

BYLAW # 2025 – 009

Procedural Bylaw

A BYLAW OF THE VILLAGE OF ANDREW IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF COUNCIL

WHEREAS pursuant to the provisions of section 145 (b) of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, authorizes council to pass bylaws respecting the procedures and conduct of council and council members;

AND WHEREAS Council has deemed it necessary to regulate the procedures of meetings of Council and Committees established by Council;

THEREFORE, the Council of the Village of Andrew in the Province of Alberta, duly assembled, hereby enacts the following:

1. TITLE

- a) This Bylaw may be cited as the "Procedural Bylaw".

2. DEFINITIONS

- a) "Act" means the Municipal Government Act (MGA), RSA 2000 Chapter M-26, as amended.
- b) "Agenda" means the list and order of business items for any meeting of Council, or Committees.
- c) "CAO" means the Chief Administrative Officer.
- d) "Closed Session/Meeting" means a part of the meeting closed to the public at which no resolution or bylaw may be passed, except a resolution to revert to a meeting held in public.
- e) "Committee" means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this bylaw.
- f) "Committee of the Whole Meeting" means a meeting of all Members in which:
 - i. Business Decisions are not made;
 - ii. Procedural Decisions may be made;
 - iii. shall provide an opportunity for less formal, open and free-flowing dialogue, and
 - iv. shall be open to the public, unless held in Closed Session pursuant to provisions of the FOIP Act and MGA.
- g) "Council" means the Mayor and Councillors of the Village of Andrew.

- h) "Deputy Mayor" means the member of Council appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.
- i) "Electronic Communication" refers to attending Meetings via teleconference or video conferencing, which allows all Members to hear and/or see the Member attending via electronic means.
- j) "Mayor" means the member of Council duly elected as Mayor and continuing to hold office.
- k) "Member" means a member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council.
- l) "Notice of Motion" is the means by which a member of Council brings business before Council.
- m) "Presiding Officer" means the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor any other Member of Council chosen to preside at the meeting.
- n) "Public Hearing" means a meeting of Council convened to hear matters pursuant to the Act.
- o) "Question Period" is the means by which a member or administration brings business before Council.
- p) "Quorum" is the majority of all members, fifty percent plus one (50% +1), unless Council provides otherwise in this Bylaw, or the Act otherwise allows.
- q) "Request for Decision" is the means by a member or administration brings business before Council.
- r) "Special Meeting" means a meeting called by the Mayor pursuant to the Act.
- s) "Village" means the Corporation or the Village of Andrew.

3. APPLICATION

- a) This Bylaw shall govern the proceedings of all Council, Committee of the Whole, or other Council Committee Meetings, unless otherwise indicated by provisions which have been approved by Council.
- b) When any matter relating to the procedures for Council, Committee of the Whole, or other Council Committee Meetings is not answered by this Bylaw, the most

recent revision of *Robert's Rules of Order* shall apply.

4. INAUGURAL MEETING

- a) The first Council meeting immediately following a general municipal election shall be called the Inaugural Meeting.
- b) The CAO will set the date, time and location of the Inaugural Meeting.
- c) Each Member of Council shall take the prescribed Oath of Office as the first order of business at the Inaugural Meeting.
- d) The CAO shall Chair the Inaugural Meeting until the Mayor has taken the Oath of Office.

5. ORGANIZATIONAL MEETING

- a) Pursuant to Section 192 of the Act, Council must hold an Organizational Meeting annually not later than two (2) weeks after the third Monday in October.
- b) The business of the Organizational Meeting must include:
 - i. The schedule of the Regular Council Meetings.
 - ii. Committee Appointments
 - iii. Signing Authorities
 - iv. Any other business as is required by the MGA or Council.
- c) Council Member seating:
 - i. The Mayor will assign the seating all Members of Council.

6. MAYOR AND DEPUTY MAYOR

- a) The Mayor is elected at large as per Bylaw 2024-005.
- b) The position of Deputy Mayor shall be one (1) year in duration and chosen during the annual Organizational Meeting of Council. The Deputy Mayor is an authorized signatory on behalf of the Village.

7. MEETINGS OF COUNCIL

- a) Council Meetings (Regular, Special and Committee of the Whole) shall be held in the Village of Andrew Council Chambers, unless notice is given in accordance with the Act and this Bylaw that the Meeting will be held elsewhere in the community or by means of electronic communications in accordance with the

Act.

- b) Council meetings and Committee of the Whole Meetings will be open to the public.
- c) If a portion of the meeting is to be closed to the public, it will be scheduled as needed.

8. COMMITTEE OF THE WHOLE MEETING

- a) The membership of the Committee of the Whole shall consist of all Members of Council and any Village staff the CAO deems appropriate.
- b) The Mayor or the CAO may call a Committee of the Whole (COW) meeting at any time, providing at least 24 hours' notice to the Members and to the public.
- c) The function of the Committee of the Whole is to allow for discussions, in a more informal manner, of significant or complex items, including but not limited to, matters that may require a substantial amount of time to analyze and consider, in order to bring recommendations to Council for final consideration and decision.
- d) Subject to the Act, the Committee of the Whole Meeting may consider any matter that Council may consider.
- e) The Committee of the Whole may:
 - i. Receive Delegations and submissions;
 - ii. Meet with other municipalities and levels of government; and
 - iii. Provide instructions and direction to Senior Management.
- f) The Committee of the Whole may only pass the following Motions:
 - i. Adoption of the Agenda
 - ii. Adoption of the Minutes from the previous Meeting
 - iii. To Close the session
 - iv. To Open the session
- g) Meetings of the Committee of the Whole are open to the public.

9. NOTICE AND COMMUNICATIONS TO COUNCIL

- a) Any notification regarding a change to the date, time or location of a Council Meeting (Regular, Special) or the setting of a Committee of the Whole Meeting is deemed acceptable if provided with 24 hours' notice to:
 - i. To a member by email; and

- ii. To the public by posting a notice on the Village of Andrew website and or social media avenues or by a local newspaper advertisement.

10. MEETINGS THROUGH ELECTRONIC COMMUNICATIONS

- a) Members can attend Council meetings utilizing electronic communications, in accordance with the Act, and any related regulations.
- b) Council may use any method of two-way electronic communication available, including but not limited to telephone conference call platforms, video conferencing software or other media that provide full audio or audio and visual capabilities.
- c) Upon calling to order a Council meeting, any member attending virtually must confirm their identity by stating their full name and receiving acknowledgment by the Presiding Officer.
- d) 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 electronic communication connection becomes inactive for 10 minutes or is regularly disrupted, the Council member will be deemed absent.
- e) Public Hearings under Part 17 of the Act shall be conducted using electronic means to allow public participation electronically.

11. CLOSED SESSIONS

- a) Council has the authority to move into a closed meeting pursuant to Section 197 of the Act.
- b) Council is to ensure notification is given during any meeting to move into closed session.

12. QUORUM

- a) A majority of Councillors constitute a quorum.
- b) If quorum is not present within fifteen minutes after the time fixed for a meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- c) If a meeting is adjourned for failure to constitute a quorum, or for loss of quorum during a meeting, the agenda for that meeting shall be considered at the next regular meeting or at a special meeting called to complete the business.

14. AGENDA

- a) The CAO will prepare the agenda in consultation with the Mayor and or Deputy Mayor.
- b) All Agenda items and business to be addressed shall be received no later than 3:00 pm five (5) business days prior to the meeting.
- c) The agenda may include but not limited to the following categories:
 - Agenda Approval
 - Adoption of Meeting Minutes
 - Committee / Board Reports
 - Council Reports
 - CAO Updates and/or Staff Reports
 - Delegations
 - Old Business
 - Bylaws and Policies
 - New Business
 - Correspondence
 - Question Period
 - Closed Session
- d) The agenda will be circulated to Council at least three (3) business days prior to the meeting.

15. PUBLIC ENGAGEMENT WITH COUNCIL

15.1 Correspondence/Communications

- i. If a person, group or organization wishes to have a matter considered by Council, a letter or other communication shall be addressed to Mayor and Council and the letter or communication shall:
 - i. be printed - typewritten or legibly written;
 - ii. not be libelous, impertinent or improper;
 - iii. clearly define the matter/topic and the request made of Council;
 - iv. be signed by the writer and include the printed name and address of the writer;
 - v. be submitted to the CAO no later than five (5) working days prior to the day to which the Regular Council Meeting is to be held.
- ii. Upon receipt of a communication for Council, the CAO may:
 - i. include it as an item on the agenda for the next Regular Council Meeting;
or

- ii. refer the matter to a staff member for response prior to providing the communication letter to Council.

15.2 Question Period

- a) Village of Andrew residents wishing to ask a question of Council shall be permitted to speak during the fifteen (15) minute Question Period portion of the agenda
 - i. Questions asked during Council meeting will pertain only to the agenda item(s) for that specific Council meeting.
 - ii. The Mayor may not permit a question being addressed at the Regular Council Meeting regarding:
 - any matter that will be the subject of a bylaw requiring a public hearing, or for which a public hearing has already been held, or any bylaw that is scheduled for first reading;
 - the promotion of commercial products or services which have no connection to the business of Village; or
 - any matter that has been previously considered by Council which staff are working on, or staff have completed to Council's satisfaction.
- b) Councillors may ask questions for clarification which are relevant to the subject question.
- c) At no time shall the person asking the question, Council member, a delegation or Administration enter into a debate during the Question Period of the agenda.
- d) If an immediate answer is not available, the resident may be given a reply through the CAO or as Council may determine, as soon as possible.

15.3 Delegations, Presentations and Petitions

- a) A member of the public, group or organization may request, in writing, to appear as a delegation before Council and shall:
 - i. include information that will be presented to Council;
 - ii. make request to the CAO at least five (5) working days prior to the scheduled Regular Council Meeting;
 - iii. delegations shall be limited to a maximum number of two per scheduled meeting;
 - iv. the number of persons representing a group or organization making the presentation and/or addressing Council shall be limited to two, with any number of members in attendance at the meeting;

- v. presentation time will be limited to seven (7) minutes, exclusive of the time required to answer the questions put forward by Council, unless extended by a two-thirds (2/3) vote of Council;
- vi. delegations speaking to the subject will be restricted to the subject matter only;
- vii. when questioning delegations, members of Council will ask only questions of clarification which are relevant to the subject and will avoid repetition;
- viii. Council shall make any decisions, if required, regarding the issue raised by the Delegation at the next regular meeting following the presentation, unless there is unanimous support for a Council decision at the Regular Meeting at which the presentation was made, and the issue is discussed under New Business.

- b) All petitions must be filed with the CAO who will review and report to Council whether the petition is sufficient or insufficient in accordance with sections 219 to 226 of the Act.

16. CONTROL AND CONDUCT OF BUSINESS

- a) Presiding Officer shall:

- i. maintain order and preserve decorum and may, if necessary, call a member to Order;
- ii. determine which member has a right to speak;
- iii. ensure all members who wish to speak on a motion have spoken and that the members are ready to vote and shall call the vote;
- iv. rule when a motion is out of order;
- v. ensure persons in the gallery maintain quiet and order and may, if necessary, provide for the removal of those who do not comply including making a request to the RCMP;

- b) A member wishing to speak at a meeting shall address the Presiding Officer and must be recognized by the Presiding Officer before speaking.

- c) No member shall speak for longer than five consecutive minutes.

- d) Members shall be respectful and attentive, shall avoid distracting themselves and others, and shall not cause disruptions during a meeting.

- e) When a member is speaking at a meeting, that member shall:

- i. speak respectfully;
- ii. refrain from using any offensive or disrespectful language when speaking about any member, Administration, Council as a whole, or any other parties;

- iii. not shout or use a raised voice; and
 - iv. assume personal responsibility for any stated quote, and at the request of Council,
 - v. give the source of the information.
- f) No person in the public gallery during a meeting shall address council unless invited to do so by the Presiding Officer.
- g) No person shall use a video recording device during a meeting unless authorized to do so by this bylaw or by a unanimous vote of members present.
- h) No member shall engage in use of social media with their electronic device(s) during a meeting.
- i) When the presiding officer calls a member to order, the member shall immediately cease to speak. After the presiding officer has ruled, the member may explain their action that resulted in the call to order.
- j) A member may:
 - i. call a Point of Order at any time the member believes that a rule pertaining to the conduct of the meeting has been violated;
 - ii. call a Point of Information at any time the member requires more information about the rules of Council or parliamentary law; or
 - iii. call a Question of Privilege, at any time the member believes the comfort, dignity, safety or reputations of the organization or an individual is at stake;
 - iv. call a Point of Privilege at any time the member believes there is a matter related to the rights and privileges of Council or individual Councillors and includes the organization, the conduct of members, the conduct of employees or members of the public in attendance at the meeting.
- k) When any Point of Order, Point of Information, or Question or Point of Privilege arises, it shall be immediately taken into consideration and ruled upon by the Presiding Officer.
- l) Any decision of the Presiding Officer with respect to meeting conduct or procedure may be appealed through a motion decided by a majority of members present.

17. MOTIONS IN COUNCIL

- a) Council may only act by resolution or bylaw. Motions must be made in accordance with the Act and follow the general rules of the most current edition

of Roberts Rules of Order.

- b) Any Member may make a motion on any matter on the agenda.
- c) Following the introduction of a Motion, clarifying questions may be made by Members or CAO.
- d) The following resolutions are not debatable:
 - i. Adjournment
 - ii. Recess
 - iii. Questions of Privilege
 - iv. Point of Order
 - v. Limit debate
 - vi. Division of a question
 - vii. Postponement
 - viii. Appeal
 - ix. Suspend or waive the rules.
- e) When a motion has been made and is being considered, no Member may make another motion except to:
 - i. amend a motion;
 - ii. postpone consideration of a motion;
 - iii. refer a motion;
 - iv. table a motion; or
 - v. withdraw their motion.

18. NOTICES OF MOTION

- a) Any Council member may bring forward a Notice of Motion as an item on the agenda of a Regular Council meeting.
- b) A written copy of the Notice of Motion shall be submitted to the CAO 4 full days prior to the date of the Council Meeting.
- c) A Notice of Motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made.
- d) Council may on a two-thirds 2/3 vote waive the requirement for Notice contained in the Notice of Motion.

- e) A Notice of Motion is not debatable, however the member presenting the Notice may speak to the Notice for a period not to exceed five (5) minutes.
- f) A Notice of Motion cannot be made at a Special Meeting.
- g) If a Motion is not made at the meeting indicated on the Notice, it will appear on the agenda for, and may be made at any of, the next two Regular Meetings. After the third Regular Meeting, it will be removed from the agenda and may only be made by a new Notice of Motion.

19. BYLAWS

- a) The Presiding Officer shall include the number, short title and brief description of any bylaw that appears on a Council Agenda.
- b) A copy of the proposed Bylaw shall be included in full in the Agenda package for Council.
- c) Every Bylaw shall have three (3) readings. Only the Bylaw number and title need be read at each reading.
- d) A Bylaw shall be introduced for first reading by a Motion that the Bylaw be read for a first time.
- e) Council shall vote on the Motion for first reading without amendment or debate.
- f) After first reading, Council may:
 - i. debate the substance of the Bylaw; and
 - ii. propose and consider amendments to the Bylaw.
- g) A Bylaw shall be introduced for second reading by a Motion that it be read for a second time.
- h) After second reading, Council may:
 - i. debate the substance of the Bylaw; and
 - ii. propose and consider amendments to the Bylaw
- i) A Bylaw shall not be given more than two (2) readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for a third reading.

- j) When a Council unanimously agrees that a Bylaw may be presented for third reading:
 - i. Motion for third reading of the Bylaw shall be made; and
 - ii. Council shall vote on the Motion without amendment or debate
- k) A Bylaw shall be passed when a Majority of the Members voting on third reading vote in favour, provided that some other Provincial Statute or Bylaw does not require a greater Majority.
- l) Upon being passed, a Bylaw shall be signed by the Mayor and the CAO or designate. The corporate seal should be affixed to the signed Bylaw.
- m) Bylaws shall come into effect as soon as they are passed unless the Bylaw contains a deferred date for implementation.

20. PUBLIC HEARINGS

- a) All public hearings shall be conducted in accordance with section 230 of the MGA and Sections 10,15 and 20 of this bylaw.
- b) The order of business for a public hearing shall include:
 - i. presentation from Administration and/or the applicant and questions of clarification from Council;
 - ii. presentations from the public and questions of clarification from Council;
 - iii. acknowledgment of written submissions received by the CAO by 4:00 pm two business days prior to the day of the public hearing; and
 - iv. closing comments from Administration.
- c) No person shall address Council at a public hearing:
 - i. without the permission of the Presiding Officer; and
 - ii. more than once or for more than five minutes, exclusive of the time required to answer questions from Council.
- d) Notwithstanding section 20 b), the Presiding Officer retains the right to limit or extend public presentation in order to ensure the integrity of the public hearing.
- e) The minutes and submissions for a public hearing shall be prepared and retained in accordance with the Act.

21. REPEAL

- a) That Bylaw 2024-001 be repealed.

22. EFFECTIVE DATE

- a) This Bylaw shall come into effect upon third and final reading.

READ for a first time on the 15th of the month of July, 2025.

READ for a second time on the 15th of the month of July, 2025.

READ for a third time on the 15th of the month of July, 2025.



Mayor Barry Goetz

CAO, Kylie Rude