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A BYLAW OF THE TOWN OF MORINVILLE IN THE PROVINCE OF ALBERTA FOR THE REGULATION OF THE PROCEEDINGS OF COUNCIL AND THE COMMITTEES THEREOF

**WHEREAS**, pursuant to s. 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, Council may adopt bylaws in relation to the establishment and functions of Council committees and the procedure and conduct of Council and Council committees;

**AND WHEREAS**, pursuant to s. 203 of the *Municipal Government Act*, Council may by bylaw, delegate its powers, duties or functions to a Council committee, Chief Administrative Officer or designated officer unless any other enactment or bylaw, provides otherwise;

**AND WHEREAS**, the *Municipal Government Act* governs the duties and conduct of Council, Councillors, Council committees; municipal organization and Administration; public participation; and the powers of a municipality;

**NOW THEREFORE**, the Municipal Council of Morinville, Alberta duly assembled hereby enacts as follows:

**1.0 TITLE**

1.1 This Bylaw shall be cited as the "Procedure Bylaw".

**2.0 DEFINITIONS**

2.1 "Act" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;

2.2 "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting;

2.3 "amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;

2.4 "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of Morinville appointed pursuant to s. 205 of the *Act* or the designate of the Chief Administrative Officer;

2.5 "Committee of the Whole" means a committee comprised of all Councillors which conducts itself as a Committee of Council;

2.6 "Consent Agenda" means a single item on the agenda of a Council meeting in which the recommended action is to approve, without discussion, questions, or debate, the recommendations in each of the agenda reports referenced in the Consent Agenda listing;

2.7 "correspondence" means a letter received from a Delegate, municipal corporations, organizations and groups, or communication received from person(s) requesting the correspondence be forwarded to Council;

2.8 "Council" means Council of Morinville;

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- 2.9 “Council Committee” means a committee, board or other body established by a Council under the *Act*, but does not include an assessment review board established under s. 454 of the *Act* or a subdivision and development appeal board established under s. 627 of the *Act*;
- 2.10 “Councillor”; “Member of Council”; “Council Member” means any Member of Council including the Mayor;
- 2.11 “Closed Session” means a closed or private meeting as defined by s. 1(3) of the *Act*, and as allowed pursuant to s.197 of *the Act*, or part of a meeting at which only Councillors and other person(s) specified by Council may attend;
- 2.12 “Delegate” means any representative of a delegation, including but not limited to boards and committees, intergovernmental groups, or organizations required to report to Council through legislation or contractual obligations; who has sought and obtained permission to attend before Council to speak or make a presentation;
- 2.13 “FOIP Act” means *Freedom of Information and Protection of Privacy Act*;
- 2.14 “Law Enforcement” means law enforcement personnel, including Peace Officers authorized under the *Peace Officer Act*, or Police Officers and Royal Canadian Mounted Police (RCMP) appointed under the *Police Act*;
- 2.15 “Legislative Services” means the business unit appointed to take minutes at Council meetings and perform the Legislative Service duties under this Bylaw;
- 2.16 “Majority vote” means more than half of all votes cast are in favour of the motion;
- 2.17 “Morinville” or “Municipality” means the Municipal Corporation of Morinville;
- 2.18 “offensive” means any utterance or action that is obscene, indecent, insulting, hurtful, disgusting, morally repugnant, or breaches commonly accepted standards of decent and proper speech.
- 2.19 “point of information” means an inquiry as to facts affecting the business at hand – directed to the Mayor or, through the Mayor, to the CAO;
- 2.20 “point of order” means a demand by a member of Council that the Chair enforce the Procedure Bylaw or the Council Code of Conduct;
- 2.21 “point of privilege” means a request made to the Mayor by a Member of Council on any matter related to the rights and privileges of Councillors and includes:
- 2.21.1 the comfort of Councillors
  - 2.21.2 the conduct of Morinville employees or members of the public in attendance at the meeting;
  - 2.21.3 the accuracy of the reports of Council’s proceedings; and
  - 2.21.4 the reputation of Council and Councillors;

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- 2.22 “postpone” means to delay the consideration of any matter, either:
- 2.22.1 to later in the meeting;
  - 2.22.2 to a specified time and/or date;
  - 2.22.3 until the occurrence of an event; or
  - 2.22.4 indefinitely;
- 2.23 “Presiding Officer” means the member of Council who is chairing a meeting of Council in the absence of the Mayor and Deputy Mayor;
- 2.24 “public hearing” means a meeting or portion of a meeting that Council is required to hold under the *Act* or any other enactment;
- 2.25 “public meeting” means a meeting of Council or Committee of the Whole at which members of the public may attend and may be invited to make submissions to Council;
- 2.26 “Public Presenter” means an individual who has sought and obtained permission to attend before Council to speak or make a presentation;
- 2.27 “recess” means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- 2.28 “refer” means to send a pending motion or agenda item to a future meeting of Council, a Council Committee or the Administration for investigation and report;
- 2.29 "renew" means to bring forward to a later meeting a previously defeated motion;
- 2.30 "rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- 2.31 “special resolution” means a vote where at least two-thirds of all Council are in favour of the motion (e.g., if there are seven (7) elected Councillors the vote must be five (5) or greater for the motion to pass). A special resolution does not require all members to be present for the vote, nor does the required number in favor change if less than the full Council is present for the vote;
- 2.32 "Standing Committee" means a Council Committee that meets on a regular basis, in respect of which all members are Council members;
- 2.33 “subsequent motion” means a motion that is made immediately after a motion has been disposed of by Council. Council will allow a subsequent motion, providing it pertains directly to the subject of the motion that has just been disposed of;
- 2.34 "table" means to set a matter aside until a majority of Council present decides to address the item again by means of a motion to lift from the table; and
- 2.35 "two-thirds vote" means a vote where two-thirds or more of all votes cast are in favour of the motion.

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**3.0 APPLICATION AND INTERPRETATION**

- 3.1 This Bylaw shall apply to all meetings of Council, Committee of the Whole, and Council Committees as identified.
- 3.2 The precedence of the rules governing the procedures of Council, in descending level of authority, is:
  - 3.2.1 The *Act*;
  - 3.2.2 Other provincial legislation;
  - 3.2.3 This Bylaw
  - 3.2.4 Council Code of Conduct Bylaw; and
  - 3.2.5 Current edition of *Robert's Rules of Order Newly Revised*

**ORGANIZATION OF COUNCIL & COMMITTEE**

**4.0 INAUGURAL MEETING**

- 4.1 The organizational meeting immediately following a general municipal election shall be called the Inaugural Meeting, and the Chief Administrative Officer shall preside over the meeting until the Mayor has taken the oath of office.
- 4.2 The Inaugural Meeting will be held not later than two weeks after the third Monday in October pursuant to s. 192(1) of the *Act*.
- 4.3 At the Inaugural Meeting, Council shall, in addition to the items listed under 5.2, perform the following:
  - 4.3.1 Take the oath of office as the first order of business.
  - 4.3.2 By resolution, set the schedule for Deputy Mayor rotation for the term of office and appoint a Deputy Mayor.
  - 4.3.3 Confirm with all Council the orientation training that will be made available to them, pursuant to s. 201.1 of the *Act*. All individuals filing nomination papers will be advised by Legislative Services of the dates of the orientation training by Nomination Day as defined by the *Local Authorities Election Act*.
- 4.4 Members of Council hold office from the beginning of the Inaugural Meeting following the general election to immediately before the beginning of the Inaugural Meeting following the next general election in accordance with the *Local Authorities Election Act*.

**5.0 ORGANIZATIONAL MEETINGS**

- 5.1 Council shall hold an Organizational Meeting each year not later than two weeks after the third Monday in October pursuant to s. 192(1) of the *Act*.
- 5.2 At the annual Organizational Meeting, Council shall establish, by resolution, for the forthcoming year:
  - 5.2.1 Council appointments to Standing Committees of Council;
  - 5.2.2 Annual commitment to the Council Code of Conduct Bylaw;
  - 5.2.3 The Council Meeting Calendar;

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- 5.2.4 Appointments to Member-at-Large Committees; and
- 5.2.5 Other related business as required by the *Act*.

5.3 Appointments of Councillors to Council boards and committees shall be for a term of one year unless otherwise specified and reviewed at the Organizational Meeting.

## **6.0 QUORUM**

6.1 A quorum of Council is a majority of Councillors that comprise the Council, pursuant to s. 167 of the *Act*.

6.2 If a quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, Legislative Services will document the names of those who are present, and the meeting will be adjourned.

6.3 If at any time during a meeting a quorum is lost, the meeting shall be recessed and if a quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

6.4 The agenda delivered for a meeting in which a quorum was not met or was lost shall be considered at the next Regular Council Meeting prior to the consideration of the agenda for the subsequent Regular Council Meeting, or it shall be the agenda for a Special Meeting called for that purpose and pursuant to s. 194 of the *Act*. Meeting minutes shall reflect that the meeting was called to order and adjourned due to lack of a quorum.

6.5 Once there is a quorum of Council after the scheduled start time of the meeting, the Chair may call the meeting to order. In the case where neither the Mayor nor Deputy Mayor are in attendance at the scheduled start time of a meeting, and a quorum is present, the Presiding Officer shall be the previous Deputy Mayor to preside over the meeting. If there is no previous Deputy Mayor available, Council shall select one member from those present to preside.

6.6 In order to ensure that a quorum is not lost, the Chair may recess the meeting briefly if a Councillor wishes to leave the meeting but intends to return.

## **DUTIES OF OFFICIALS**

### **7.0 DUTIES OF THE MAYOR**

7.1 The Mayor shall, when present:

- 7.1.1 Open all Council meetings;
- 7.1.2 Chair all Council meetings;
- 7.1.3 Preserve order and decorum in all Council meetings;
- 7.1.4 Ensure Council meetings focus on the agenda, including setting time limits on speakers, if necessary;
- 7.1.5 Rule on all questions of procedure;
- 7.1.6 Ensure that each Member of Council who wishes to speak on a debatable motion is granted the opportunity to do so;
- 7.1.7 Determine the speaking order when two or more Members of Council or others wish to speak; and

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7.1.8 Decide who, aside from Members of Council, may address Council.

7.2 The Mayor is an ex officio member, by virtue of office, of all Council committees, unless a bylaw establishing a committee expressly states that the Mayor is not an ex officio member of that committee.

7.2.1 If the Mayor is present at a committee meeting by virtue of office, the Mayor has all the rights and privileges of the other committee members, including the right to make motions and vote.

**8.0 DUTIES OF THE DEPUTY MAYOR**

8.1 A Council must appoint one or more Councillors as Deputy Mayor so that:

8.1.1 Only one Councillor will hold that office at any one time, and

8.1.2 The office will be filled at all times.

8.2 The Deputy Mayor will act for the Mayor when necessary, pursuant to s. 152(2) of the *Act*, including fulfilling duties under s. 7.1 of this Bylaw.

8.3 The Deputy Mayor shall be the Chair of Committee of the Whole.

**9.0 ORDER IN COUNCIL CHAMBERS – THE PUBLIC**

9.1 Members of the public shall be restricted to public seating areas.

9.2 No person or groups of persons present in Council chambers shall cause any disturbance, interrupt any speaker, or interfere with the action of Council.

9.2.1 No offensive language or gestures are allowed at any time in Council meetings, including clothing, signs, or banners of any kind.

9.3 The Chair may call to order any person(s) who has created a disturbance and may expel any person(s) from Council chambers. Administration may power off microphones used by any person(s) called to order.

9.4 Any person(s) who refuses to leave Council chambers upon the order of the Chair may be removed by Law Enforcement. The Chair may recess the meeting until the expelled person(s) have left Council chambers.

**10.0 ORDER IN COUNCIL CHAMBERS - COUNCIL**

10.1 The Chair may call to order any Councillor who is out of order.

10.2 A Councillor who is called to order must cease talking or otherwise engaging in the activity specified by the Chair in the call to order.

10.3 When a Councillor has been called to order but persists in breaching the order of Council, the Chair may name the Councillor and declare the offence.

10.4 Legislative Services shall note the offence in the minutes.

10.5 If a Councillor who has been named:

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10.5.1 Apologizes to Council and withdraws the offensive statement or action, then:

10.5.1.1 That Councillor may remain and continue to participate in the meeting; and

10.5.1.2 The Chair may direct that the notation of the offence be removed from the minutes; or

10.5.2 Fails or refuses to apologize and withdraw the offensive statement or action, then the Chair may impose any appropriate penalty provided for under the Council Code of Conduct Bylaw.

10.6 A Councillor who is called to order or named may immediately thereafter challenge the ruling of the Chair and state the terms of the challenge.

10.7 When there is a challenge to the ruling of the Chair, all further debate shall cease until the challenge has been dealt with by Council.

10.8 A challenge of the Chair's ruling shall follow those procedures outlined in s. 12.0 of this Bylaw.

**11.0 CALLING A DELEGATE OR PUBLIC PRESENTER TO ORDER**

11.1 When the Chair calls a Delegate or any Public Presenter to order, the person(s) speaking shall be seated and remain seated. After the Chair has ruled, the person(s) may explain the action resulting in the call to order. If the person(s) makes a satisfactory explanation and apology, the Chair may allow the person(s) to remain.

11.2 Should the Chair direct the person(s) to leave the meeting and vacate Council chambers, the person(s) shall do so immediately. If the person(s) does not voluntarily leave, s. 9.4 of this Bylaw will be enacted.

**12.0 CHALLENGE TO THE RULING OF THE MAYOR**

12.1 When a Member of Council wishes to challenge the ruling of the Mayor, the motion, "That the decision of the Mayor be upheld," shall be made, and the question shall be put to a vote immediately without amendment or debate by decision of Council. A vote in favour of the motion is a vote to uphold the ruling of the Mayor.

**13.0 PERSONS WISHING TO ADDRESS COUNCIL - DELEGATE & PUBLIC PRESENTERS**

13.1 If a person or group of persons wishes to address Council as a Delegate or a Public Presenter, they must complete the Delegation/Public Presentation Request form on the Municipal website and either email or deliver it to Legislative Services. The document must be delivered no later than 4:00 p.m. two weeks prior to the meeting date. Legislative Services shall forward the request to the Mayor and Chief Administrative Officer for consideration.

13.1.1 The Delegation/Public Presentation Request form must clearly identify the topic to be discussed and the request being made to Council.

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- 13.2 The Mayor and Chief Administrative Officer may recommend the matter be heard by Council, by a Council Committee or refer the matter to Administration for a response. Legislative Services will provide the decision in writing.
- 13.3 If it is recommended that Council hear the matter, Legislative Services will contact the person(s) and provide a time in which they can speak. Confirmation will be sent outlining the time and date of the presentation. The person(s) addressing Council shall provide a copy of their presentation materials to Legislative Services no later than 4:00 p.m. one week prior to the meeting date.
- 13.4 If the request to speak is received after the time required in s. 13.1 of this Bylaw, the Chief Administrative Officer may:
- 13.4.1 Refer the matter to a Committee; or
  - 13.4.2 Recommend that Council hear from the person(s); or
  - 13.4.3 Offer to include the person(s) on the agenda of a future Council meeting;  
or
  - 13.4.4 Refuse to hear from the person(s) and refer the matter to the Administration for reply.
- 13.5 No Delegate shall address Council for more than 15 minutes, and no Public Presenter shall address Council for more than 5 minutes, exclusive of the time required to answer questions, unless and to the extent allowed by a motion approved by Council.
- 13.6 Delegates and Public Presenters addressing Council or Council Committees shall limit their comments to the matter identified in the Delegation/Public Presenter Request Form; otherwise, the Chair may call the person(s) to order pursuant to Bylaw s. 11.0.
- 13.7 ***Notwithstanding Bylaw s. 13.1 and 13.2:***
- 13.7.1 The provisions of this section do not apply to public hearings pursuant to *the Act*;
  - 13.7.2 Council may allow the public to sign up for a verbal presentation at a Council meeting to address a matter that is on the agenda and limit the person(s) to 5 minutes to address Council, exclusive of the time required to answer questions, unless and to the extent allowed by a motion approved by Council;
  - 13.7.3 Person(s) addressing Council or Council Committees shall limit their comments to the matter contained in the report and the recommendations being discussed; otherwise, the Chair may call the person(s) to order pursuant to Bylaw s. 11.0.
- 13.8 Matters raised during a Delegation, Public Presentations, or verbal presentations pursuant to Bylaw s. 13.6, shall not be debated unless unanimously agreed to by Council.
- 13.8.1 Matters unanimously agreed to by Council for debate shall be added as the last item under the Business header of the agenda.



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13.9 The Chair may direct a matter raised by a Delegate or person(s) at a Council meeting to a Council Committee for action or refer to a future meeting of Council.

13.10 A Council Committee must hear a Delegate or person(s) referred to it by Council.

**14.0 RULES GOVERNING DEBATE**

14.1 A motion must be made by a Councillor before Council can debate an item before Council.

14.2 All discussion at a meeting of Council shall be directed through the Chair.

14.3 Unless otherwise provided by resolution, a Councillor may speak only:

14.3.1 Once in debate on any motion; and

14.3.2 Once in debate on any amendment to a motion.

14.4 Notwithstanding Bylaw s. 14.2:

14.4.1 A Councillor may ask questions of the Administration or other Councillors on any motion or amendment to a motion;

14.4.2 A Councillor may speak to answer questions put by other Councillors; and

14.4.3 A Councillor who has made a motion may speak a second time to close the debate.

14.5 The Mayor may participate in debate on any matter before Council without relinquishing the Chair.

14.6 The Mayor may make a motion on any matter on the agenda, but before doing so, the Mayor must relinquish the Chair to the Deputy Mayor or Presiding Officer in the absence of Deputy Mayor, until the vote on the motion has been taken.

14.7 When a Member of Council wishes to leave the Council chambers while a meeting of Council is in progress:

14.7.1 The Member of Council shall await the formal acknowledgement of the Chair before leaving; and

14.7.2 The time of the departure and return, if any, of a Member of Council, shall be recorded in the minutes.

14.8 No Councillor shall leave the Council meeting after a question is put to a vote until the vote is taken unless the *Act* requires or permits them to abstain from voting.

14.9 A Member of Council who is speaking may be interrupted by the Chair if:

14.9.1 The Council Member speaking is out of order;

14.9.2 The matter being addressed by the Council Member speaking is outside the jurisdiction of Council;

14.9.3 The matter the Council Member is addressing should be addressed only in a Closed Session; or

14.9.4 The Council Member is in breach of the Council Code of Conduct Bylaw.

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- 14.10 If a Member of Council has been interrupted once by the Chair pursuant Bylaw s. 14.8, and a second interruption is necessary, the Chair may set a time limit on that Councillor's further comments.
- 14.11 A Member of Council who is speaking may only be interrupted by another Councillor on:
- 14.11.1 A breach of the Council Code of Conduct Bylaw;
  - 14.11.2 A point of information;
  - 14.11.3 A point of privilege; or
  - 14.11.4 A point of order.
- 14.12 The Member of Council who is interrupted pursuant to Bylaw s. 14.8, 14.9 or 14.10 shall cease speaking immediately.
- 14.13 When a Councillor is interrupted pursuant to 14.8 or 14.10, the Chair may grant permission:
- 14.13.1 To the Councillor raising the breach or point to explain the breach or point briefly; and
  - 14.13.2 To the Councillor who was speaking to respond briefly; but otherwise, a breach of the Council Code of Conduct Bylaw, point of order, point of information, or privilege is not debatable or amendable.
- 14.14 The Chair must rule on a point of information, point of order, or point of privilege raised pursuant to Bylaw s. 14.8 or 14.10, and no vote will be taken unless there is a challenge by a Member of Council to the ruling.
- 14.15 The Chair, in consultation with Legislative Services and the Chief Administrative Officer, must rule on an informal breach of the Code of Conduct. A formal breach of the Code of Conduct must be referred to the Chief Administrative Officer Recruitment and Evaluation Committee.
- 14.16 The Chair may seek advice from the Chief Administrative Officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the Council.

## MEETINGS OF COUNCIL & COMMITTEE

### 15.0 REGULAR MEETINGS

- 15.1 Subject to s. 193(3) of the *Act*, all Regular Council Meetings shall be held in Council chambers unless otherwise provided for in a Council resolution.
- 15.2 Subject to s. 193(3) of the *Act*, the dates of Regular Council Meetings shall be established by resolution at the annual Organizational Meeting or at a Regular Meeting of Council following the Organizational Meeting, in accordance with the *Act*.
- 15.3 Subject to s. 193(3) of the *Act*, every Regular Council Meeting, the public portion shall commence at 4:00 p.m. and close no later than 8:00 p.m., unless otherwise provided for in a Council resolution.

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- 15.4 Subject to s. 193(3) of the *Act*, Council may change the date, time, or place of Regular Council Meetings, the Municipality must give at least twenty-four (24) hours' notice of the change to any Councillor not present at the meeting the resolution passed and to the public.
- 15.5 If a Regular Council Meeting is still ongoing at 7:30 p.m. and there are three (3) or more items to be dealt with, the Chief Administrative Officer will check off the priority items, and the balance of the items are to be tabled to the following meeting. Should there be several priority items, a Special Meeting of Council may be called, pursuant to s.194 of the *Act*.
- 15.6 A notice shall be posted in Council chambers advising meetings are recorded.
- 15.7 In the year of a General Election, no Regular Council Meetings shall be held between nomination day, under the *Local Authorities Election Act* and the inaugural meeting following the General Election.
- 16.0 SPECIAL MEETINGS**
- 16.1 The Mayor or majority of Council may direct that a Special Council Meeting be held in accordance with s. 194 of the *Act*.
- 16.2 If a matter is not specified in the notice of a Special Council Meeting, it may not be dealt with unless all Members of Council are present and a special resolution is passed by Council to deal with the matter.
- 17.0 CLOSED SESSION MEETINGS – COUNCILLORS TO PARTICIPATE IN CLOSED SESSION VIA TELECONFERENCE**
- 17.1 No item shall be considered in Closed Session unless the matter meets one of the requirements in Division 2 Part 1 of the *FOIP Act*, or when provisions of the regulations passed pursuant to s. 197 of the *Act* apply.
- 17.2 Before Council proceeds into a Closed Session, it will pass a resolution in accordance with s. 197 of the *Act*.
- 17.3 A meeting held in Closed Session subject to the *Act* and the *FOIP Act* may exclude the Administration, but not the Chief Administrative Officer, unless authorized by a special resolution. Councillors may only be excluded as allowed by the provisions of the Council Code of Conduct Bylaw.
- 17.4 The items on the Closed Session agenda must be approved by the Mayor in consultation with the Chief Administrative Officer in accordance with the provisions of the *Act*.
- 17.5 Pursuant to s. 153 of the *Act* and the *FOIP Act*, all Members of Council, Administration and invited guests are required to keep in confidence matters discussed in Closed Session until the item is discussed at a meeting held in public and not to share information with Members of Council not in attendance.
- 17.6 When a Member of Council attends a Closed Session via electronic attendance, they will be required to confirm that they have attended the Closed Session

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alone in keeping with the requirements set out in the *Act* and their duly executed Council Code of Conduct.

- 17.7 While meeting in Closed Session, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a Regular Council Meeting held in public.

**18.0 COMMITTEE OF THE WHOLE**

- 18.1 There shall be a Committee of the Whole comprising all Councillors.

- 18.2 Every regular Committee of the Whole meeting shall be a standing item on the Council agenda in all Regular Council Meetings.

- 18.3 By majority vote, Council may schedule additional Committee of the Whole meetings or may resolve itself into Committee of the Whole.

- 18.4 At the first regular Committee of the Whole each month, the following items will be on the agenda:

18.4.1 The Chief Administrative Officer shall provide a written CAO Update Reports delivered to Legislative Services no later than 4:00 p.m. one week prior to the meeting date.

18.4.2 Verbal CAO Updates are to be summarized and appended to the meeting minutes, exclusively for emergent items or others justified in nature.

18.4.3 Members of Council shall provide a written Council Board / Committee / Commission Reports delivered to Legislative Services no later than 4:00 p.m. one week prior to the meeting date.

18.4.4 Legislative Services shall provide Action Tracking List.

- 18.5 Subject to the *Act*, Committee of the Whole may consider any matter that Council may consider, including but not limited to detailed consideration of the following matters:

18.5.1 The budget;

18.5.2 The audit;

18.5.3 Transportation issues;

18.5.4 Development issues;

18.5.5 Strategic planning;

18.5.6 Legislative reform;

18.5.7 Policing matters; and

18.5.8 Policy formulation.

- 18.6 Committee of the Whole may:

18.6.1 Receive delegations and submissions;

18.6.2 Receive Requests for Information and Requests for Direction

18.6.3 Refer items to Council for consideration, including Request for Decisions, expenditure of funds, or use of significant administrative resources;

18.6.4 Refer items to Committees of Council;

18.6.5 To accept the meeting agenda;

18.6.6 To comply with Closed Session items.

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- 18.7 In addition to the restrictions pursuant to s. 203(2) of the *Act*, the Committee of the Whole shall not hold public hearings.
- 18.8 The Mayor may call for a meeting of the Committee of the Whole at any time. Legislative Services must give twenty-four (24) hours' notice to all Council members and the public. A Committee of the Whole meeting may be held with less than twenty-four (24) hours' notice if every member of Council agrees in writing to waive this notice.
- 18.9 Any Councillor may move that Council move into Committee of the Whole to consider any matter either at the current Council meeting or at another date. Instructions to the Committee of the Whole may be included in this motion.
- 18.10 A motion to move into Committee of the Whole may be debated only regarding the desirability of committing the main motion but not on the main motion itself.
- 18.11 A quorum of Committee of the Whole will be a quorum of Council, as defined by s. 167 of the *Act*.
- 18.12 In the Committee of the Whole, the procedures of Council shall be relaxed as follows:
- 18.12.1 A Councillor may speak even though there is no motion on the floor, but if there is a motion on the floor, a Councillor shall only address that motion;
- 18.12.2 A Councillor may speak more than once, provided that each Councillor who wishes to speak to the matter has already been permitted to do so.
- 18.13 Committee of the Whole may be moved into Closed Session, pursuant to the *Act* and the *FOIP Act*.
- 18.14 When Council moves into Committee of the Whole within a Council meeting with the intention of returning to Council for a decision at the same meeting, Committee of the Whole is not required to vote on a recommendation to Council.
- 18.15 When Council moves into Committee of the Whole to consider a matter delegated to it by Council, Councillors are required to vote on a recommendation to Council.
- 18.16 When Chairing the Committee of the Whole, the Deputy Mayor or Presiding Officer assumes the duties of the Mayor as prescribed in s. 7.1 and 10.0 of this Bylaw.
- 19.0 ELECTRONIC ATTENDANCE**
- 19.1 A Council meeting or Council committee meeting may be conducted by means of electronic or other communication facilities according to the provisions of the *Act* and bylaws, policies and procedures adopted by Council.
- 19.2 Members of Council may attend a Council meeting by means of electronic communication if the chosen method is able to ensure that all Council Members

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participating in the meeting are able to communicate effectively. Acceptable alternatives include the use of a telephone, a personal computer, or other means as technology advances.

- 19.3 A Councillor 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 Council, and is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
- 19.4 The Chair shall announce to those in attendance at the Council meeting that a Councillor is attending the meeting by means of electronic communications.
- 19.5 When a vote is called, Members of Council attending the meeting by means of electronic communications shall be asked to state their vote only after all other Members of Council present at the meeting have cast their votes by a show of hands.
- 19.6 A Member of Council who wishes to attend a Closed Session by way of electronic communication, must notify the Chief Administrative Officer in advance of the meeting of their intention to do so.

**20.0 PROVIDING NOTICE OF MEETINGS**

- 20.1 Notice of Council and Council Committee meetings will be provided in accordance with the provisions of the *Act*.
- 20.2 For all Council or Council Committee meetings requiring notice, Legislative Services shall ensure the notice includes the time, date and location and is:
- 20.2.1 Issued a minimum of twenty-four (24) hours prior to the meeting date
- 20.2.2 Posted in the Morinville Civic Hall, and to the Municipal website and social media platforms;
- 20.2.3 Emailed to each Member of Council.

**21.0 CANCELLATION OF MEETINGS**

- 21.1 A Regular Council Meeting, Special Meeting of Council or Committee of the Whole meeting may be cancelled:
- 21.1.1 By a two-thirds vote of Council present at a previously held meeting; or
- 21.1.2 With the written consent of a majority of Council, provided twenty-four (24) hour notice is provided to Members of Council and the public; or
- 21.1.3 With the written consent of two-thirds of the Council if twenty-four (24) hour notice is not provided to the public.

**22.0 COUNCILLOR INQUIRIES**

- 22.1 At the designated time during Regular Council Meetings, a Councillor may make a formal inquiry to obtain information from the CAO.
- 22.1.1 The CAO may verbally answer Councillor inquiries at the meeting at which it is made or advise that a response shall be provided to Council in writing after the meeting.

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- 22.1.2 If the CAO or designates believes responding to the inquiry requires written reports at a subsequent meeting, expenditure of funds, or use of significant administrative resources to provide the requested information, the Chair will request the Councillor to put forward a motion for Council consideration.
- 22.1.3 When making an inquiry, a Councillor may include a preamble to provide context or additional information; however, the preamble will not be recorded in the minutes or referenced in the report provided by the Chief Administrative Officer in response to the inquiry.
- 22.2 Councillor inquiries that require written reports will be presented at a subsequent meeting no later than 12 weeks following the date the inquiry was made, unless otherwise provided for in a Council resolution.
- 22.3 Councillor inquiries can be made outside of Regular Council Meetings and shall be directed to the CAO for response. The CAO may seek a decision of Council if the inquiry requires written reports at a subsequent meeting, expenditure of funds, or use of significant administrative resources to provide the requested information.
- 22.4 The CAO shall provide a response to all Councillors, as required by the Act.

## RECORDS OF COUNCIL

### 23.0 AGENDA

- 23.1 The proposed agenda for each Council meeting shall be established by Legislative Services and the Chief Administrative Officer. The submission and circulation of agenda items shall be coordinated by Legislative Services in accordance with the guidelines established.
- 23.2 The subject of the agenda for a Special Meeting of Council is approved by the Mayor in consultation with the Chief Administrative Officer.
- 23.3 The proposed agenda shall include:
  - 23.3.1 All recommendations for resolutions received pursuant to s. 26.0 of this Bylaw;
  - 23.3.2 All matters scheduled to that Council meeting by prior resolution of Council; and
  - 23.3.3 Such other items of business as determined by the Mayor in consultation with the Chief Administrative Officer.
- 23.4 In establishing the agenda, Legislative Services will advise the Mayor and CAO of time-specific agenda items.
- 23.5 The first order of business at any Council meeting shall be consideration of the proposed agenda and adoption of it, subject to any amendment that Council may approve.



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- 23.6 Consent Agenda:
- 23.6.1 The Consent Agenda portion of a meeting is moved and voted on without debate as one item, regardless of the number of reports included.
  - 23.6.2 If a Councillor wishes to debate an item included in the Consent Agenda, a request to exempt the item must be made before the Chair calls the question.
  - 23.6.3 Bylaw items that have been selected for consent may be voted on together.
  - 23.6.4 Council will deal with items selected for debate in the order that they appear on the agenda, unless otherwise decided by a majority vote.
  - 23.6.5 Should a Councillor wish to discuss an item approved under Consent Agenda, a motion must be made before any exempted item is discussed.
  - 23.6.6 Public hearings, Council Board and Committee Reports, Delegations and Public Presentations, verbal reports, and items added to the Agenda under the adoption of the agenda shall not be approved under Consent Agenda.
- 23.7 After the adoption of the agenda, Members of Council present may modify the agenda by majority vote.
- 23.8 At the adoption of the agenda or after, Council may approve the addition of an agenda item, including Closed Session, for emergent items, by a majority vote.
- 23.8.1 Emergent items may be those items where Council decisions are required to meet legislative requirements (for Council meetings only), are time-sensitive, or require prompt action by Council or Committee of the Whole.
- 23.9 To add agenda items to future Council meetings, refer to Bylaw s. 2.28, 17.4, 22.1.2, 28.0, and 32.0.
- 23.10 All reports will be designated with a Request for Council Decision / Request for Council Direction / For Council Information report with the recommendation, including supporting documentation.
- 23.11 Upon receipt of correspondence intended for Mayor and Council, pursuant to s. 153(1) of the *Act* and s. 2.7 of this Bylaw, the Chief Administrative Officer, or designate, shall provide a copy of the correspondence received to each Council member electronically. A copy of the same correspondence, redacted in accordance with the *FOIP Act*, will be placed in a binder and made available to the public.
- 23.11.1 A communication received by Legislative Services which is abusive in nature may be filed by the Chief Administrative Officer.
  - 23.11.2 On receipt of correspondence or communication, the Mayor, in consultation with the Chief Administrative Officer, may:
    - 23.11.2.1 Include it on the agenda of a future Council meeting; or
    - 23.11.2.2 refer it to Administration for reply.



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23.11.3 If correspondence is considered by Council, no communication on substantively the same matter can be considered for at least six (6) months unless otherwise decided by a majority vote.

23.12 Agenda packages are to be distributed to Council members on Thursday prior to the scheduled Regular Council Meeting.

23.13 Agenda packages, exclusive of Closed Session items, shall be posted on the Municipality's website for the public sometime after the distribution to Council, with the best practice being 12:00 p.m. on the Friday prior to the meeting.

## **24.0 MINUTES**

24.1 Legislative Services shall record in the Minutes:

24.1.1 The names of person(s) who have spoken for or against a matter considered at a public hearing; and

24.1.2 The distribution of additional material authorized by the Mayor to be distributed to Council and to form part of the Corporate Record at all Council meetings, Council Committee meetings, public hearings and public meetings.

24.1.3 The vote by each Council member, whether for or against, together with a notation that the motion is carried or defeated.

24.1.4 The names of person(s) who are not members of Council in attendance for all Closed Session meetings.

24.1.5 Verbal reports from Council will be recorded in the minutes of the meeting.

24.1.6 For verbal reports from Public Presenters and Delegates, only the name of the presenter, their position and whether they answered Council's questions, as well as any vote resulting from the report, will be recorded in the minutes of the meeting.

24.2 Legislative Services shall keep a digital record of all Council meetings, Council committee meetings, public hearings and public meetings as per statutory requirements and the Municipality's retention schedule.

24.3 A Council Member or Council Committee Member may move that the Minutes of a meeting be amended to correct an inaccuracy or omission; however, Legislative Services should be advised of the proposed amendment to the Minutes before the meeting at which they are officially confirmed, to allow Legislative Services to review the digital recording.

24.4 If a Member of Council proposes an amendment to the minutes, the digital recording of the meeting may be used to help Council decide the question.

24.5 No change shall be allowed which would alter or affect, in a material way, the actual decision made by Council.

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- 24.6 The Chair of the meeting shall request a motion to confirm the Minutes of the previous meeting.
- 24.7 The Minutes of a previous Council meeting shall not be read aloud unless directed by a majority vote.
- 24.8 Approved Minutes will be signed pursuant to s. 213 of the *Act*.

**25.0 PROCLAMATIONS**

- 25.1 Requests for proclamations declaring special days, weeks or months for community-based campaigns or programs may be submitted to the Office of the Mayor.
- 25.2 Requests shall be made by charitable or registered not-for-profit organizations for proclamations that will support the improvement of the community through educational/awareness programs, charitable fund-raising or similar activities.
- 25.3 All proclamations will be reviewed and approved at the discretion of the Mayor.
- 25.4 A notice of approved proclamations will be placed in Morinville Civic Hall, on the Morinville Website and acknowledged by the Mayor during Regular Council Meetings.

## MOTIONS IN MEETINGS

**26.0 MOTIONS**

- 26.1 Pursuant to s. 180(1) of the *Act*, Council may act only by resolution or bylaw. As a result, Administration cannot action any item unless a motion is passed in Council or Committee of the Whole, particularly if it has any financial ramifications, no matter the monetary amount or requires significant administrative resources.
- 26.2 A recommendation in a report is not a motion until a Councillor moves it.
- 26.3 A motion must be made by a Member of Council prior to any debate or vote occurring.
- 26.4 Council shall consider only one motion at a time.
- 26.5 If a motion fails, the same or substantially similar motion shall not be renewed unless:
- 26.5.1 A general municipal election has been held;
  - 26.5.2 One year has passed since the date that the motion was defeated; or
  - 26.5.3 Council passes a special resolution to have the issue renewed provided special circumstances or significant new developments have occurred in respect of the issue to warrant further consideration.
- 26.6 If a motion succeeds, a Councillor may introduce a motion calling on Council to rescind the motion or amend a motion previously adopted.

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- 26.7 A motion to rescind or amend a motion previously adopted shall require a two-thirds vote.
- 26.8 A motion to rescind or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.
- 26.9 A subsequent motion requires a two-thirds vote to be adopted. A subsequent motion cannot conflict with or reverse the decision that was just previously approved.

**27.0 AMENDMENTS TO MOTIONS**

- 27.1 A Councillor who moved a motion may not move an amendment to it.
- 27.2 The Councillor who moved the main motion may move an amendment to the amendment.
- 27.3 Once all amendments to the main motion have been voted on, the Mayor shall put forth the main motion under debate to Council for a vote, incorporating the amendments that have been passed by Council.

**28.0 MOTION TO REFER**

- 28.1 A motion to refer:
- 28.1.1 Is debatable;
  - 28.1.2 precludes any further amendment to the main motion, until the motion to refer has been addressed by Council;
  - 28.1.3 Shall include instructions indicating what the receiving body is to do and the date by which Council requires a response; and
  - 28.1.4 May be amended only as to the body to which the motion is referred and the instructions on the referral.
- 28.2 The Mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 28.3 Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption any amendment to the resolution so referred without regard to any amendments considered by Council prior to the referral. The resolution proposed by the referral body shall be as if introduced to Council for the first time, and Council shall be free to consider any amendment to it.

**29.0 MOTION TO DIVIDE A QUESTION**

- 29.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a Councillor may request that the motion be divided into parts so that each part may be voted upon individually.
- 29.2 The Chief Administrative Officer may, on the request of the Mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by Council.

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**30.0 MOTION TO TABLE**

30.1 A motion to table:

30.1.1 Includes all other motions; and

30.1.2 Takes precedence over any other motion connected with the motion being tabled.

30.2 If a motion to raise a motion from the table is defeated, it may only be made again after Council has addressed some other matter or business.

30.3 When a tabled motion is raised from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.

30.4 A motion fails if it is not raised from the table within one year of being tabled.

**31.0 MOTION TO POSTPONE**

31.1 A motion may be postponed:

31.1.1 To later in the meeting to enable Council to deal with other more pressing matters; or

31.1.2 To a specified time and/or date; or

31.1.3 Until the occurrence of an event; or

31.1.4 Indefinitely.

31.2 A motion that has been postponed under s. 30.1.1 or 30.1.2 of this Bylaw, may be considered at any time by a two-thirds vote.

31.3 If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.

**32.0 NOTICE OF MOTION**

32.1 Prior to Council adjourning a Regular Council Meeting, Councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and by providing the Chief Administrative Officer and Legislative Services with a written copy of the notice.

32.2 A notice of motion given at a Regular Council Meeting will appear on the agenda of the next Regular Council Meeting unless otherwise specified in the notice.

32.3 If a motion is not made at the meeting indicated on the notice, the motion shall only be made by a new notice of motion unless the agenda item is referred to a future meeting of Council.

32.4 At the meeting in which the motion is introduced, the Councillor shall provide a brief overview of the subject matter. Members of Council and Administration may ask clarifying questions.

32.5 A notice of motion cannot be made at a Special Meeting of Council.

32.6 A notice of motion is not debatable until a Councillor moves the motion.

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32.7 A notice of motion shall not be acted upon until Council passes a resolution.

## **RULES FOR BYLAWS**

### **33.0 BYLAWS**

33.1 Legislative Services must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that Council may adopt prior to its inclusion in the meeting management system workflow and delivered no later than 4:00 p.m. two weeks prior to the meeting date.

33.2 In addition to any requirements of the *Act*, each proposed bylaw that appears in the agenda must include:

33.2.1 The bylaw number assigned by Legislative Services;

33.2.2 A concise title; and

33.2.3 The reading to take place.

33.3 Pursuant to s. 33.1 of this Bylaw, if Legislative Services is not satisfied with the form of a proposed bylaw the bylaw will be returned to the writer with written reasons for the return.

33.4 Any amendments to the bylaw that are passed by Council before the motion for third reading is passed:

33.4.1 Are deemed to have received first and second readings; and

33.4.2 Are incorporated into the proposed bylaw.

33.5 Pursuant to s. 63 of the *Act*, the Chief Administrative Officer may draw Council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that Council consider an amendment to correct the error.

### **34.0 PROTOCOL ITEMS**

34.1 At each Regular Council Meeting, the Protocol Items agenda item provides Members of Council with the opportunity to acknowledge events and announcements of significant public profile, special anniversaries, awards, and achievements, whether for Morinville, community, or local business members.

### **35.0 PUBLIC HEARINGS**

35.1 "Adjourn" used in relation to a public hearing means to take a break in the public hearing with the intent of returning to the public hearing at another meeting or later in the same meeting.

35.2 "Close" used in relation to a public hearing means to terminate the public hearing.

35.3 The Chair shall call upon those who have registered to speak first, followed by others in attendance at the meeting who wish to speak to the item. The Chair shall request those who wish to speak on the matter to state their name prior to

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their presentation. Any person(s) who does not identify themselves shall not be given the opportunity to speak at the Public Hearing.

- 35.4 Members of the public addressing Council at a public hearing will limit their presentations to five (5) minutes, exclusive of questions, unless Council, by motion, approves an extension of that time.
- 35.5 Individuals addressing Council shall provide their name, who they represent and provide Legislative Services with the correct spelling of their name and presentation material to Council to be included in the Corporate Record for the meeting.
- 35.6 Legislative Services shall inform Council of any written submissions and the numbers in favour of and opposed to the matter.
- 35.7 Any Councillor or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.
- 35.8 The public hearing must be closed before Council votes on second reading of the bylaw.
- 35.9 Once the public hearing is closed, Council shall not receive any additional information on the proposed bylaw or resolution without reopening the public hearing.
- 35.10 If there is more than one public hearing on the agenda the Chair must declare one public hearing closed before opening another public hearing.
- 35.11 Matters that are related to the same topic may be addressed in the same public hearing.
- 35.12 The order of business for each item of a public hearing shall be:
  - 35.12.1 Presentation from the Administration and questions of clarification;
  - 35.12.2 Review written submissions submitted to Legislative Services;
  - 35.12.3 Presentations from public and questions of clarification;
  - 35.12.4 Questions of the Administration from Council Members; and
  - 35.12.5 Motions.
- 35.13 Council may hold public meetings to solicit input from the public on issues for which a public hearing is not required.
- 35.14 The Regular public hearing portion shall commence immediately following "Approval of Agenda".
- 35.15 A Councillor must abstain from voting on a bylaw or resolution if the Councillor was absent from all of the public hearing.

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## ADJOURNMENT

### 36.0 ADJOURNING THE MEETING

- 36.1 When the Chair is satisfied that all the business and purposes of a meeting have been addressed, the Chair may announce that the meeting is adjourned.
- 36.2 Any Councillor may move to adjourn the meeting at any time.

## SEVERABILITY

- 37.1 If any section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such section or parts shall be deemed to be severable, and all other section or parts of this Bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.

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**COMING INTO FORCE**

That Bylaw 1/2024 is hereby repealed and any previously passed resolutions that conflict with this Bylaw.

This Bylaw shall come into full force and effect when it receives third reading and is duly signed.

READ a first time this 27<sup>th</sup> day of August, 2024.

READ a second time this 27<sup>th</sup> day of August, 2024.

READ a third and finally passed the 10<sup>th</sup> day of September, 2024.

**ORIGINAL SIGNED**

Simon Boersma  
Mayor

**ORIGINAL SIGNED**

Michelle Hay  
Acting Chief Administrative Officer