

A BYLAW OF THE VILLAGE OF ANDREW
IN THE PROVINCE OF ALBERTA

BYLAW 2015-03

THIS BYLAW IS TO REGULATE MEETING PROCEDURES

WHEREAS, pursuant to the provisions contained in the *Municipal Government Act* (Alberta), it is deemed desirable to establish rules and provisions to regulate the conduct of business in meetings of the Council and Committees of Council to control and maintain order in meetings for the enactment of Village legislation and to provide for dealing with correspondence and other submissions to the Council and Committees thereof.

NOW THEREFORE the Council of the Village of Andrew, duly assembled, hereby enacts as follows:

1. This bylaw may be cited as the "Council Meeting Procedure Bylaw".

2. Definitions
 - 2.1 "Act" is the *Municipal Government Act*, as amended from time to time;
 - 2.2 "Agenda" is the list of items and orders of business for any meeting; (see APPENDIX "A")
 - 2.3 "Bylaw" is a bylaw of the Village of Andrew;
 - 2.4 "Chair" is the person presiding at meetings;
 - 2.5 "CAO" is the Chief Administrative Officer appointed by Council pursuant to the *Municipal Government Act*;
 - 2.6 "Council" are Councillors of the Village of Andrew being elected pursuant to the *Local Authorities Election Act*;
 - 2.7 "Deputy Mayor" is the member who is appointed pursuant to the *Municipal Government Act* to act as Mayor in the absence or incapacity of the Mayor;
 - 2.8 "Delegation" is any person or person(s) who wish to bring a matter before Council.
 - 2.9 "Mayor" is the chief elected official of the Village as defined in the *Municipal Government Act*;
 - 2.10 "Member" is a member of Council, or Committee thereof;
 - 2.11 "Public Hearing" is a pre-advertised hearing that Council is required to hold under the *Municipal Government Act* or other enactments or any other matter at the direction of Council and may be separate from the regular meeting of Council;



2.12 "Quorum" is:

2.12.1 for Council a majority of those members elected to Council; and

2.12.2 for Council committee's a majority of persons appointed to that committee.

2.13 "Recorded Vote" is a vote which, upon the request of any member prior to the vote on a motion, includes in the minutes of the meeting a record of the names of the members voting "in favour" of, and the members voting "opposed" to, a motion.

2.14 "Special Meeting" is a meeting called by the Mayor except for those regularly scheduled meetings as established as part of our organizational meeting.

2.15 "Table" is a motion to delay consideration of any matter to another time;

2.16 "Village" is the Village of Andrew;

2.17 "Unfinished Business" is a matter which was on the agenda at the same or previous meeting which was not completed. (see APPENDIX "C") Action List

3. Application

3.1 This bylaw shall govern all proceedings of Council and Committee thereof.

3.2 When any matter relating to the meeting proceedings is not addressed in this bylaw, reference shall be made to Robert's Rules of Order Newly Revised In Brief.

3.3 Any provisions of this bylaw may only be repealed, amended or varied and additions may be made by majority vote, provided that notice of proposed amendments has been given at a preceding regular meeting.

3.4 Notwithstanding the above, and in the absence of any statutory obligation, any provision of this bylaw may be waived by resolution of Council, provided two thirds of all members of Council vote in favor thereof, to deal with a matter under consideration.

3.5 In the absence or inability of the Mayor and Deputy Mayor to act, Council shall appoint, by majority vote any other member of Council as Acting Mayor.

4. Quorum

4.1 Council for the Village of Andrew consists of a Mayor and 4 Councillors, all residents of the Village, duly elected by the procedures defined in the Local Authorities Elections Act & MGA.

4.2 As soon as there is a quorum of members after the hour fixed for the meeting, the Chair will call the meeting to order.

- 4.3 Unless the quorum is present within fifteen (15) minutes after the time appointed for the meeting, the meeting shall stand adjourned until the next regular meeting date or until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting. The CAO shall record the names of the members present at the expiration of the fifteen (15) minute time limit and such record shall be appended to the minutes of the future meeting explaining why the original meeting did not occur as scheduled.
- 4.4 If at any time during the meeting a loss of quorum occurs, then the Chair must:
- 4.4.1 Call a temporary “recess” until quorum can be regained; or
- 4.4.2 Adjourn the meeting until the next regular date or until a special meeting is called.

5. Regular Council Meetings

- 5.1 The regular meetings of Council shall be established by resolution, at the annual organizational meeting.
- 5.2 The agenda shall be prepared by the CAO.
- 5.2.1 The agenda preparation, reviews, distribution and meeting follow-up (see APPENDIX “C”), and including preparation of meeting minutes will be coordinated through the office of the CAO. The deadline for the CAO to receive agenda items shall be four days prior to council meetings.
- 5.2.2 Each item added to the agenda shall have supporting documentation/reference material enclosed in the council agenda package, the enclosures shall be numbered, and the enclosures shall be referenced on the agenda.
- 5.2.3 Agenda and minutes shall be provided to council with a hard copy three days prior to council meetings and a digital copy two days prior to council meetings
- 5.2.4 Once the initial agenda is set by the CAO and the supporting documentation has been compiled this information shall be posted on the Village of Andrew Information Board and Website, unless it is an item which are subject to protection from public disclosure under the Freedom of Information and Protection of Privacy (FOIP) Act, Part 1, Division 2 outlined in section 5.9
- 5.3 Items initiated by a member will be submitted to the office of the CAO.
- 5.4 Items initiated by administration will be submitted to the office of the CAO.
- 5.5 Councillors may submit their written reports to the Recording Secretary during the Council Meeting and attached to the minutes.
- 5.6 Delegations are permitted at a Council Meeting.
- 5.6.1 Delegations must submit topic and material to the office of the CAO by 12:00 noon of the Wednesday by filling out the Delegation Request Form (see Appendix “B”), one week prior to the Village Council meeting.



5.7 Council must vote to adopt the agenda prior to transacting other business and may:

5.7.1 add new items to the agenda, if there are emergent items by majority vote;

5.7.2 delete any matter from the agenda by majority vote.

5.8 The minutes of each meeting must be circulated to each member of Council prior to the meeting at which they are to be adopted. Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate. If there are errors or omissions, Council must:

5.8.1 pass a resolution to amend the minutes; and

5.8.1.1 adopt the minutes as amended.

5.8.2 if there are no errors or omissions Council must adopt the minutes as presented.

5.9 Council may meet "In Camera" to discuss items which are subject to protection from public disclosure under the Freedom of Information and Protection of Privacy Act, Part 1, Division 2, Council may discuss in private information which meets the following criteria as described and defined in the FOIP act:

5.9.1 Information which if disclosed may be harmful to:

5.9.1.1 business interests of a third party

5.9.1.2 personal privacy

5.9.1.3 individual or public safety

5.9.1.4 law enforcement

5.9.1.5 intergovernmental relations

5.9.1.6 economic or other interests of a public body

5.9.2 Confidential evaluations

5.9.3 Advice from officials of the Village

5.9.4 Legally privileged information.

6. Special Meetings (in accordance with Section 194 of the *Municipal Government Act*)

6.1 The Mayor always calls special meetings.

6.2 Requests for special meetings from a majority of Councillors must be in writing and received by the Mayor and the Mayor must call the meeting in response to such a request pursuant to the *Municipal Government Act*;

6.3 Notification to the Public must be by posting on the Village Office Building Front Door.

6.3.1.1 All agenda items must be listed on the notice for a Special Meeting.

6.3.1.2 A notice for special meeting must be posted for the public as per the MGA.

7. Organizational Meeting

7.1 An organizational meeting of Council shall be held annually, pursuant to the *Municipal Government Act*. To meet the criteria defined within the MGA this

meeting would be held during the second regularly scheduled meeting of Council in October or the first regularly scheduled meeting following a general election.

8. Chair

- 8.1 The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any member from any ruling of the Chair.

9. Member Debating

- 9.1 A member wishing to speak on a matter during the meeting should indicate their intentions by raising their hand and being recognized by the Chair and should not speak more than once until every member has had the opportunity to speak except:
- 9.1.1 in the explanation of a material part of their speech which may have been misunderstood; or
- 9.1.2 in reply, to close debate, after everyone else wishing to speak has spoken, provided that the member presented the motion to the meeting.
- 9.2 Supplementary questions or a series of questions relating to the matter during the meeting may be raised by the member.
- 9.3 Through the Chair a member may ask:
- 9.3.1 for an explanation of any part of the previous speaker's remarks; and
- 9.3.2 questions to obtain information relating to the minutes presented to the meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.
- 9.4 All questions or debate must be directed through the Chair.

10. Prohibitions

- 10.1 A member shall not:
- 10.1.1 use offensive words or unparliamentarily language or personal attacks on fellow council members in the meeting;
- 10.1.2 disobey the rules of the meeting or the decision of the Chair;
- 10.1.3 use social media or media to advance their cause;



- 10.1.4 leave their seat or make any noise or disturbances while a vote is being taken and the result is declared;
- 10.1.5 enter the meeting room and take their seat while a vote is being taken;
- 10.1.6 interrupt a member while speaking;
- 10.1.7 pass between a member who is speaking and the Chair.

10.2 A member who persists in breach of the foregoing section, after having been called to order by the Chair, may at the discretion of the Chair, be ordered to leave their seat for the duration of the meeting.

10.3 At the discretion of the Chair, a member may resume their seat following an apology from the member

10.4 A member who wishes to leave the meeting prior to adjournment shall so advise the Chair and the time of departure shall be noted in the minutes.

11. Appeal Ruling

11.1 The decision of the chair shall be final subject to an immediate appeal by a member of the meeting.

11.2 If the decision is appealed, the Chair shall give concise reasons for his ruling and the members, after debate, shall decide the question "That the ruling of the chair be upheld."

11.3 A majority vote of those opposed to the motion is required to overturn the ruling of the chair.

12. Motions

12.1 When a motion is before a meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no member objects, the Chair may grant permission. However, if any objection is made, it is necessary to leave the motion as presented; withdraw the motion or amend the motion. Once a motion is withdrawn, the effect is the same as if it had never been made.

12.2 Any member may require the motion under discussion to be read at any time during the debate, except when a member is speaking.

12.3 The mover of a motion must be present when the vote on the motion is taken.



- 12.4 A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
- 12.5 Amendment:
- 12.5.1 Only one amendment at a time shall be presented to the main motion. When the amendment(s) has been disposed of, another may be introduced. Only one amendment to an amendment will be entertained against the main motion. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendments.
- 12.5.2 The amendment shall be voted upon. If any amendment is carried, the main motion shall continue to be debated or be put to the vote, unless a further amendment is proposed.
- 12.5.3 Nothing in this section shall prevent other proposed amendments being read for the information of the members.
- 12.6 When the motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any member, be taken separately.
- 12.7 Reconsideration:
- 12.7.1 After a motion has been voted upon, and before moving to the next item on the agenda, any member who voted with the prevailing side may move for reconsideration, and shall state reason therefore;
- 12.7.2 Reconsideration shall then be open to debate, voted upon and shall require the votes of a majority of the members present to pass;
- 12.7.3 If a motion of reconsideration is moved at a subsequent meeting, it shall be preceded by a Notice of Motion and shall require a majority vote for the members present to carry;
- 12.7.4 If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date. Debate on the matter to be reconsidered shall proceed as though it had not previously been voted on;
- 12.7.5 Debate on a motion for reconsideration must be confined to reasons for or against reconsideration;
- 12.7.6 A Notice for Reconsideration of any decided matter shall not operate to stop or delay action on the decided matter unless the Council, by a majority vote of the members present, shall so direct;
- 12.7.7 The results of a voted on motion that has been approved for reconsideration supersedes the results of the previous voted on motion.

12.8 Rescinding Motions

- 12.8.1 A motion to rescind a previous motion may be accepted by the Chair. If passed by a majority vote of the members present, the previous motion referred to would be declared null and void.

13. Notice of Motion

- 13.1 A Notice of Motion may be received by the CAO prior to the closing of the meeting. In this event, the member shall read the Notice of Motion which shall be recorded in the minutes and shall form part of the agenda for the subsequent meeting.
- 13.2 A member may present a Notice of Motion for consideration at the next meeting. This then becomes a Notice of Motion at the next regularly scheduled meeting.
- 13.3 A member, who hands a written Notice of Motion to the CAO to be read at any regular meeting, need not necessarily be present during the reading of the Notice.
- 13.4 A motion, on notice, if not moved on the day and at the meeting for which notice has been given, cannot be moved at any subsequent meeting without notice being given again in accordance with this section.

14. Motion without Notice

- 14.1 A motion may be presented without the notice required in Section 14 if a motion to dispense with such notice is first passed by a majority vote.

15. Voting-Question

- 15.1 When the Chair, having ascertained that no further information is required, commences to take a vote no member shall speak, or present another motion until the vote has been taken on such motion or amendment.

16. Requirement to Vote

- 16.1 Every member present shall vote by show of hand on every matter unless exempted by voting by reason of pecuniary interest. The CAO shall record in the minutes the name of each member exempted and the reason.

17. Results of Votes

- 17.1 A motion shall be declared “passed” when a majority of members present vote in favour of the motion.
- 17.2 A motion shall be declared “lost” when the majority of members present vote in opposition to the motion.
- 17.3 A motion shall be declared “lost” in the event of a “tie vote” when an equal number of members vote “in favour” and “in opposition” of the motion.

18. Recorded Votes

- 18.1 When a member requests a recorded the CAO shall record in the minutes the names of all members voting for and against the motion and the chair shall announce the results of the vote.

19. Adjournment Time

- 19.1 Council shall adjourn no later than 9:30 p.m. if in session at that hour unless, with the majority consent of the members, a resolution is passed to extend the meeting for a maximum of one (1) hour or to complete the debate of items before Council.
- 19.2 If the agenda is not complete when the meeting is adjourned, the remaining agenda items will be added to the next regularly scheduled meeting agenda and are the first items of business at the next meeting.

20. Delegations and Requests for Presentations

- 21.1 Any person wishing to address Council on any matter shall submit a Delegation request form (see **APPENDIX “B”** to the Village by Wednesday at noon, 6 business days prior to the meeting at which the person or group desires to be heard, stating the nature of the business to be discussed



- 21.2 For the purposes of Section 21, the CAO shall determine the appropriate council meeting date that a request for delegation may be listed.
- 21.3 Requests for delegations to make a presentation to Council regarding matters that have previously been made and addressed by Council will be determined by the CAO.
- 21.4 For the purpose of Section 21, if the delegation's previous presentation was made and has not had a response to a question posed to Council, the CAO shall include follow up to Council by way of (see APPENDIX "C" Action List)
- 21.5 Delegations granted permission by the CAO to address Council shall confine their remarks to the stated business (see APPENDEX "B")
- 21.6 Each delegation to Council shall be limited to speaking not more than ten minutes in total.
- 21.7 Despite Section 21, a motion passed by a majority of the Council Members present may extend the length of time allotted to a delegation.

21. Bylaws

- 21.1 Where a bylaw is presented to a meeting for enactment, the CAO shall cause the number and short title of the bylaw to appear on the agenda.
- 21.2 When a bylaw is not subject to a statutory public hearing:
 - 21.2.1 a bylaw shall be introduced for first reading by a motion that it be read the first time, specifying the number of the bylaw;
 - 21.2.2 after a motion for first reading of the bylaw has been presented, members may debate the substance of the bylaw and propose and consider amendments to the bylaw;
 - 21.2.3 any proposed amendments shall be put to a vote if required, and if carried shall be considered as having been incorporated in the bylaw at first reading;
 - 21.2.4 when all amendments have been accepted or rejected, a motion for second reading of the bylaw may be placed
 - 21.2.5 if a bylaw is to receive all three readings in one sitting, Council must make a motion to accept a third reading prior to the third reading.

22. Recording Devices

- 22.1 cellphones or other audio/video recording devices shall not be utilized at Council and Council Committee meetings; by Council members, administration, delegations, press or public is prohibited unless authorized by council resolution, with the exception of all public hearings which may be recorded by administration to assist in preparation of minutes, or to provide live video streaming as authorized by Council.
- 22.2 contravention of the bylaw # 2015-03 there shall be a \$1000.00 fine as set out in 22.1



SEVERABILITY

If any provision of this by-law is declared invalid because of any word, phrase, clause, sentence, paragraph or section of this by-law or any documents which form part of this bylaw or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby, but shall remain in force.

READ A **FIRST** TIME THIS _____ DAY OF _____, 20____ A.D.

Mayor

Chief Administrative Officer

READ A **SECOND** TIME THIS _____ DAY OF _____, 20____ A.D.

Mayor,

Chief Administrative Officer

READ A **THIRD** TIME THIS _____ DAY OF _____, 20____ A.D.

Mayor,

Chief Administrative Officer



APPENDIX "A"

AGENDA

**Village of Andrew
Regular Meeting of Council
Date - Time**

1. Call to Order
2. Adoption of the Agenda
3. Delegations
4. Business Arising from the Minutes
5. Minutes of (Previous Council Meeting)
6. Accounts Payable Cheques
7. New Business
8. Committee Reports
9. Correspondence Place in Councilor's Mailboxes
10. Councilors Comments/Questions
11. Adjournment

APPENDIX "B"



Delegation Request Form

Village of Andrew - Box 180, 5021-50 Street, Andrew, AB T0B 0C0
 Phone: 780.365.3687 Fax: 780.365.2061



Name of person or group requesting to appear: _____

Please Note: If a group is requesting to appear how many members (# _____) In order to accommodate the group Council will need to ensure capacity can be met.

Council Meeting Date Requested: _____

The Village of Andrew Council Meetings are generally held twice a month on 'Wednesday evenings' at 7:30 pm at the Village of Andrew Council Chambers. Council meetings are open to the public.

Purpose
Purpose of presentation
<input checked="" type="checkbox"/> (Check) Information only <input type="checkbox"/> Request action/support <input type="checkbox"/> Request funds <input type="checkbox"/>
Desired resolution
Activities to date relative to the matter:
Contact Information:
Contact Person:
Address:
Phone/ Cell:
Topic:
The topic of discussion is (be specific, provide details, and attach additional information, if required) Provide on, Wednesday by 12 noon - 6 work days prior to the regular scheduled meeting
Attached information provide: Yes <input type="checkbox"/> No <input type="checkbox"/> Date:

Appearing Before Council as a Delegation

1. Persons or organizations wishing to appear before council as a delegation he/she or group must _____ submit the 'Delegation Request Form to the CAO
2. All requests must be received to the Municipal CAO by noon on the Wednesday (6 work days) prior to the council meeting.
3. Delegations who miss the Wednesday deadline, and who wish to address Council can make their presentation at the next regular meeting of council. Ensure that the Delegation Request Form is filled out.
4. Include all pertinent background and related documents so that all necessary details may be considered. The information clarifies the purpose of the delegation for council.
5. You may pick up your Delegation Request Form at the Village Office and forward your request using any of the following methods:
 - a. Fax: 780 365-2061
 - b. Mail or hand deliver: Village of Andrew - Box 180, 5021 - 50 Street, Andrew, AB T0B 0C0
6. If you will be providing **supporting documentation**, such as a Photos or handouts, submit the documents no later than 12 noon on the Wednesday's Regular Council meeting if it is to be included in the agenda. All information will become part of the public record.
7. Delegations must be in attendance when their agenda item is called.
8. If your material (supporting photos or handouts) is not provided prior to regular council meeting, (see point 6) bring five (5) copies with you to the meeting. The CAO will distribute your material to Council Note: distributed documents become part of the public record.
9. Delegations are permitted 10 minutes for their presentation. Council may ask questions after the presentation.
10. Delegations are to present information to council. Council will not enter into debate with the delegations. All information will be considered by Council.
11. Do not expect an immediate answer. Council will receive the information and may refer your issue to administration for more information or to another meeting for further consideration.
12. Council usually hears from a maximum of three delegations per meeting. Delegations are scheduled on a first come - first serve basis.

Note: The Delegation Request form and related documents become part of the public record.

If you have any questions about the collection of this information, please contact the Village of Andrew CAO at: 780 365-2061

Tips for a successful presentation:

Address the Mayor as Mayor "use last name"

Respect and civility are to be maintained at all times. Should there be improper conduct the presiding chair will provide one verbal warning, subsequent notification shall result in dismissal due to improper conduct.

Time limit

Each speaker/delegations/presenter has 10 minutes to make his or her presentation. The 10 minute limit applies even if a speaker represents other people; however, Council may decide to extend the presentation time, depending on the circumstances.

If you are a registered speaker in attendance at a meeting, you must speak on your own behalf. You cannot give your time to another speaker or bring a representative to speak for you unless you have Council's approval.

Structure your presentation:

Introduce yourself and briefly describe your relationship to the issue. For example, you may be representing a group or you may live in or near an area where a problem is occurring within the Village of Andrew.

1. **State your topic.** If you are requesting action to address a certain issue, describe the issue and the action you wish Council to take. If you are requesting funding, state the amount and purpose of funding.
2. **Provide background information when appropriate.** For instance, you may want to talk about how long the issue has been going on or how you or your organization has been affected. For funding requests, please provide your budget information and other revenue you have or are pursuing.
3. **Set up for success.** You may have handouts to assist with your presentation. Please provide them to the Municipal CAO prior to the meeting. (12 noon on the Wednesday) to the Council Meeting) Please see: 'Delegation Request Form'

Topics that cannot be discussed with Council

While most matters can be discussed at a public meeting with Council, a few cannot. These include:

- Matters that must be kept confidential under the Freedom of Information and Protection of Privacy Act: for example, Personnel, and Legal



- Decisions of the Subdivision and Development Appeal Board or the Assessment Review Board

** If you are wondering whether your topic can be discussed, contact the Village of Andrew CAO. 780 365.3687

Written statements are welcome

If you have a written submission that you would like Council to read, administration will make copies and distribute to Council in advance of the meeting. You can provide it by mail or hand delivery. Regarding a Wednesday Council meeting for distribution to Council, please submission by noon on the Wednesday prior to the Council meeting. All written presentations will become a matter of public record.

How you will learn of Council decisions

At public meetings, Council may make a decision about each item immediately after the conclusion of the presentation. You are welcome to stay in Council Chambers to hear the decision.

Some items may be referred to the Village of Andrew administration or for further work or research and reviewed again by Council at a future meeting.

If this is the case, the Mayor will let you know the matter is being referred or tabled. Depending upon circumstances the outcome may be provided by the CAO via letter, phone call or you will be provided the date and time that your item will come back to Council.



APPENDIX "C"

ACTION LIST

Village of Andrew

MONTH	RESOLUTION	STATUS	DATE COMPLETED

This list is provided monthly to council to advise on those resolutions that action has been completed, in the process of completion and date of completion. By receiving the information, council does not have to wonder if action has been taken. This listing builds trust in the CAO/Council relationship that the work is completed as per council's instructions.