before Council cannot be taken because of a loss of quorum resulting from:
 - a) the declaration of pecuniary interest or conflict of interest; or
 - b) from a Councillor or Mayor not being present for all or part of a Public Hearing; then the motion shall be the first order of business to be proceeded with and disposed of at the next meeting of Council under that particular order of business.
- 28) If a quorum is lost for any reason than those aforementioned in Section VII, the meeting is adjourned.

PART X – MEETING THROUGH ELECTRONIC COMMUNICATIONS

- 29) Council members may attend a Council meeting by means of electronic communication. Acceptable alternatives include through the use of a telephone (with the speaker on), ensuring that dialogue is available for both parties; through the use of a personal computer; or other means as technology advances.
- 30) A Council member may attend regular or special Council meetings by means of electronic communication to a maximum of three (3) times per calendar year, unless otherwise approved by Council.
- 31) A Council member shall be permitted to attend a meeting using electronic communication if that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
- 32) 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.

- 33) The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic communications.
- 34) When a vote is called, Council members 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 votes.
- 35) When a Council member attends a Executive Session, they will be required to confirm that they have attended a Executive Session alone in keeping with the definition in this bylaw of Executive Session, by providing a statutory declaration or affidavit sworn or declared before a Commissioner of oaths prior to the next regular Council meeting.
- 36) If only the public will be present at the Council Chambers in the Village's Administration Office and all Council members are participating by way of electronic communication, notice shall be posted in the Village's Administration Office, 24 hours prior to the meeting, indicating the manner in which the meeting will be conducted.

PART XI – CANCELLATION OF MEETINGS

- 37) A regular meeting may be cancelled:
 - a) By a vote of the majority of members at a previously held meeting; or
 - b) With the written consent of a majority of members, providing twenty-four (24) hours notice is provided to members and the public; or
 - c) With the written consent of two-thirds (2/3) of the members of Council if twenty-four (24) hours notice is not provided to the public.
- 38) A special meeting may be cancelled:
 - a) By the Mayor if twenty-four (24) hours written notice is provided to all members and the public, or
 - b) By the Mayor, with the written consent of two-thirds (2/3) of the members, if less than twenty-four (24) hours notice is provided to all members.

PART XII – AGENDAS FOR COUNCIL MEETINGS

- 39) The agenda for each regular Council meeting shall be prepared by the CAO or designate and submitted electronically together with all pertinent correspondence, statements, and reports to each member of Council at least four (4) calendar days prior to the meeting.
- 40) Any Council member wishing to have an item of business placed on the agenda for a regular Council meeting shall make the submission to the CAO not later than 12:00 noon on the Wednesday of the week prior to the meeting. The submission shall contain adequate information to the satisfaction of the CAO and approved by the CAO to enable Council to consider the matter.

- 41) Council shall only consider items of business on the agenda, unless a motion to change it is unanimously passed.
- 42) When the CAO received a request for a presentation to Council, they shall place it on the Council agenda. If the communication is considered administrative in nature, the originator will be notified of the administrative follow-up by the Supervisor.

XIII – MINUTES

- 43) The CAO may delegate any duties relating to Council meeting minutes but shall remain responsible for the performance of those duties.
- 44) If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be recorded in the minutes.
- 45) The CAO or designate shall record in the minutes, each time a member of Council is absent; and each time a member of Council refrains from discussion and voting by reason of absence or pecuniary interest, as well as the general nature of the pecuniary interest or any other reason given for abstaining from voting.
- 46) As a matter of course, the CAO or designate, shall record in the minutes, the name of each member present and whether each member voted for or against the matter.
- 47) The Minutes of all Council, Organizational, and Special meetings will include the signatures of the Presiding Officer and the CAO.

PART XIV – PRESENTATIONS

- 48) Any presentation portion of a Council meeting shall:
 - a) wish to appear before Council or to address an agenda item not designated as a public hearing shall give written notice to the CAO;
 - b) any person or delegation must provide their written submission for inclusion in the agenda to the CAO no later than noon on the Wednesday the week prior to the scheduled meeting;
 - c) presentations shall speak only on the matters which they have submitted to Council and which have been included in the agenda;
 - d) presentations will be limited to fifteen (15) minutes, followed by questions from Council members;
 - e) council will not entertain submissions from the public on issues that are before the Subdivision and Development Appeal Board, the courts, or that require a statutory Public Hearing; and
 - f) presenters shall not address Council on the same subject matter more than once every three (3) months.

PART XV – GENERAL RULES OF COUNCIL

- 49) Council meetings shall adjourn at 9:00 pm (if in session at that hour), unless the members present, by a 2/3 majority vote, agree to extend the time.
- 50) Provided that they are on the agenda, every person wishing to speak during a Council meeting shall address their comments through the Mayor. The Mayor shall be addressed as “Your Worship” and no person shall be permitted to speak unless and until the Mayor has granted that person permission.
- 51) A meeting may be adjourned by declaration of the Mayor. A declaration by the Mayor to adjourn a meeting may be appealed through a motion decided by a majority of members.

PART XVI – MOTIONS

- 52) A **Motion** brings new business (the next item on the agenda) before Council. A motion does not require a seconder.
- 53) After a motion is accepted by the Mayor, it shall be deemed to be in possession of Council; but, may be withdrawn at any time before a vote is taken or an amendment is made.
- 54) The Mayor shall have authority to set a time limit and the number of times that a member may speak on the same motion or matter, having due regard to the importance of the matter.
- 55) The Mayor shall reference all motions before they are debated or voted upon.
- 56) The CAO or designate shall record all motions in writing before the motion is debated or put to a vote.
- 57) No motion shall be offered that is substantially the same as one that has already been expressed during the same meeting.
- 58) Where a matter under consideration contains several distinct propositions, a member may request; or the Mayor may direct, that each proposition be made as a separate motion.
- 59) After the Mayor has called the cote, no member shall speak to the motion nor shall any other motion be made until after the result of the vote has been declared.
- 60) Council may deal with a motion on a subject which is not on the agenda with unanimous consent only.
- 61) Voting shall be done by clearly raising one hand so that the Mayor can easily count them or in the case of teleconference, done by saying yes or no to the motion.
- 62) When using electronic communications, the Mayor will ask whether the member is voting for or against the motion. After the Mayor had counted the vote, he or she shall declare whether it was ‘carried’, ‘carried unanimously’, or ‘defeated’. Except where provided for in this bylaw or by the

applicable legislation, a majority vote of the members present who are eligible to vote, shall decide a motion or question before the Council. If the vote results in a tie, the motion will be considered defeated.

PART XVII – BYLAWS

- 63) Where a bylaw is presented to a meeting for enactment, the CAO or designate shall cause the number, short title and brief description of the bylaw to appear on the agenda.
- 64) The following shall apply to the passage of all bylaws:
 - a) every proposed bylaw shall have three (3) separate and distinct readings. Only the title or identifying number must be read at each reading;
 - b) 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;
 - c) a bylaw shall be introduced for second reading by a motion that the bylaw be read a second time. The following applies at second reading:
 - i) council may debate the substance of the bylaw;
 - ii) council may propose and consider amendments to the bylaw; and
 - iii) council may refer by motion the bylaw to CAO or designate for further information or a Committee for further review prior to second reading.
 - d) all aspects of passage of a bylaw at second reading shall apply to third reading of any bylaw;
 - e) 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; and
 - f) a bylaw shall be passed when a majority of the Councillors present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
- 65) When a bylaw has been given three readings and is signed in accordance with the Act, it is considered an enactment of the Village and is effective immediately, unless the bylaw or an applicable Provincial statute provides otherwise.
- 66) The previous readings of a proposed bylaw are rescinded if the proposed bylaw:
 - a) does not receive third reading within 2 years of first reading; or
 - b) is defeated on second or third reading.
- 67) After passage, a bylaw shall be signed by the Mayor or the Mayors designate and by the CAO, and shall be impressed with the corporate seal of the Village.

- 68) Clerical, typographical and grammatical errors in bylaws may be corrected by the CAO or designate.
- 69) The CAO is permitted to consolidate one (1) or more bylaws as deemed convenient and in doing so, must incorporate all amendments to the bylaw into one (1) bylaw, and omit a provision that has been repealed or that has expired.
- 70) A copy of any bylaw, resolution or record certified by the CAO as a true copy of the original is prima facie proof of the bylaw, resolution or record.

PART XVIII – MOTIONS AT THE MEETING

- 71) When a motion has been made and is being considered, no other actions may be considered except:
 - a) a motion to *refer* to some other party for consideration (state which Council committee or Administration area is to receive the motion for research or further information), or to *withdraw* (the motion can be done only after a motion is stated; mover can accept an amendment without obtaining the floor);
 - b) a motion to *amend* the motion, insert or strike out words or paragraphs, or substitute whole paragraphs or resolutions; this motion may be made by any member;
 - c) a motion to *defer* the motion (the motion will remain pending in order to address another urgent matter at that meeting) and bring back without debate;
 - d) motion to *postpone* the motion to a future date (not beyond the third month from when it was presented) and must be passed by a majority of members present;
- 72) Each motion to amend a motion or motion to amend an amendment to a motion:
 - a) must be relevant to the motion on which it is proposed. Any amendment that raises a new question can only be considered as a new distinct motion;
 - b) must not propose a direct negative which would be considered out of order;
 - c) must be decided upon or withdrawn before the main question is put to a vote. Only one amendment at a time to the main motion shall be allowed; and, only one amendment to an amendment shall be allowed at one time;
 - d) shall not be moved by the original mover of the motion or the amendment;
 - e) must not enlarge the scope of the amendment (an amendment to an amendment), but should only deal with matters not covered by the original amendment;
 - f) shall only be sub-amended one time. A request for a second amendment to an amendment would require the current motion to be defeated and a new motion to be moved.

- 73) A motion to *reconsider* a motion shall:
- a) only be made at the same meeting the motion was decided;
 - b) only be made by a member who voted with the prevailing side on the motion involved;
 - c) not be proposed more than once for a specific motion at any one meeting of Council;
 - d) be decided by a majority of the members of Council present; and
 - e) not be allowed on a motion of adjournment.
- 74) A motion to *rescind* a previous motion of Council may:
- a) be made by any member of the Council; and
 - i) be offered at any time subsequent to the meeting at which the original motion was passed;
 - ii) be passed by:
 - (1) a vote of 2/3 of the members of Council (who hold office at the time) when the motion is without notice; and
 - (2) a simple majority of the members of Council present when notice has been given. Notice shall be through a Notice of Motion or the Inclusion of the item on an agenda delivered to the members of Council before the meeting.
 - b) the previous motion has not been acted upon to the extent that the Village has undertaken or become subject to any liability or obligation; or
 - c) was not a motion for a reading of a bylaw.

PART XIX – MISCELLANEOUS

- 75) Members shall follow Bylaw #704 – Council Code of Conduct.
- 76) No member shall:
- a) speak to a subject, except upon the question in debate;
 - b) reflect upon any vote of Council except for the purpose of moving that such a vote be rescinded or reconsidered;
 - c) resist the rules of Council or disobey the decision of the Mayor or of Council on any question of order or practice or upon the interpretation of the rules of Council. In case any member shall so resist or disobey, they may be ordered by a majority vote of Council to leave their seat for that meeting and should they refuse to do so, the Mayor may request that they be removed by law enforcement. Should the offender provide an ample apology, they may, by majority vote of Council (without debate), be permitted to return to their seat.

- 77) Council may adjourn from time to time to a fixed future date, any special meeting of Council that has been duly convened, but not terminated. The object of adjourning is to finish the business for which the meeting was called, but which has not been completed.
- 78) No member of Council shall have the power to direct or interfere with the performance of any work of the Village. This shall in no way however, interfere with or restrict the right of a Council member to seek information through the office of the CAO or designate.

PART XX – DEPUTY MAYOR

- 79) The Deputy Mayor shall chair Council meetings when the Mayor is absent or unable to act as Mayor and shall have all the powers and responsibilities of the Mayor under this bylaw during the Mayor's absence or inability to act.

PART XXI – COMMITTEES AND BOARDS

- 80) Council shall appoint Council representatives to such committees, boards and commissions as required by legislation, agreement or bylaw as they deem necessary. Unless an immediate appointment is required mid-term, these appointments shall be made on an annual basis.
- 81) Council may make appointments to a board or committee at any time, providing that Council has adopted a bylaw specifying the terms of reference of the committee.
- 82) The Mayor shall be an ex-officio member of all Council committees and bodies which Council has a right to appoint members under the Act.
- 83) The Mayor shall be advised in a similar manner as other committee members when any meetings are called.
- 84) Appointed Council members shall keep the rest of the Council informed of the actions of committees or boards to which they are appointed by Council, by providing regular activity highlights through their Councillor Committee reports.

PART XXII – SPECIAL COUNCIL MEETINGS

- 85) Special Council meetings is hereby established.
- 86) Council conducts special meetings in order to deal with business that are not identified in a regular Council meeting. These items may be prioritized and actioned immediately or they may be listed for future consideration.
- 87) At each Special Meeting, Council will vote on items that needs immediate action.

XXIII – CAMPAIGN PERIOD

- 88) No regularly scheduled Council meeting will be held between nomination day and the inaugural organizational meeting each year a general election is held.

PART XXIV – SEVERABILITY

That if a portion of this bylaw is found to be invalid, the invalid portion will be voided and the rest of the bylaw remains valid and effective.

AND FURTHER THAT this Bylaw will come into force on the date of the third and final reading.

EFFECTIVE DATES AND READINGS

This Bylaw shall take effect _____ and upon final passing thereof.

Read a first time this __ day of __, 2020

Read a second time this __ day of __, 2020

AND BY UNANIMOUS CONSENT OF COUNCIL

Read a third time and finally passed this __ day of __, 2020

MUNICIPALITY OF THE VILLAGE OF BARONS

MAYOR

ADMINISTRATOR