

OFFICE CONSOLIDATION

BYLAW C-7295-2013

A Bylaw of Rocky View County to provide for the orderly proceedings of meetings of Council, Council Committees and other bodies established by Council.

WHEREAS Section 145 of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26 and amendments thereto authorizes Council to pass bylaws to regulate the procedure and conduct of Council, Council Committees, and other bodies established by Council, the conduct of Councillors and the conduct of members of Council Committees and other bodies established by Council;

THEREFORE, the Council of Rocky View County, duly assembled, enacts as follows:

PART ONE - INTRODUCTION

1 Title

This bylaw shall be known as "The Procedure Bylaw".

2 Definitions

In this bylaw:

"Acting Reeve" means the Councillor selected by Council to preside at a meeting when both the Reeve and Deputy Reeve are unable to perform the duties of the Reeve or if both the office of the Reeve and the office of the Deputy Reeve are vacant.

"Adjourn" means to close the Meeting.

"Administration" means the County Manager or General Manager employed by the County.

"Agenda" is the list of items and orders of business for a Meeting along with associated reports, bylaws or other documents.

“Agenda Review Committee” is the County Manager, General Managers, Municipal Clerk and Council Recording Secretary or his/her designates.

“Audio Tapes” are the tapes of Council or Council Committee meetings.

“Chair” means the person who presides over a Meeting and when in attendance at a Council Meeting, shall mean the Reeve or Deputy Reeve.

“Clear Days” means the number of days between events excluding the first and the last day.

“Committee” means a Council Committee, Board or other body established by Council pursuant to the *Municipal Government Act*.

“Committee of the Whole” refers collectively to those Councillors present when Council moves to sit In Camera.

“Council” means the Reeve and Councillors, duly elected in the County and who continue to hold office.

“Councillor(s)” means a duly elected Member of Council, including the Reeve.

“County” is the Municipality of Rocky View County.

“County Manager” is the person appointed by Council into the position of Chief Administrative Officer under the *Municipal Government Act*.

“Deputy Reeve” is the Councillor appointed by Council to act as Reeve when the Reeve is unable to perform the duties of the Reeve or if the office of Reeve is vacant.

“Emergent Business” is a time sensitive matter that requires Council's or a Committee's immediate and urgent consideration.

“Freedom of Information and Protection of Privacy Act” means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25 as amended from time to time.

“General Election” means an election held for all the Members of Council to fill vacancies caused by the passage of time in accordance with the Local Authorities Election Act, R.S.A. 2000 Chapter E-21.

“In Camera” means a meeting of Council or Committee which is held in private without the presence of the public pursuant to Section 197 of the *Municipal Government Act*.

“Meeting” means an organizational, regular or special meeting of Council or Committee.

“Member” is a duly elected member of Council or a duly appointed member of a Committee who continues to hold office.

“Minutes” are the written record of the decisions of a Meeting recorded in the English language without note or comment.

“Motion” is a proposal for action by Council or Committee.

“Municipal Clerk” means the County's Manager Legislative Services.

“Municipal Government Act” means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended from time to time.

“Notice of Motion” is a notice of intention by a Member to present a motion at a subsequent Meeting.

“Organizational Meeting” means a Meeting of Council held in accordance with Section 192 of the *Municipal Government Act* and Part 3 of this Bylaw.

“Pecuniary Interest” means a pecuniary interest within the meaning of the *Municipal Government Act*.

“Point of Information” means a request by a Member directed through the Chair to another Member or to Administration for information relevant to the business at hand but not related to a Point of Procedure.

“Point of Order” is a statement from a Member to call attention to any departure from the *Meeting Procedure Bylaw*.

“Point of Privilege” means matters affecting the rights and immunities of Council collectively or the propriety of the conduct of individual Members and includes, but is not limited to the following:

- (a) the organization or existence of Council or Committee;
- (b) the comfort of Members;
- (c) the conduct of Members;
- (d) the conduct of Administration or members of the public in attendance at the Meeting; and
- (e) the reputation of Members or of Council or Committee as a whole.

“Point of Procedure” is a question directed to the Chair to assist a Member to:

- (a) make an appropriate motion;
- (b) raise a Point of Order;
- (c) understand the procedure; or
- (d) understand the effect of a motion.

“Precedence” means a Motion has precedence when it can temporarily replace a Motion on the floor and can only be superseded by a Motion of higher rank or "Precedence".

“Public Hearing” means a Meeting or portion of a Meeting held for the purposes of hearing matters as prescribed by the *Municipal Government Act* or other legislation or hearing other matters which Council directs be considered at a Public Hearing.

“Quorum” means the majority of all Members, fifty (50) percent plus one (1), unless Council prescribes otherwise in a bylaw or Terms of Reference for a Committee.

“Recess” means an intermission or break within a Meeting but does not end the Meeting and after which, the proceedings are immediately resumed at the point where they were interrupted.

“Recorded Vote” means that where a vote is not unanimous, the Minutes shall record the Members present at the Meeting and shall show which Members voted for or against the Motion or who abstained.

“Reeve” means the Chief Elected Official of the County within the meaning of the *Municipal Government Act*.

“Resolution” is a declaration of Council or Committee's intention with respect to a particular matter at a specific time.

“Special Meeting” is a meeting called by the Reeve or Council in accordance with the *Municipal Government Act* and this Bylaw or, with respect to Committees is a meeting called by the Chair in accordance with the Committee Bylaw.

“Special Resolution” means a resolution requiring at least two-thirds of the Members present at the Meeting who are not required or allowed by statute to abstain from voting on the Motion, to vote in the affirmative.

“Statutory Hearing” means a public hearing required by the *Municipal Government Act* or other legislation.

“Statutory Petition” means a petition of the eligible electors of the County prepared and filed in accordance with the *Municipal Government Act*.

“Table” means a Motion to delay consideration of any matter to either a specific date or sine die.

“Unfinished Business” is business that has been raised at the same or a previous Meeting and that has not been completed.

3 Application

- (1) This Bylaw applies to all meetings of Council and Committees and shall be binding on all Councillors and Committee Members.
- (2) Notwithstanding Paragraph 3(1), where the Committee bylaw or Terms of Reference establishes other procedures or gives the Committee the authorization to establish its own Meeting procedure, if there is a conflict between the Committee's established Meeting procedures and this Bylaw, that Committee's established Meeting procedure will have precedence over this Bylaw for the purposes of that Committee's Meetings.

4 Interpretation

- (1) When a matter arises relating to proceedings not covered by a provision of this Bylaw, the matter shall be decided by reference to the most current edition of Robert's Rules of Order.
- (2) Procedure is a matter of interpretation by the Chair.
- (3) In the event of a conflict between the provisions of this Bylaw and Robert's Rules of Order, the provisions of this Bylaw shall apply.
- (4) In the absence of any statutory obligation, any provision of this Bylaw may be temporarily waived, altered or suspended by Special Resolution (two-thirds majority vote).

PART TWO – ROLES

Powers and Responsibilities

5 The Reeve:

- (1) opens Council Meetings;

- (2) chairs Council Meetings;
- (3) subject to an appeal by a Councillor:
 - (a) maintains order and preserves decorum in Council Meetings and if necessary, calls a member to order; and
 - (b) rules on Points of Order and Points of Procedure.
- (4) ensures that each Councillor who wishes to speak on a debatable motion is granted the opportunity to do so;
- (5) decides, with the permission of Council, who may address Council;
- (6) has all of the same rights and is subject to the same restrictions, as to participation in debate, as all other Councillors; and
- (7) when wishing to join in the debate or make a Motion, the Reeve shall:
 - (a) request the Deputy Reeve or Acting Reeve assume the position of Chair; and
 - (b) resume the Chair when the motion on the floor has been dealt with, exclusive of any Motions Arising.

6. Deputy Reeve

- (1) The Deputy Reeve chairs Council meetings when the Reeve is absent or unable to act as Reeve and shall have all the powers and responsibilities of the Reeve under this Bylaw.

PART THREE - MEETINGS OF COUNCIL

7 Organizational Meeting

- (1) An Organizational Meeting shall be held not later than two weeks after the third Monday in October each year.

Agenda

- (2) At the organizational meeting the:
 - (a) County Manager or designate:
 - (i) calls the Meeting to order;
 - (ii) presides over the election of the Reeve; and
 - (iii) administers the Oaths of Office .
 - (b) Reeve:

- (i) presides over the election of the Deputy Reeve
- (c) Council:
 - (i) establishes the dates for Council Meetings;
 - (ii) appoints Council Committees and board Members;
 - (iii) appoints Council Committee Chairs;
 - (iv) conducts other business as identified within the Organizational Meeting Agenda.

Nominations

- (3) If only one nomination is received for the position of Reeve or Deputy Reeve, that nominee shall be declared elected by acclamation.
- (4) Where there is more than one nomination for Reeve or Deputy Reeve, voting shall be done by secret ballot.
- (5) If, on the first ballot, no one Councillor receives a clear majority of s, the Councillor who received the least number of votes shall be dropped from the ballot and a second ballot shall be taken.
- (6) On subsequent ballots, a Councillor who receives the least number of votes shall be dropped from the ballot until a Councillor receives a clear majority.
- (7) Councillors shall sit in order of their Division, other than the Reeve and Deputy Reeve.
- (8) Councillors hold office from the beginning of the Organizational Meeting following the General Election until immediately before the beginning of the Organizational Meeting following the next General Election, in accordance with the Local Authorities Election Act, R.S.A. 2000 Chapter L-21.
- (9) The appointment of Members to Committees is done on an annual basis, by secret ballot, if a vote is required, and the ballots are to be destroyed at the close of the Meeting.

8 Regular Meetings of Council

- (1) The date and time of all Council Meetings for the next calendar year shall be established by Resolution at the Organizational Meeting.

- (2) Regular Council meetings shall be held in Council Chambers on Tuesdays beginning at 9:00 a.m. and shall adjourn no later than 5:00 p.m. unless Council adopts a Motion to proceed past that time¹.
 - (a) A Motion to proceed past 5:00 p.m. should take into consideration the maximum working hours noted in Rocky View County Bylaw C-7085-2011 “Maximum Working Hours”.
 - (b) Should there be no Motion to continue past 5:00 p.m., all Unfinished Business which appears on the Agenda shall be tabled until 9:00 a.m. at the next regular Meeting of Council.²
 - (c) If it appears that any Unfinished Business is urgent the Reeve shall call a Special Meeting to deal with such matters.
- (3) Council by Resolution may establish other Council meeting dates.

9 Special Meetings

- (1) A Special Meeting shall be scheduled when required to do so by the Reeve or a majority of Council.
- (2) Where a Special Meeting is required by a majority of Council, the Reeve shall call such meeting within 14 days of the date on which the request was made.
- (3) No less than 24-hours notice of a Special Meeting shall be provided to each Councillor and to the public. The notice shall state the time, date, place and in general terms the nature of the business to be transacted.
- (4) A Special Meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if at least two-thirds of the whole Council agrees to this in writing before the beginning of the meeting.
- (5) The Agenda for a Special Meeting shall be restricted to the business stated in the notice unless all Councillors are present and a motion is passed to deal with the matter.

10 Council Review Hearing

- (1) In this Section, the following terms have the following meanings:
 - (a) “Remedial Order” means an order issued pursuant to Sections 545 or 546(0.1) of the *Municipal Government Act*; and

¹ Bylaw Amendment C-7404-2014 – September 9, 2014

² Bylaw Amendment C-7404-2014 – September 9, 2014

- (b) “Review Hearing” means a review of the Remedial Order pursuant to Section 547 of the *Municipal Government Act*.
- (2) A Review Hearing shall be heard at a regular Council Meeting as soon as practicable after receipt of a written request to review the Remedial Order.
- (3) The Applicant and Administration shall be given sufficient time to prepare for the Review Hearing.
- (4) Written submissions from the Applicant and Administration must be submitted by the Agenda deadline to be distributed as part of the Council Agenda.
- (5) As a proceeding of Council, a Review Hearing is open to the public.
- (6) At the beginning of a Review Hearing, the Reeve shall:
 - (a) introduce the parties;
 - (b) describe the hearing process; and
 - (c) deal with any preliminary matters.
- (7) The normal order of procedure in a Review Hearing is as follows:
 - (a) Applicant opening remarks and presentation [maximum of ten (10) minutes];
 - (b) questions to Applicant by Council;
 - (c) Administration opening remarks and presentation [maximum of ten (10) minutes];
 - (d) questions to Administration by Council;
 - (e) Applicant rebuttal and summation [maximum five (5) minutes].
- (8) If the Applicant fails to attend the Review Hearing despite having been given notice, Council may proceed with the hearing in the absence of the Applicant.
- (9) Council may establish such other rules of procedure by Resolution as may be necessary to conduct the Review Hearing properly and fairly.
- (10) At the conclusion of the Review Hearing, Council may confirm, vary, substitute or cancel the Remedial Order, by passing a Resolution indicating its decision and its reasons.
- (11) If Council confirms or varies the Remedial Order, the Resolution should require the Applicant to comply with the Remedial Order including any variance to the

Remedial Order) by a specific date, failing which the County may rectify the problem at the Applicant's cost or pursue other enforcement action.

- (12) The Municipal Clerk shall cause a written notice of the decision of Council to be served upon the Applicant within 15 days of the conclusion of the Review Hearing.

11 In Camera Meetings

- (1) The *Municipal Government Act* permits Council or Committee to close all or part of the meeting to the public if a matter to be discussed is within one of the exceptions to disclosure contained in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.
- (2) Council or Committee shall pass a Resolution prior to moving to an In Camera Meeting stating the nature of the In Camera Meeting and relevant sections of the *Freedom of Information and Protection of Privacy Act*.
- (3) In Camera Meetings shall be chaired by the Reeve in the case of Council.
- (4) A Meeting held In Camera subject to the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act* may exclude Administration, but not Members as long as the Member is not disqualified from participating in the discussion of the matter due to Pecuniary Interest.
- (5) When an In-Camera meeting is held, Council or Committee may invite any person or persons to attend the "In-Camera" Meeting as Council or Committee deems appropriate.
- (6) When a Meeting is held "In-Camera", no resolution or bylaw may be passed except a resolution to revert to a Meeting held in public.

12 Meetings through Electronic Communications

- (1) Pursuant to the *Municipal Government Act* a meeting of Council or Committee 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 and/or listen to the meeting at a place specified in the notice and a designated officer is in attendance at that place; and

- (c) the facilities enable all the meeting's participants to watch and/or hear each other.

(3) Members participating in a Meeting held by means of electronic or other communication facilities are deemed to be present at the Meeting.

13 Notice of Regular and Special Council and Committee Meetings

(1) Notice of regular Meetings is deemed to be given by annual:

- (a) notice in the local newspaper;
- (b) posting on the County's website; and
- (c) posting on the Public Notice Board within the Administration Office.

(2) Council, by Resolution, may change the frequency, time, date or location of any Meeting.

(3) Notification of a change in time, date or location of any meeting of Council or Committee, or the establishment of a Special Meeting, shall be provided to the public by:

- (a) posting a notice on the Public Notice Board at the Administration Office; and
- (b) posting a notice on the Rocky View County website; or
- (c) newspaper advertisement.

14 Cancellation of Regular and Special Meetings

(1) A Council or Committee Meeting may be cancelled:

- (a) by a majority of Members at a previously held Meeting; or
- (b) with the written consent of a majority of the Members and by providing not less than twenty-four (24) hours' notice to all Members and the public.

15 Commencement of Meetings

As soon as there is a Quorum after the time for commencement of a Meeting:

- (1) the Chair takes the Chair and calls the Meeting to order; or
- (2) if the Reeve and Deputy Reeve in the case of Council or Chair and Vice Chair in the case of Committee are not present within thirty (30) minutes after the time set for the Meeting and a Quorum is present, the County Manager or designate shall call the Meeting to order and a Member shall be chosen by the Members present to Chair the Meeting;

- (3) upon their arrival, the Reeve or Deputy Reeve in the case of Council or Chair or Vice Chair in the case of Committee shall assume the Chair.

16 Quorum

- (1) No Quorum

If there is not a Quorum within thirty (30) minutes after the time set for the Meeting, the County Manager or designate shall record the names of the Members present and the Meeting shall be adjourned to the time of the next regular Meeting.

- (2) Lost Quorum

If at any time during a Meeting Quorum is lost, the Meeting shall be Recessed and if Quorum is not achieved within 15 minutes, the Meeting shall be deemed to be adjourned.

PART FOUR - AGENDA

17 Agenda Preparation

- (1) The Agenda for each Council Meeting is established by the County Manager in consultation with the General Managers and the Municipal Clerk.

18 Agenda Distribution

- (1) The Municipal Clerk shall distribute the Council Meeting Agenda to Members of Council and Administration on the Tuesday prior to the Council Meeting.
- (2) The Municipal Clerk shall post the Council Agenda on the County's public website and make copies of the agenda and supplementary materials (unless these must or may be withheld under the *Municipal Government Act* or other legislation) available to the public on the Wednesday prior to the Council meeting.

19 Late Submissions

- (1) Administrative reports and submissions received too late to be included with the regular Agenda shall be included on the next regular Council Agenda.
- (2) In exceptional circumstances, at the discretion of the County Manager or designate, submissions received too late to be included with the regular Agenda, may be added to the regular Council Agenda at the meeting as an emergent business item.

20 Emergent Business

- (1) Emergent Business is an Agenda item that is not on the Agenda and because of time constraints must be brought before Council. The Emergent Business item:
 - (a) shall be considered as an addendum to the Agenda; and
 - (b) the County Manager shall provide an explanation indicating the reasons and degree of urgency.

- (2) A Councillor may move, without prior notice, to bring Emergent Business before a Meeting subject to the following conditions:
 - (a) the matter proposed for discussion must relate to an emergency;
 - (b) the Chair has determined the matter is urgent prior to the start of the Meeting at which the motion is made;
 - (c) the Motion must not involve discussion of a matter which has been discussed previously in the same meeting;
 - (d) the matter must not be one which should receive written notice;
 - (e) the Motion must not raise a Point of Privilege; and
 - (f) the Motion must be adopted by Special Resolution (two-thirds majority vote).

21 Order of Business on the Agenda

- (1) The Order of Business on any regular Agenda shall be:
 - Call to Order
 - Updates/Acceptance of Agenda
 - A Confirmation of Minutes
 - B Financial Reports
 - C Appointments/Public Hearings
 - D General Business
 - E Bylaws
 - F Unfinished Business/Business Arising
 - G Councillor Reports
 - H Management Reports
 - I Notices of Motion
 - J Subdivision Applications
 - K Committee of the Whole In-Camera
 - Adjourn the Agenda

22 Additions or Deletions

- (1) The addition or deletion of Agenda items after a regular Agenda has been published requires a resolution of Council.

- (2) The addition or deletion of agenda items after the agenda has been adopted requires a unanimous vote of Council.

23 Order of Business

- (1) Unfinished Business
 - (a) Unfinished Business after adjournment due to loss of Quorum shall be dealt with before any items on the current agenda unless a Special Meeting has been called to deal with the business of the adjourned meeting.
- (2) Approval Agenda
 - (a) Immediately after a meeting is called to order, the Chair shall call for a motion adopting the agenda, subject to any additions or deletions.
- (3) Approval of Minutes
 - (a) Immediately after agenda approval, the Chair shall call for a motion adopting the minutes of the preceding meeting or meetings, subject to the correction of any errors or omissions.
- (4) Order Determined by Chair
 - (a) The order of business shall be determined by the Chair, subject to:
 - (i) subsections (1), (2) and (3) of this section; or
 - (ii) a challenge by a Member.

24 Proceedings

- (1) Discussion Directed Through Chair
 - (a) All discussion at a Meeting shall be directed through the Chair.
- (2) Pecuniary Interest
 - (a) Where a Member has a pecuniary interest in respect of a matter before the Council or Committee, the Member of Council must adhere to the provisions of Section 172 of the *Municipal Government Act* including:
 - (i) Disclosing the general nature of the pecuniary interest prior to any discussion of the matter;
 - (ii) Abstaining from voting on the matter;
 - (iii) Abstaining from any discussion of the matter, and

- (iv) Unless otherwise permitted by Section 172(2) or (3) of the ***Municipal Government Act*** to remain in the room, leaving the room in which the Meeting is being held until discussion and voting on the matter are concluded.
 - (b) The Member's abstention and the nature of the pecuniary interest shall be noted in the Minutes.
 - (c) A Member who has a Pecuniary Interest in a matter is not considered part of Quorum for that matter.
- (3) Temporary Absence
 - (a) If a Member arrives late, leaves before the Meeting is adjourned, or is temporarily absent from the Meeting, the Meeting Minutes shall reflect such absence and the time of the absence.
- (4) Speaking to Motions
 - (a) No Member shall speak unless and until recognized by the Chair.
 - (b) Unless permitted by the Chair, Members may speak only twice on any Motion, once in debate and once to ask questions.
 - (c) The Chair may grant further permission to a Member to speak as follows:
 - (i) to provide an explanation of the Member's previous remarks if misunderstood;
 - (ii) in the case of the mover, to answer questions from the floor directed to the Chair; and
 - (iii) to allow the mover to close debate after the Chair has called for further discussion and all other Members have had an opportunity to be heard.
- (5) Time Limit
 - (a) Members shall not speak on any matter for longer than 10 (ten) minutes, unless otherwise permitted by the Chair.
- (6) Interruption of Speaker
 - (a) A Member who is speaking may only be interrupted by another Member on:
 - (i) a Point of Privilege; or
 - (ii) a Point of Order.

- (b) A Member who is speaking when a Point of Order or Privilege is raised shall immediately cease speaking.
 - (c) The Chair may grant permission:
 - (i) to the Member raising the point to explain the point briefly, and
 - (ii) to the Member who was speaking to respond briefly,but otherwise a Point of Order or Privilege is not debatable or amendable.
- (7) Ruling on Proceedings
- (a) The Chair shall rule on a Point of Order or Privilege and no vote shall be taken unless there is a challenge by a Member to the ruling.
- (8) Recorded Vote
- (a) Any vote by Council on a Motion that is not unanimous initiates a Recorded Vote to show the names of the Members present and whether each Member voted for or against the motion, abstained or absent.

25 Minutes

- (1) The Municipal Clerk shall prepare a written record of all Council and Committee Meetings that includes:
- (a) The names of the Members present at and absent from the meeting.
 - (b) A brief description of the subject matter.
 - (c) All decisions and other proceedings.
 - (d) The names of members of the public who speak to an item.
 - (e) The names of the Members voting for or against a Motion that is not unanimous or defeated and those who are absent for the vote.
 - (f) Any abstentions made under the *Municipal Government Act* by any Member and the reason for the abstention.
 - (g) Any abstentions made as a result of a pecuniary interest and the reason for the abstention.
 - (h) The signatures of the Reeve and the Municipal Clerk in the case of Council and the signatures of the Chair and Vice Chair in the case of Committee.

26 Audio/Video Recordings of Council Meetings

- (1) Audio/video recordings of the Council meeting are a record of routine disclosure and shall be uploaded to the County website for a period of 4 weeks.
- (2) Retention of audio/video recordings shall be in compliance with the County's Records Retention Bylaw.
- (3) Audio recordings shall only be transcribed if required by the County Manager in connection with any litigation, audit or investigation being undertaken or if required pursuant to the *Freedom of Information and Protection of Privacy Act*.

27 Public Requests to Address Council or Committee

- (1) If a member of the public wishes to address Council or Committee on a matter on an Agenda, for which a Statutory Hearing is not required, that person shall notify the County Manager prior to the Meeting and state the reason for the request to speak.
- (2) The County Manager shall advise Council or Committee of the request.
- (3) Council or Committee may, by Resolution, permit a member of the public to address Council or Committee on a matter on an Agenda.

PART FIVE – MOTIONS

28 Notices of Motion

- (1) A Member wishing to introduce a new matter for consideration, shall submit the motion in writing to the Municipal Clerk not less than seven (7) Clear Days prior to the meeting at which the member wishes to introduce his/her Notice of Motion.
- (2) All Notices of Motion received at a Meeting shall:
 - (a) be added to the Agenda of the next Meeting; and
 - (b) include an administration report in response to the proposed Motion.
- (3) The requirement for notice contained in subsection (1) may be waived by Special Resolution (two-thirds majority vote). The matter would then be considered emergent business.

- (4) A Notice of Motion must give sufficient detail so that the subject of the Motion and any proposed Motion can be determined and it must state the date of the Meeting at which the Motion shall be made.
- (5) No Motion bringing a new matter before Council or Committee may be made while any other Motion is pending.

29 General Provisions of Motions

- (1) Unless otherwise determined by the Chair, no matter may be debated or voted on by Council or Committee unless it is in the form of a Motion.
- (2) A Member may move a Motion whether or not the Member intends to support it.
- (3) Motions may be projected in front of Council or Committee prior to voting, and the Chair has the discretion of requesting a Motion be submitted in writing.
- (4) The Chair shall not call the question on any Motion until Council or Committee is completely satisfied that it is clear on how the Motion reads.
- (5) A Motion that has been moved shall not be required to be seconded.
- (6) When a Motion has been made and is being considered, no Member may make another Motion except to:
 - (a) amend the Motion;
 - (b) amend the amendment to the Motion;
 - (c) refer the main Motion;
 - (d) Table the main Motion;
 - (e) move a Motion that has Privilege, that is:
 - (i) a Motion to recess;
 - (ii) a Motion to adjourn;
 - (iii) a Motion to set the time for adjournment;
 - (iv) a Motion to extend the time of the Meeting; or
 - (v) a Point of Privilege.
- (7) A recommendation in a report does not constitute a Motion until it is moved by a Member.
- (8) All resolutions of Council shall be numbered and entered into a “Log Book of Motions”.

30 Debate of Motions

- (1) Except as provided elsewhere in this Bylaw, the following Motions are debatable:
 - (a) a motion for adoption, refusal, or further consideration of a report;
 - (b) a motion arising;
 - (c) a motion for amendment to an amendable Motion;
 - (d) a motion for first or second reading of a bylaw;
 - (e) a motion for appointment or dismissal of a Committee or Committee Member;
 - (f) a motion to go into In Camera;
 - (g) a motion to receive for information; and
 - (h) other Motions made upon routine proceedings and required for:
 - (i) appointment or conduct of Officers of Council;
 - (j) the management of business;
 - (k) the arrangement of proceedings;
 - (l) the correctness of records; or
 - (m) the fixing of the days and times of Meetings.
- (2) Members, who have been recognized to speak, may not be interrupted by other Members except:
 - (a) when a Member has risen to speak and there is no Motion;
 - (b) when a Member has exceeded the time limit to speak;
 - (c) when a Member has a Point of Privilege;
 - (d) when a Member has a Point of Order; or
 - (e) when a Member has a Challenge to the Chairperson.
- (3) Each Member shall be given an opportunity to speak to a Motion before it is put to a vote, unless a Motion is passed to limit or end debate.
- (4) A Member may require that the Motion being considered be read at any time during debate but must not interrupt a speaker.

31 Motion to Limit or End Debate

- (1) Any Motion to limit or end debate:
 - (a) shall not be debated;

- (b) must be passed by Special Resolution (two-thirds majority vote); and
 - (c) may only be amended as to the limit to be placed on debate.
- (2) The Motion to Limit or End Debate takes Precedence, but does not have Privilege, over other motions except a Motion to Table or a motion with Privilege;

32 Closing Debate

- (1) A Member who moved the main Motion, may close debate after other Members have been given an opportunity to speak.
- (2) Before the debate is closed and the vote called, a Member may, request that the motion be read aloud or ask a question that:
- (a) relates directly to the debate:
 - (b) contains no argument: and
 - (c) introduces no new material on the Motion.
- (3) Unless a vote extends the time, no Member shall speak, including asking questions and debate, excluding responses, longer than:
- (a) five (5) minutes on a main Motion; or
 - (b) three (3) minutes on an amendment; or
 - (c) three (3) minutes for closing debate on a main Motion or on an amendment.
- (4) When a Member has closed debate the Chair shall immediately call for a vote on the Motion.
- (5) When the vote has been called for on the Motion, no Member shall debate further on the motion or speak, except to request that the motion be read aloud or viewed on the screen.

33 Severing Motions

- (1) The Chair or Member may request to sever a Motion with two or more recommendations prior to the vote and the original mover of the Motion shall remain as the mover for the severed Motions.

34 Withdrawal of a Motion

- (1) After a motion has been moved and stated by the Chair, it is the property of Council or Committee and may only be withdrawn by the mover with the unanimous consent of the Members present at the Meeting.

- (2) Motions withdrawn shall not be recorded in the Minutes.

35 Privileged Motions

- (1) The following Motions are privileged Motions:
 - (a) a motion to recess;
 - (b) a motion to adjourn;
 - (c) a motion to set the time for adjournment; or
 - (d) a point of privilege.

36 Motion to Recess

- (1) The Chair, without a motion, may recess the meeting for a specific period.
- (2) Any Member may move that Council recess for a specific period.
- (3) After the recess, Meeting business shall be resumed at the point where it was interrupted.

37 Motion to Adjourn

- (1) A Motion to Adjourn is a motion to bring a Meeting to an end.
- (2) A Member may move a Motion to Adjourn at any time, except when:
 - (a) another Member has the floor;
 - (b) a call for a vote has been made;
 - (c) the Members are voting;
 - (d) Members are in In Camera; or
 - (e) a previous Motion to Adjourn has been defeated and no other intermediate proceeding has taken place.
- (3) A Motion to Adjourn shall be voted on without comment, debate or amendment.

38 Motion to Refer

- (1) A Member may move to refer any motion to the appropriate Committee or Administration for investigation and report, and the Motion to refer:
 - (a) precludes all further amendments to the Motion;
 - (b) is debatable; and
 - (c) may be amended only as to the body to which the Motion is referred and the instructions on the referral.

39 Motion to Receive for Information

- (1) A Motion to Receive for Information is made to acknowledge an item, report or recommendation, and have it placed in the County corporate records for reference. No additional action is taken.

40 Motion Arising

- (1) A Motion Arising must:
 - (a) be directly related to and arise from an item which has just been considered; and
 - (b) be made before another item is in front of the meeting.

41 Motion to Table

- (1) A Motion to Table is made to place a main Motion and all pending amendments to the main Motion aside temporarily, with the intention of bringing them back either later in the same Meeting or at a later date for action.
- (2) A Motion to Table:
 - (a) must either be made with reference to a set time, set date or be made *sine die* (no set date);
 - (b) is only debatable with respect to date; and
 - (c) may not be amended.
- (3) A matter tabled to a set date shall not be considered before that date, except by Special Resolution (two-thirds majority vote).
- (4) A Motion to Table takes precedence over other Motions related to the item being Tabled. All Motions which have been moved and are related to the Tabled Motion are Tabled along with the main Motion.

42 Motion to Lift from the Table

- (1) A Tabled item shall be brought back with all of the Motions related to it, exactly as it was when laid on the table.
- (2) An item Tabled to a set date shall be added to the agenda at that date without the requirement to lift from the table.
- (3) An item tabled *sine die* or tabled to later in the Meeting must be lifted from the table before discussion. A Motion to lift from the table:
 - (a) may be made provided no other Motion is on the floor;

- (b) may not be debated or amended;
 - (c) if defeated, may only be made again after other business has intervened; and
 - (d) may be made at a Regular Meeting, but not at a Special Meeting, unless prior notice was given.
- (4) An item tabled *sine* must be accompanied by a new administrative report, which must contain a recommendation to lift the tabled item from the table, when being brought back to a Meeting.
- (5) If a Tabled Motion is not lifted prior to a General Election held after it is tabled or within one (1) year of tabling, whichever period is the longest unless tabled *sine die*, it may not be lifted from the table, but may be made as a new Motion.

43 Motion to Reconsider

- (1) If a motion is voted on by Council or Committee, that same Motion cannot be reconsidered by Council unless:
- (a) six months has passed since the date that the Motion was considered; or
 - (b) a Motion to Reconsider is passed.
- (2) A Member may introduce a motion asking Council or Committee to reconsider a matter dealt with in a previous Motion providing:
- (a) the Motion is made at the same meeting of Council at which the original matter was considered and is moved by a mover who voted with the prevailing result; or
 - (b) a Notice of Motion is submitted, prior to the Meeting at which it is to be considered, in which the Member sets out what special or exceptional circumstances warrant Council or Committee considering the matter again; and
 - (c) the Motion to which it is to apply has not already been acted upon.
- (3) If a Motion to reconsider is passed, the original Motion is on the floor.
- (4) If Notice of Motion was not given, the requirement for notice may be waived Special Resolution (two-thirds majority vote).
- (5) The following Motions cannot be reconsidered:
- (a) a Motion which created a contractual liability or obligation, shall not be reconsidered, altered, varied, revoked, rescinded or replaced except to

the extent that it does not attempt to avoid or interfere with the liability or obligation;

- (b) a Motion to Adjourn;
- (c) a Motion to close nominations;
- (d) a request to sever of a question;
- (e) a Point of Order, a Point of Privilege or a point of information;
- (f) a Motion to Recess or extend the time for adjournment;
- (g) a Motion to suspend the Procedure Bylaw;
- (h) a Motion to lift from the table;
- (i) Motion to adopt the Agenda;
- (j) a Motion to Table;
- (k) permission to withdraw a Motion;
- (l) a Motion to rescind a bylaw;
- (m) first and third reading of a bylaw; and
- (n) a Motion to reconsider at the same Meeting.

- (6) A Motion to reconsider is debatable only when the Motion being reconsidered is debatable.

44 Motion to Rescind

- (1) A Motion to Rescind is used to cancel a previous motion.
- (2) A Motion to Rescind, if passed by a majority vote of the Members present, renders the previous motion null and void.
- (3) A Motion to Rescind is debatable into the merits of the question it is proposed to rescind.
- (4) If a Motion to Rescind relates to an action taken at a previous Meeting and the matter does not appear on the Agenda, a Notice of Motion shall precede the Motion to Rescind.
- (5) A Motion to Rescind shall not undo actions that have been taken as a result of the Motion previously passed.

45 Amending Motions

- (1) A Member may not amend a Motion or make an amendment which:
 - (a) does not relate to the subject matter of the main Motion; or
 - (b) is contrary to the main Motion.
- (2) Only one amendment to the main Motion and only one amendment to that amendment shall be allowed.

- (3) The amendment to the amendment must be voted on before the amendment.
- (4) An amendment to an amendment must be relevant to the amendment.
- (5) The main Motion shall not be debated until all amendments to it have been voted on.
- (6) Amendments shall be put in the reverse order to which they have been moved.
- (7) With the exception of a Friendly Amendment, a Member, who moved a Motion, may not move an amendment to it.
- (8) No amendments shall be made to the following Motions:
 - (a) to refer;
 - (b) to postpone, except as to time;
 - (c) to adjourn; or
 - (d) for the first and third readings of a bylaw or authorization for third reading;

46 Friendly Amendments

- (1) Except as provided elsewhere in this bylaw, a Member, after a Motion is moved, may with the unanimous consent of Members present:
 - (a) on a Member's initiative while speaking on the Motion, or
 - (b) when requested by another Member speaking on the Motion;make minor changes to the Motion wording or agree to a minor change proposed by another Member, if the change does not alter the intent of the Motion.
- (2) Friendly Amendments, agreed to by the mover, shall not be recorded in the Meeting Minutes.

47 Motions Out of Order

- (1) It is the duty of the Chair to determine what Motions are amendments to a main Motion that are in order subject to challenge by a Member, and decline to put a Motion deemed to be out of order.
- (2) The Chair shall advise the Member that a Motion is out of order and cite the applicable rule or authority without further comment.
- (3) The Chair may refuse to accept a Motion to refer, that has the effect of defeating the Motion to which it refers, e.g. time constraints.

- (4) The following Motions are out of order:
 - (a) a Motion, similar to a motion voted on in the previous six (6) months, without reconsidering the original Motion;
 - (b) a Motion contrary to law or a previous Motion;
 - (c) a Motion similar to an item which has been tabled;
 - (d) a Motion to reconsider a Motion to reconsider;
 - (e) a motion referring an item to a Committee, if the final report of the Committee is complete; and
 - (f) a Motion which is out of scope of Council or Committee business.
- (5) Once a Motion has been voted on, a similar Motion may not be made for six (6) months without first reconsidering the original Motion.
- (6) If a Motion is contrary to the procedures and privileges, the Chair may refuse to accept it and must cite the rule or authority applicable without other comment.
- (7) A Motion containing several distinct recommendations is not out of order for that reason alone.

48 Motion to Suspend the Rules

- (1) A Motion to Suspend the Rules is used to temporarily suspend the rules of procedure set out in this Bylaw in order to allow Council or Committee to take up a question or do something that would be in violation of this Bylaw and is not debatable.
- (2) In the absence of any statutory obligation, any provision of this Bylaw may be waived by Special Resolution (two-thirds majority vote).
- (3) A Resolution waiving any provision of this Bylaw shall only be effective for the Meeting during which it is passed.

49 Motion to Waive Notice

- (1) A Motion to Waive Notice is presented to request the waiver of the requirements of providing written notice of a Special Meeting.
- (2) A motion to Waive Notice requires a two-thirds vote of all Members.

50. Motion to Move In Camera

- (1) A Member may make a motion to move In Camera which must:

- (a) be in accordance with the *Freedom of Information and Protection of Privacy Act*;
 - (b) include the title or subject of the matters(s) to be discussed; and
 - (c) include the reason for the In Camera Meeting
- (2) When Council meets In Camera, it is meeting as the Committee of the Whole.

51 Voting on Motions

- (1) Unless otherwise specified in this Bylaw, a Motion shall be carried when a simple majority of the Members present at a Meeting vote in favour of a Motion.
- (2) Each Member present at a Meeting shall vote on every Motion unless the Member is required or permitted to abstain from voting by the *Municipal Government Act* or other legislation.
- (3) If a Motion cannot be voted on because there would be no Quorum due to any abstention allowed or required by the *Municipal Government Act* or other legislation, then the matter shall be dealt with as Unfinished Business and proceeded with at the next regular Meeting.
- (4) It is necessary for each Member to express a voice vote separately on a Recorded Vote. In every other case, the decision may be expressed by the raising of the hand.
- (5) No Member shall change a vote on a Motion unless:
 - (a) there is unanimous consent of the Members present; and
 - (b) the request is made at the same Meeting as the original vote.
- (6) When this or another Bylaw, Regulation, *Municipal Government Act* or other legislation requires greater than a simple majority to pass a Motion, the Motion may not be rescinded or amended by less than the majority required to pass it.
- (7) A Motion shall be declared passed when it receives the required number of votes.
- (8) A Motion shall be declared lost when it:
 - (a) does not receive the required number of votes; or
 - (b) receives a tie vote.
- (9) All Motions shall be Recorded Votes unless the Motion receives a unanimous vote.

- (10) Each Member shall vote by the raising of the hand or in the use of an electronic or computerized voting system or in the case of an electronic meeting, verbally or other method agreed to by Council.
- (11) After a Motion has been put to a vote by the Chair, no Member shall speak to the question, nor shall any other Motion be made until after the results of the vote have been declared.

PART SIX – PUBLIC HEARINGS

52 Advertising of Public Hearings

- (1) The advertised notice of the Public Hearing must allow for not less than fifteen (15) days for written submissions to be provided to the County.
- (2) The deadline for written submissions to be included in the Agenda Package shall be included in the advertised notice.

53 Written Submissions and Group Petitions

- (1) Written Submissions
 - (a) Written submissions received in response to the Notice of Public Hearing shall become a public record, and shall be made available to the public.
 - (b) Written submissions submitted after the advertised deadline or submitted during the Public Hearing by the author or spokesperson, along with twenty (20) copies for distribution, may be accepted on a Motion of Council.
 - (c) Written submissions that contain personal attacks or have a derogatory tone shall not be included in the Agenda package and if submitted at the Public Hearing shall not be received by Council.
 - (d) Individuals who have submitted a letter may only address Council on new information not contained in the letter.
- (2) Group Petitions
 - (a) Individuals who have signed a petition are deemed to have had their position advanced by the petition and may only address Council on new information not contained in the petition statement.
 - (b) Group Petition requirements:
 - (i) statement of the purpose of the petition on each page of the petition;

- (ii) the printed surname and printed given names or initials of the petitioner;
- (iii) The petitioner's signature;
- (iv) The municipal address of the petitioner or the legal description of the land on which the petitioner lives;
- (v) the date on which the petitioner signs the petition;
- (vi) each signature shall be witnessed by an adult person who must:
 - (a) sign opposite the signature of the petitioner, and
 - (b) take an affidavit that to the best of the person's knowledge the signatures witnessed are those of persons entitled to sign the petition; and
- (vii) a signed statement attached to the petition stating that:
 - (a) the person is the representative of the petitioners, and
 - (b) the municipality may direct any inquiries about the petition to the representative.

54 Commencement of Public Hearings

- (1) Public Hearings shall be held during regular Council Meetings.
- (2) Public Hearings shall be held prior to first reading of the proposed bylaw or prior to a Motion to adopt by resolution.

55 Presenting to Council

- (1) Persons interested in speaking at a Public Hearing should register their name on the appropriate Speakers List (in support or in opposition) located in Council Chambers prior to the Public Hearing.
- (2) Persons addressing Council regarding the proposed bylaw or resolution shall state:
 - (a) their name and legal or municipal address;
 - (b) an indication as to whether they are speaking on their own behalf or for another person or for a group;
 - (c) an indication as to whether they are speaking in support of or in opposition to the proposed bylaw or resolution;
 - (d) how they are affected by the proposed bylaw or resolution; and
 - (e) address the Chair when responding to questions or providing information.

- (3) A person may authorize another individual to speak on their behalf if:
 - (a) such authorization is in writing; or
 - (b) the speaker names the individual(s) being represented.
- (4) An individual may only speak once on an item.
- (5) Presentations by the applicant and the public may be made verbally, in writing or electronically.
- (6) The use of maps, videos, Power Point presentations and written presentations shall be collected by the Municipal Clerk to be included in the Corporate Records for the meeting and may be made available to the public upon request.

56 Public Hearing Procedures

- (1) The Chair shall call for a motion to go into Public Hearing.
- (2) The Chair shall outline Public Hearing procedures.
- (3) Administration shall introduce the proposed bylaw or question.³
- (4) The Municipal Clerk or designate shall confirm the Public Hearing has been advertised in accordance with applicable legislation.
- (5) The Chair shall call upon the applicant to present the application.
- (6) The applicant shall state their name and present their application within a time period of 20 minutes. An extension may be granted by a motion of Council.
- (7) The Chair shall allow questions of clarification from Members to the applicant.
- (8) The Chair shall then open the floor to presentations from the public.
 - (a) The Chair shall call upon those persons who have registered on the Speaker's List in favour of the proposed bylaw.
 - (b) The Chair shall then call upon those persons who have registered on the Speaker's List in opposition to the proposed bylaw.
- (9) Speakers shall state their name and address and may speak for a maximum of 5 minutes. A spokesperson speaking on behalf of a group petition or group may speak for a maximum of 10 minutes.

³ Bylaw Amendment C-7351-2014 – February 11, 2014

- (10) The Chair shall allow questions of clarification from Members to the individuals speaking to the proposed bylaw or resolution.
- (11) After hearing from those persons on the Speaker's List in support or in opposition, the Chair shall ask if anyone else present wishes to speak in support or in opposition to the proposed bylaw or resolution.
- (12) The Chair shall invite the applicant for any rebuttal to the points raised by those who spoke in opposition to the application. The rebuttal period shall last no longer than 10 minutes unless approved by a motion of Council.
- (13) Following any rebuttal from the applicant the Chair shall ask for a Motion to close the Public Hearing.
- (14) Statutory Public Hearings must be close before Council votes on the bylaw.
- (15) After the Public Hearing is closed, Council may debate the proposed bylaw or resolution and may do one of the following:
 - (a) amend the bylaw or resolution;
 - (b) pass the bylaw or resolution; or
 - (c) defeat the bylaw or resolution.
- (16) Members who are absent for the whole Public Hearing must abstain from voting on the matter.
- (17) Members who are absent for a part of the Public Hearing may abstain from voting on the matter.
- (18) If the number of Members present at a Meeting is less than Quorum after those Members referred to in subsection (16) and (1) leave, the debate and vote is adjourned to the time of the next regular Meeting.

57 Record of Names at a Public Hearing

- (1) The Meeting Minutes shall record the names of all persons who:
 - (a) spoke for or against; and
 - (b) provided written submissions in response to the Notice of Public Hearing for or againstthe proposed bylaw.

PART SEVEN – BYLAWS

58 Basic Requirements

- (1) All proposed bylaws shall:
 - (a) have a bylaw number assigned by the Municipal Clerk;
 - (b) have a concise title indicating the purpose of the bylaw;
 - (c) be presented in its entirety to all Councillors present at the Meeting prior to any Motion for first reading;
 - (d) have three (3) separate and distinct readings;
 - (e) be presented in its entirety including any amendments passed after first reading to all Councillors present at the Meeting prior to any Motion for third reading; and
 - (f) not be given more than two (2) readings at one (1) meeting, unless the Councillors present at the Meeting unanimously agree to a Motion authorizing third reading.

59 Introducing a Bylaw

- (1) Council shall hear an introduction of the proposed bylaw or resolution from Administration prior to first reading.
- (2) After first reading has been given, any Member may move the bylaw be read a second time.
- (3) When a bylaw is subject to a statutory Public Hearing, the Public Hearing shall be held prior to first reading.

60 Amendments to Bylaws

- (1) Any amendments to the bylaw that are carried prior to the vote on third reading shall be considered to have been given first and second reading and shall be incorporated into the proposed bylaw.
- (2) Once a bylaw has been passed, it may only be amended or repealed by another bylaw made in the same way as the original bylaw, unless another method is specifically authorized by this Bylaw or another enactment.
- (3) Proposed deletions to a bylaw shall be noted by “strikeout” and all proposed additions or amendments shall be reflected in red print.

61 Defeated Bylaws

- (1) If a bylaw is defeated on third reading the previous readings shall be rescinded.

- (2) A bylaw shall be rescinded if the bylaw does not receive third reading within two years from the date of the first reading.

62 Effective Date

- (1) A bylaw is effective from the date of third reading unless the bylaw or any applicable statute provides for another effective date.

63 Bylaws Signed and Sealed

- (1) The Chair and the Chief Administrative Officer or designate shall sign and seal the bylaw as soon as reasonably possible after third reading.

64 Consolidation of Bylaws

- (1) The County Manager or designate is designated to consolidate one or more bylaws as deemed convenient and in doing so, must:
 - (a) incorporate all amendments to the bylaw into one bylaw; and
 - (b) omit a provision that has been repealed or that has expired.

PART EIGHT – CONDUCT IN MEETINGS

65 Public Conduct

- (1) The members of the public during a Meeting shall:
 - (a) not approach or speak to Council or Committee without permission of the Chair;
 - (b) not speak on any matter for longer than 10 minutes unless permitted by the Chair;
 - (c) maintain order and quiet; and
 - (d) not interrupt a speech or action of Council, Committee or another person addressing the Members.
- (2) The Chair may order a member of the public who creates a disturbance or acts improperly to be expelled from the Meeting.

66 Member Conduct

- (1) During a Meeting, Members shall not:
 - (a) speak disrespectfully, use offensive words, or un-parliamentary language;
 - (b) address Members without permission;

- (c) break the rules of Council or Committee or disturb the proceedings;
- (d) leave their seat or make any noise or disturbance while a vote is being taken or the result declared; or
- (e) disobey the decision of the Chair on any question or order, practice or interpretation.

67 Breach of Conduct

- (1) A Member who persists in a breach of subsection 66(1), the Chair may request that the Deputy Reeve or in the case of a Committee the Vice Chair, to move a Motion to remove the unruly Member from either the balance of the Meeting or until a time stated in the Motion.
- (2) If the Resolution passes, the Chair shall direct the Member to leave the Meeting.
- (3) Where the Chair has directed a Member to leave the Meeting and the Member makes a satisfactory explanation and apology, the Members may, by Resolution, allow the offending Member to remain in or return to the Meeting.

68 Challenge to the Ruling of the Chair

- (1) Any Member may challenge the decision of the Chair on a point of order or privilege and if the decision of the Chair is challenged, the Chair shall briefly state the reason for the Chair’s decision and then put the question to Council or Committee ‘Is the ruling of the Chair upheld?’.
- (2) Council or Committee shall decide the challenge without debate by voting and the decision of Council or Committee is final.

PART NINE – TRANSITIONAL

69 Bylaw C-6095-2005 is hereby repealed.

READ A FIRST TIME IN COUNCIL this	24th	day of	September, 2013.
READ A SECOND TIME IN COUNCIL this	24th	day of	September, 2013.
PERMISSION FOR THIRD READING this	24th	day of	September, 2013.
READ A THIRD TIME IN COUNCIL this	24th	day of	September, 2013.

“ROLLY ASHDOWN”

Reeve

“NONA HOUSENGA”

Municipal Clerk

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