



Village of Andrew

Bylaw No. 2023-001

COUNCIL PROCEDURES

BEING A BYLAW OF THE VILLAGE OF ANDREW, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE PROCEDURE AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS

WHEREAS the Municipal Government Act, R.S.A.2000, chapter M-26, and amendments thereto, provides that a council may pass bylaws in relation to the procedure and conduct of council and committees established by Council, and may regulate the conduct of Councillors and members of committees established by council; and

WHEREAS the Council of the Village of Andrew considers it desirable for effective governance to regulate the procedure and conduct of Council, Councillors and others attending Council and Council Committee meetings in the Village of Andrew;

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

CITATION

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

DEFINITIONS

2. In this Bylaw
 - a. "Administrative Inquiry" means a request from Council, a Councillor or a member of a Committee of Council, or a resident of the municipality to the administration, for the future provision of information and report;
 - b. "Agenda" means the statement of the order of business to be discussed;
 - c. "Bylaw" means a bylaw of the Village of Andrew
 - d. "CAO" means the Chief Administrative Officer or their delegate, for the Village of Andrew.
 - e. "Committee" means any committee, board or task force created by bylaw or resolution of the Council in the Village of Andrew;
 - f. "Committee of the Whole" means a meeting that permits Council to function informally and with freedom of debate provided that any and all decisions are to be referred to a regular or special meeting of Council;
 - g. "Council" means an elected official of the Village of Andrew;
 - h. "Delegation" means a person that has the permission of Council to appear before Council, or before a committee of Council, to provide pertinent information and views about a subject before Council or committee of Council;

- i. "Member" means a Councillor, or a person at large appointed by Council to a committee of Council;
- j. "Meeting" means a meeting of Council or a committee of Council.
- k. "Point of Order" means a demand by a member that the presiding officer at a meeting enforce the rules of the procedure;
- l. "Point of Privilege" means a request made to the presiding officer of Council on any matter related to the rights and privileges of Council or individual Councillors and includes; the organization or existence of Council, the conduct of members, the conduct of employees or members of the public in attendance at the meeting;
- m. "Presiding Officer" means.
 - I. In the case of a Council meeting, the Mayor, or Deputy Mayor of the Village of Andrew; or
 - II. In the case of meeting of a committee of Council, the individual appointed as the chair of that committee.
- n. "Public" means any person who is a resident or business operator in the Village of Andrew.
- o. "Public Hearing" means a meeting of Council convened to hear matters pursuant to the *Municipal Government Act*, and any other Act, or any matter at the direction of Council;
- p. "Question Period" is the means by which a member or administration brings business before Council;
- q. "Request for Decision" is the means by a member or administration brings business before Council.
- r. "Electronic Communication" as defined in the *Municipal Government Act* RSA200 section 199. (1) (a) (b) (C) (2)
- s. "Closed Session" means any part of a meeting held in the absence of the public and held in accordance with the FOIP Act and MGA.
- t. "FOIP Act" means Alberta's Freedom of Information & Protection of Privacy Act, R.S.A. 2000, c. F-25 and any associated regulations, as amended or replaced from time to time.
- u. "MGA" means the Alberta Municipal Government Act, R.S.A. 2000, c. M-26 and any associated regulations, as amended or replaced from time to time.

APPLICABILITY

- 3. This bylaw applies to all the public, members and staff attending meetings of the Council and committees of the Council for the Village of Andrew.

MAYOR AND DEPUTY MAYOR

- 4. The position of Mayor and Deputy Mayor shall be one (1) year in duration and chosen during the annual Organizational Meeting of Council.

COUNCIL MEETINGS



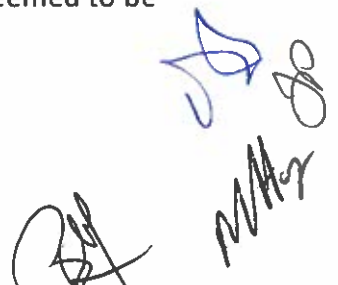
5. Regular meetings of Council shall be held at a location and on a day and time to present by resolution at a Council meeting, at which all the Councillors are present. When the meeting falls on a statutory holiday, the meeting shall be held on the following day which is not a statutory holiday, unless otherwise set by resolution of Council.
6. With all Council members participating by way of electronic communication, notice shall be posted in the Municipal Office, and on the Municipal website 24 hours prior to the meeting, indicating the way the meeting will be conducted.
7. Special meetings of Council shall be scheduled by Council in accordance with the provisions of the Municipal Government Act.

NOTICE AND COMMUNICATIONS TO COUNCIL

8. Any notification regarding a change to the date, time or location of a Council Meeting, Committee of the Whole Meeting, or the establishment of a special Council Meeting shall be deemed sufficient if it is provided with 24 hours' notice to:
 - 8.1 To a member by email; and
 - 8.2 To the public by posting a notice on the Village of Andrew website; and/or ii) newspaper advertisement.
 - 8.3 The CAO may, in consultation with the Members of Council, change the date, time or place of a regularly scheduled Council Meeting, Committee of the Whole Meeting, or special Council Meeting, and shall give at least 24 hours' notice of any change to all Members and to the public in accordance with this Section.

MEETING THROUGH ELECTRONIC COMMUNICATIONS

9. Council members may attend a Council meeting by means of electronic communication. Acceptable alternatives include using a telephone with conference call capabilities (speaker), ensuring that dialogue is available for both parties; using a personal computer; or other means as technology advances. Council may participate in the open session, but not a Closed Session. The use of devices in a closed meeting are to be shut down when "closed meeting" has been called and resumed when out of "closed meeting", due to FOIP.
10. A Council member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, unless otherwise approved by the Council.
11. A Council member shall be permitted to attend a meeting using electronic communication if the location is able to support its use, ensuring all Council members participating in the meeting are able to communicate effectively.
12. A Council member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period the connection via electronic communications remains active. In the event the connection via electronic



communication becomes inactive, the Council member will be deemed absent, and the time shall be recorded.

13. 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.
14. 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 by show of hands.

QUORUM

15. A majority of Councillors constitute a quorum for a Council meeting and for a meeting of the Committee of the Whole. If a quorum for a Council meeting and for a meeting of the Committee of the Whole. If a quorum is not present within fifteen (15) minutes after a fixed time for the meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
16. Meetings of Committees of Council require a quorum a minimum of 3 members in order to conduct a meeting. If a quorum is not present the members present shall make a record of their attendance and stand adjourned to the next meeting date.

CONDUCT OF COUNCIL MEETINGS

17. Each member or delegate shall address the Council through the presiding officer but shall not speak until recognized by the presiding officer.
18. When addressing Council, a member, delegate, or the public shall:
 - 18.1 Not address Council without permission.
 - 18.2 Remain orderly and quiet.
 - 18.3 Not carry on a private conversation.
Not shout, raise his/her voice, or use offensive, disrespectful, or unkind words referring to any member, or to any official or staff member of the Village or any member of the public.
 - 18.4 Not reflect on any vote of Council except when moving to rescind it and shall not reflect on the motives of the members who voted on the motion, or the mover of the motion.
 - 18.5 Not applaud or otherwise interrupt any speaker or action of the Members, or any other person addressing Council.
 - 18.6 Assume personal responsibility for any statement he/she quotes to Council or upon request of Council shall give the source of the information.
19. The presiding officer may rule any member out-of-order for failing to observe any of the restrictions in section 19.
20. A member called to order or ruled out-of-order shall immediately cease to speak, but may afterwards explain, and the Council, if appealed to, shall decide on the point of

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order without debate; if there is no appeal, the decision of the presiding officer shall be complied with.

21. The presiding officer may expel from the meeting any member, delegate, or person from the public, who disturbs the proceedings of the meeting.
22. The presiding officer may request an RCMP or Peace Officer to remove the person expelled if the person refuses to leave.
23. In all cases not provided for in this bylaw, the ``Revised Robert`s Rules of Order`` shall be followed and in such cases the decision of the presiding officer shall be final and accepted without debate.

24.1. In the event of conflict between the provisions of this bylaw and the ``Robert`s Rules of Order``, the provisions of this bylaw shall apply.

COUNCIL RESOLUTIONS

24. A resolution may be withdrawn at any time before voting, subject to no objection from any member.
25. The following resolutions are not debatable by Council.
 - a. Adjournment
 - b. Recess
 - c. Question of privilege
 - d. Point of order
 - e. Limit debate on the matter before members
 - f. Division of a question
 - g. Refer
 - h. Postpone the matter to a time certain
26. A motion to refer shall include.

26.1 The terms on which the matter is being referred.

26.2 The time when the matter is to be returned;

27. Whatever other explanation is necessary as to the purpose of the motion;

27.1 A motion to postpone any matter shall include.

27.2 The time at the present meeting or the date of a future meeting to which the matter is to be postponed, or

27.3 A provision that the matter is to be postponed indefinitely.

28. A member may move a motion to adjourn a meeting at any time, except when:

28.1 Another member has the floor,

28.2 A call for a vote has been made,

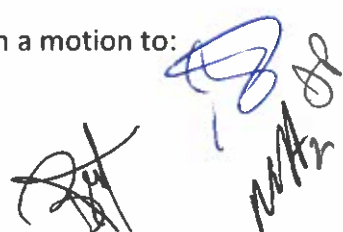
28.3 The members are voting,

28.4 The meeting is a Closed Meeting

28.5 A previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.

29. When a motion is under debate, no new motion shall be received other than a motion to:

29.1 Refer to some other party for consideration,



- 29.2 Withdraw the motion,
 - 29.3 Amend the motion,
 - 29.4 Postpone the motion, or
 - 29.5 Call to question.
- 30 When a member wishes to amend a motion prior to the question being called,
- 30.1 Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced,
 - 30.2 All amendments must be related to the motion 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 presiding officer shall rule on disputes arising from amendments.
 - 30.3 An amendment proposing a direct negative is out of order,
 - 30.4 A sub-amendment (amendment to an amendment) shall not enlarge the scope of the amendment, but should only deal with matters not covered by the amendment,
- 31 A motion to reconsider a motion shall.
- 31.1 Only be made at the same meeting as the original motion,
 - 31.2 Only be made by a councillor on the prevailing side of the issue involved,
 - 31.3 Not be reconsidered more than once at any meeting of Council,
 - 31.4 Be decided by a majority of council present, and
 - 31.5 Not be allowed on a motion of adjournment.
- 32 A motion to rescind a previous motion of Council shall:
- 32.1 Be offered at any time subsequent to the meeting at which the original motion was passed,
 - 32.1 Be made by any member,
 - 32.2 Be provided for by a request that is included as an item on the agenda and delivered to the members before the meeting at which is to be discussed.
- 33 Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member so requests or when the presiding officer so directs.
- 34 Whenever the presiding officer is of the opinion that a motion is contrary to the rules and privileges of Council, he shall inform the member thereof immediately, before putting the question, and shall cite his reasons applicable to the case without argument or comment.
- 35 A motion to proceed to a vote will not require a seconder.
- 36 If any member wishes to have a recorded vote, the request for the recorded vote must be made prior to the vote being taken.
- 37 A member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.



BYLAWS

- 38 A motion and subsequent vote of the first reading of a bylaw shall be decided without amendment or debate.
- 39.1. Debate the substance of the bylaw, and
 - 39.2. Propose and consider amendments to the bylaw.
- 39 A proposed amendment shall be put to a vote and if carried shall be considered as having been read a first time and incorporated into the bylaw.
- 40 When all amendments have been accepted or rejected, the motion for second reading of the bylaw as amended shall be put to the question.
- 41 Proposed bylaws may be referred to administration, committees, or special task forces at any time prior to third reading.

PUBLIC HEARINGS

- 42 At the commencement of a Public Hearing, the presiding officer shall, in the following order:
- 42.1 State the matter to be considered at the hearing.
 - 42.2 Inform those present of the procedure which shall be followed in the hearing the respective submissions,
- 43 Request that administration staff present a report on the issue at hand,
- 44 Allow the applicant and/or their representatives(s), up to 10 minutes to present their position, exclusive of the time required to answer questions put to the applicant by a member, unless granted at time extension by Council, and
- 45 Allow members to ask questions of administration staff and the applicant.
- 46 Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak for a period not exceeding five (5) minutes, exclusive of the time required to respond to questions put to the speaker by a member, and shall be called in the following order:
- 46.1 The presiding officer shall call on each person who is in favour of the proposal before Council;
 - 46.2 The presiding officer shall then call on each person who is opposed to the proposal before Council;
 - 46.3 The presiding officer shall then call on each person who is neither in favour nor opposed to the proposal before Council.
- 47 Members may ask questions of speakers in section 46 and 47 immediately after their presentation and prior to the next speaker.
- 48 Before closing the Public Hearing, that person may authorize an individual to speak on his/her behalf. The authorization must be in writing and:
- 48.1 Name the individual authorized to speak,
 - 48.2 Indicate the proposed bylaw to be spoken to, and
 - 48.3 Be signed by the person giving authorization.



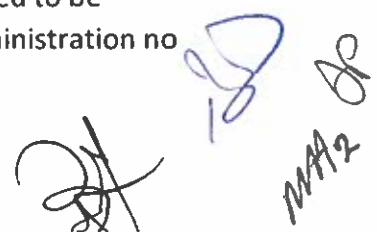
- 49 No person speaking in favour of or opposed to the proposal before Council shall speak for more than Three (3) minutes.
- 50 All speakers must state their full name to be written into public record prior to addressing Council.

DELEGATIONS

- 51 A person, group of persons, or representative of a group of persons, who wished to bring any matter to the attention of Council or wishes to bring to have any matter considered by Council, shall address a letter or other communication to the Council containing adequate information to enable Council to deal with the matter. Adequate information should be in printed form and not references to websites. These documents should be received by Administration 5 business days prior to appearing as a delegation to allow inclusion in agenda packages. Information is not limited to the following:
- 51.1 Name, address, and telephone number of the person wishing to make the presentation, in accordance with FOIP.
 - 51.2 A clear identification of the topic to be discussed,
 - 51.3 A clear identification of the request being made to Council,
 - 51.4 All background information necessary.
- 52 A request to attend a Council meeting or have a topic discussed at a Council meeting must be received by the Village of Andrew administration no later than 3:00 PM on a business day at least five (5) business days immediately preceding the meeting at which it is to be presented.
- 53 Delegations shall be granted a maximum of Three (3)-minutes to present the matter outlined in their letter. Where presiding officer determines that additional time shall be granted to the delegation, additional time shall be granted in the length specific by the presiding officer.
- 54 Council will entertain public questions addressed to the delegations(s) with a 15-minute deadline.
- 55 Council will not entertain submissions from the public on issues that are before the Subdivision, and Development Appeal Board, a statutory Public Hearing, or are within any other public consultation or communication process.
- 56 Council has the right to defer discussion or decisions on the matter presented by a delegation to allow time for further research.
- 57 With all research done

AGENDA AND ORDER OF BUSINESS

- 58 Prior to each meeting of Council, in consultation with the mayor, the preparation of the agenda along with all business to be brought before the Council at such meeting. To enable the CAO to do so, all documents and notice of delegation intended to be submitted to the Council shall be received by the Village of Andrew administration no later than 3:00PM five (5) days prior to the meeting.



- 59 Where the deadline in section 62, is not met, only time sensitive action items will be allowed to be added to the current agenda.
- 60 The CAO shall place at the disposal of each member of Council, a copy of the agenda and supporting material no later than 4:30 Pm three (3) days before the meeting, inclusive of the holidays. The agenda will be posted on the village website and at the Village of Andrew office.
- 61 Where the deadline in Section 64 is not met, the agenda and supporting materials shall be deemed to be acceptable when the agenda is adopted at the meeting.
- 62 The order of business at a meeting is the order of the items on the agenda except:
- 62.1 When the same subject matter appears in more than one place on the agenda and Council decides to deal with all items related to the matter at the same time.
 - 62.2 When Council votes unanimously to change the order of the items presented on the agenda, before accepting the agenda for that meeting to be amended.
- 63 Correspondence including emails seeking a response from Council on a topic or issues should be forwarded to all of Council and the CAO prior to any discussion at a Council meeting. Issues that can be handled by administration without requiring Council direction will be addressed by staff. Correspondence that is deemed to deal with personal or any FOIP related issues will be added to a Closed Meeting agenda for discussion. Correspondence requesting action or response from Council, not included in the above shall be included in the agenda package with the name of the author. The address, phone number(s), email addresses, and names if requested will be redacted from the agenda package that is published. According to FOIP guidance, letters written to Mayor or Council should have no expectation of privacy regardless of disclaimers at the end of letters.
- 64 Council shall receive a copy of the Summary YTD comparison of Budget to Actual by department.
- 65 The order of business on a regular Council Meeting Agenda shall include, but not be limited to the following:
- 65.1 Call to Order and Land Acknowledgement
 - 65.2 Consent Agenda
 - 65.3 Approval of Minutes
 - 65.4 Delegations
 - 65.5 Presentations
 - 65.6 Unfinished Business
 - 65.7 New Business
 - 65.8 Bylaws
 - 65.9 Points of Interest
 - 65.10 Councillor Inquiries
 - 65.11 Confidential Closed Session (included, when needed)



65.12 Adjournment

66 The order of business on a Committee of the Whole Meeting Agenda shall include, but not be limited to the following:

- 66.1 Call to Order and Land Acknowledgement
- 66.2 Approval of Minutes
- 66.3 Delegations
- 66.4 Items for Presentation
- 66.5 Confidential Closed Session (included, when needed)
- 66.6 Adjournment

COMMITTEE OF THE WHOLE

- 67 A committee is hereby established called the "" Committee of the Whole"" with membership comprised of all members of Council and the CAO.
- 68 Committee of the Whole meetings are open to the public and can receive delegations but there will be no question period or debate with the public.
- 69 Committee of the Whole meetings will occur on a date and at a time as agreed upon by all those members of the committee.
- 70 Council Committee of the Whole may not make motions or take votes and shall refer items to a Council meeting if decisions are required.

ADVISORY COMMITTEES AND BOARDS

- 71 Council may establish by bylaw or by resolution any advisory committee as deemed necessary, and any committees established by resolution prior to the passing of this bylaw that are still in existence are grandfathered in and remain extant despite their earlier creation by resolution.
- 72 Bylaws or resolutions adopted pursuant to Section 73 shall include the following terms of reference as a minimum:
 - 72.1 The purpose and mandate of the committee,
 - 72.2 The authority and responsibility of the committee
 - 72.3 The membership of the committee
 - 72.4 The term of office for the membership of the committee
- 73 All committees established pursuant to this bylaw must comply with all bylaws of the municipality, must have their members execute the Village of Andrew Code of Conduct, and must comply with the provisions of the Municipal Government Act.
- 74 Members of Council who are appointed to any committee established by Council have the responsibility of keeping Council informed of any activities of the committees they are appointed too.
- 75 The general duties of all committees of Council shall be as follows:
 - 75.1 To report to Council whenever so desired by Council, and as often as the interests of the Village require, on all matters



connected with the duties imposed on each such committee;
and to recommend such action by the Council as it deems
necessary within its term of reference,

75.2 To observe, unless otherwise specifically permitted, the rules
prescribed by the bylaws of Council,

75.3 The reports of all committees shall be made available to Council.

76. No report or recommendation to do with any matter or thing shall be recognized as
emanating from any committee unless it is in writing, dated, nor unless it bears the
name of the Chairperson or Acting Chairperson of the committee from which it has
been issued.

77. A committee may create any sub-committee it considers necessary and shall designate
the duties, powers, and responsibilities of each sub-committee for reporting on its
findings.

77.1 The same committee may terminate the existence of said sub-
committee created by it and the sub-committee shall cease to
exist on the submission of its final report.

78. The meetings of committees of Council shall be established by resolution of each
committee and the public shall be given notice as required by the provisions of the
Municipal Government Act.

79. All committee meetings shall be open to the public.

79.1 All committee meetings shall post the date, time, and location of
the meeting three (3) business days prior to the meeting date.

79.2 Committee meeting postings shall be posted in the same manor as
regular municipal council meetings, as required by the provisions
of the Municipal Government Act.

ADMINISTRATIVE INQUIRY

80 All questions or administrative inquiries should be directed through the office of
the Chief Administrative Officer.

81 All information regarding an administrative inquiry shall be distributed to all
members of Council for information, regardless of who submitted the inquiry.

82 No member shall have the power to direct or interfere with the performance of
any work for the Village. Nothing in the foregoing shall in any interfere or
restrict the right of a member to seek information from any officer or employee
of the Village through the office of the Chief Administrative Officer.

GENERAL





- 83 Meeting of Council could be audio recorded by Administration for the purpose of preparing official minutes of the meeting and shall be destroyed one year from the meeting date, with councils' approval.
- 84 Council meeting shall not be video, or audio recorded by member of the gallery without permission from the Council.
- 84.1 Request to video or audio record shall be presented to the Chief Administration Officer or Council in writing no less then 24 hours prior to the meeting.
- 84.2 No part of closed session shall allow video or audio recording.
- 84.3 No person shall disrupt the meeting with video or audio recording devices or equipment.
- 84.4 No person shall inhibit or distract the Council or members of the gallery, in-order to video or audio record the meeting.
- 84.5 If a person does inhibit or distract Council or a member of the gallery, the chair shall ask the individual to cease the action and or leave council chambers. If the individual refuses shall have the person or persons removed from chambers. As per the Municipal Government Act.

MINUTES

- 85 Administration attempts to have the UNADOPTED MINUTES sent to Council for review within 48 hours of the next council meeting. The public must note that these unadopted minutes in the agenda are subject to error correction at the time of adoption, and as such, should only be used for general information purposes. To verify the correct minutes, please be sure to use the final signed adopted Council Minutes. These are posted following the next available council meeting, where Council will review and make any necessary corrections prior to adopting the Minutes.
- 86 The Minutes posted on the Village of Andrew website archived without any attachments. Any attachments that you may wish to see might be in the Council Meeting Package for the meeting in question. If the attachment was not included in that agenda package, it may have severed in accordance with the FOIP ACT or submitted late. If this situation applies to the document that you are looking for, please contact the Village office to find out if the document is available for public viewing, as some documents do become available to the public following the Council meeting.

AMENDMENT

- 87 Any provision of this bylaw may be repealed, amended, or varied and additions made by a majority vote of Council.
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- 88 Notwithstanding Section 89 and in the absence of any statutory obligation, any provision of this bylaw may be waived by resolution from Council, provided a unanimous vote of all the members, to deal with a specific matter under consideration.

SEVERABILITY

- 89 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must be severed, and remainder of the bylaw is deemed valid.

RESCINDS

- 90 Bylaw 2015-03, Bylaw 2017-06, Bylaw 2017-07 section 34. And section 35., By-law 2020-02., and any other section or sub-section contained within any other bylaw(s) pertaining to the meeting and procedures or anything thereof is hereby rescinded.

EFFECT

This bylaw shall take effect upon the date of the third and final reading and passage thereof.

The first read on this day of _____th, 2023 in the Village of Andrew Alberta.

Mayor _____

CAO _____

The second reading on this day of _____th, 2023. In the village of Andrew Alberta.

Mayor _____

CAO _____

the councillors present unanimously agree to consider third reading.

Mayor _____

CAO _____

READ for all three readings this day of May 24th, 2023. In the Village of Andrew Alberta.

Mayor _____

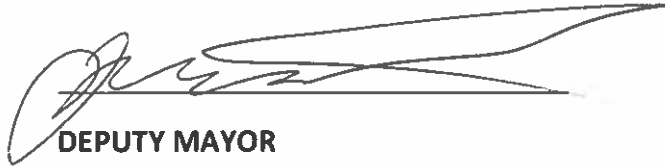
CAO _____




MAYOR



CHIEF ADMINISTRATIVE OFFICER



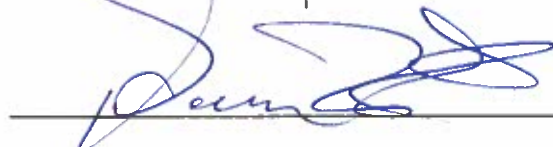
DEPUTY MAYOR



COUNCILOR BRAD GWERTZ



COUNCILOR



COUNCILOR