

## **BY-LAW NUMBER 2018/04**

BY-LAW NO. 2018/04 is a By-law of the County of Wetaskiwin No. 10 in the Province of Alberta, respecting the procedures and order of meetings held within and dealing with subject matters pertaining to the County of Wetaskiwin No. 10.

WHEREAS: Section 145 of the *Municipal Government Act*, revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, authorizes the passing of By-laws to regulate the proceedings and conduct of Meetings of Council, Council Committees, and other bodies established by Council;

WHEREAS: Council has deemed it expedient and necessary to establish rules and provisions to regulate the conduct of the business in Council Meetings and Council Committee Meetings;

NOW THEREFORE, the Council of the County of Wetaskiwin No. 10 duly enacts as follows:

### **Part One**

#### **Interpretation**

##### **Section 1     Understanding**

This By-law is called and will be referred to as "The Procedural By-law".

##### **Section 2     Definitions**

In this By-law, unless the context otherwise identifies:

- 2.01     "Administration" means the Chief Administrative Officer of the County of Wetaskiwin No. 10 or the employee(s) accountable to and designated by the Chief Administrative Officer.
- 2.02     "Administrative Inquiry" is a written request from a Councillor directed to Administration through the Chief Administrative Officer for the future provision and report of information to Council as a whole.
- 2.03     "Agenda" is the order of items of business for a meeting in the County as outlined in Appendix One (1).
- 2.04     "Agenda Package" is the reports, by-laws, or other documents provided to Council and Committees by Administration for meetings in the County.
- 2.05     "Councillor" is an individual duly elected, under Section 147 to carry out the duties of Section 153 & 154 of the *Municipal Government Act* or amendments thereto, to represent the residents and ratepayers of the County and who also continues to hold office.
- 2.06     "Chair" means the person who has the authority to preside over a meeting. During a Council meeting this position, unless otherwise appointed by Council, will be filled by the Reeve.
- 2.07     "Chief Administrative Officer (CAO)" means the person appointed by Council to the position of CAO under the authority of Section 205 of the *Municipal Government Act* or the individual(s) duly designated to perform the required functions by the CAO and for whom the CAO is accountable for.
- 2.08     "Committee" means a board or other body established by Council under Section 145 and 146 of the *Municipal Government Act*.

- 2.09 “Contrary Motion” means a motion put forward by a Councillor that opposes or goes against a previous Council resolution.
- 2.10 “Corporate Record” is the record of Agendas, Minutes and other related material which is dealt with by Council or a Committee. It also includes all documents to which the corporate seal of the County is affixed.
- 2.11 "Council" is the Reeve and Councillors as a whole duly elected in the County that hold office at that time.
- 2.12 “Council Chambers” is the primary meeting room referred to as Council Chambers in the County Administration building.
- 2.13 “the County” is the municipal corporation of the County of Wetaskiwin No. 10 having jurisdiction under the *Municipal Government Act* and other applicable legislation.
- 2.14 “Delegation” is defined as an individual acting independently or a group of persons chosen to represent others on a matter before Council or a Committee.
- 2.15 "Deputy Reeve" is the Councillor appointed by Council, pursuant to Section 152 of the *Municipal Government Act* and this By-law, to act as Reeve in the absence or incapacity of the Reeve.
- 2.16 “Director” means a person who is in charge of a department or activity in accordance with the County of Wetaskiwin’s Organizational Policy #1206.
- 2.17 “Draft Minutes” are the unapproved minutes of a previous meeting presented within the Agenda Package for review.
- 2.18 “Freedom of Information and Protection of Privacy Act (FOIPP)” means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25, as amended or any legislation substituted thereto.
- 2.19 “Friendly Amendments” are changes to a main motion that do not affect the intent or goal of the motion itself. Used to clarify a motion or enhance the intent.
- 2.20 “General Election” means an election held for all the members of Council of an elected authority to fill vacancies caused by the passage of time, in accordance with the *Local Authorities Election Act*.
- 2.21 “Improper Conduct” means any action by a member of Council, Committee, Administration, or the public at a meeting which, in the opinion of the Chair of the meeting, does not follow the guidelines as established in this By-law or Councillor Code of Conduct By-law.
- 2.22 “In Camera” means in the absence of the public.
- 2.23 “Inaugural Meeting” is the first meeting of Council held immediately following a General Election.
- 2.24 “Local Authorities Election Act (LAEA)” means the *Local Authorities Election Act* RSA 2000, Chapter L-21, as amended or legislation substituted thereto.
- 2.25 “Meeting” means a meeting of Council or a Committee of the County.
- 2.26 "Member" is a Member of a Committee duly appointed by Council, under the *Municipal Government Act*, to that Committee.

- 2.27 “Minutes” are the official record of proceedings of a meeting recorded in the English language without note or comment.
- 2.28 “Motions of Precedence”, are motions that can temporarily replace a motion on the floor and can only be superseded by a motion of higher rank or “Precedence”, in accordance with Section 21 of this By-law.
- 2.29 “Municipal Government Act (MGA)” means the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended or any legislation substituted thereto.
- 2.30 “Notice of Motion” is the means by which a Councillor or Member brings business before Council or a Committee.
- 2.31 “Organizational Meeting” is the annual Council meeting held to determine Council structure for the upcoming year as stated in Section 192 of the *Municipal Government Act*.
- 2.32 “Pecuniary Interest” means the interest of an individual Councillor that allows them to become ineligible from participating in debate as a Councillor or voting on an issue as identified in Section 170 of the *Municipal Government Act*.
- 2.33 "Point of Information" is a request made during a meeting directed to a Councillor or Administration for information or clarification relevant to the business at hand directed from a member of Council.
- 2.34 "Point of Order" is a statement by a Councillor or Member raising a departure from this By-law or other parliamentary procedure.
- 2.35 "Point of Privilege" refers to matters affecting the rights and protection of Council or a committee collectively or the propriety of the conduct of individual Councillors or Members and includes, but is not limited to, the following:
- (a) the organization or existence of Council or a committee,
  - (b) the comfort of Councillors or Members,
  - (c) the conduct of Councillors or Members,
  - (d) the conduct of Administration or members of the public in attendance at the meeting, and
  - (e) the reputation of a Councillor, Member or of Council or a committee as a whole.
- 2.36 “Point of Procedure” is a question to obtain information on the procedures of Council or a Committee to assist a Councillor or a Member to:
- (a) make an appropriate motion,
  - (b) raise a Point of Order,
  - (c) understand the procedure, or
  - (d) understand the effect of a motion.
- 2.37 “Public Hearing” is a meeting to hear matters with presentations from members of the public, pursuant to the *Municipal Government Act*.
- 2.38 “Public Notice” shall be the formal posting of the date, time, and place for all meetings and hearings of Council as outlined by Section 196 of the *Municipal Government Act* and County Policy #1103 Terms of Reference for Council Meetings.
- 2.39 “Question” is the request of the meeting Chair to have a vote on a motion.
- 2.40 "Quorum" is the attendance of the majority of voting Members or Council.

- 2.41 “Recess” is a temporary break in a meeting that has an identified return time.
- 2.42 “Reeve” is a Councillor appointed by Council as the Chief Elected Official with duties as identified under Section 154 of the *Municipal Government Act* who continues to hold office.
- 2.43 “Resolution” is a motion that is presented, voted upon, and either passed or defeated by a majority thus becoming the direction of Council or a Committee.
- 2.44 “Secretary” is the person at a meeting entrusted to keep official records of the meeting, convey correspondence, provide specified reports, and convey the appropriate information from the meeting to appropriate members of Administration.
- 2.45 “Table” the purpose of this motion enables the discussion of an issue to be put off to a more convenient time, which may be later in the same meeting or at a subsequent meeting. This allows more information to be collected or permits members to draft desired amendments.
- 2.46 “Vice-Chair” is the person who has the authority to preside at a meeting in the absence of the Chair. During a Council meeting this position, unless otherwise approved by Council, will be filled by the Deputy Reeve.

### **Section 3** **Authority**

- 3.1 This By-law applies to all meetings held by organized bodies of the County. Committees created by Council are subject to the provisions of this By-law unless Council has given the Committee the power to establish procedures. Sections of this By-law which are governed by the *Municipal Government Act* may not be altered.
- 3.2 The precedence of rules governing the procedure of Council are:  
(a) the *Municipal Government Act*,  
(b) other Provincial legislation,  
(c) this By-law, and  
(d) the current edition of “Robert’s Rules of Order”.
- 3.3 Procedure in any meeting is a matter of interpretation by the Chair.
- 3.4 If the provisions of any other By-law conflict with the rules outlined in this By-law, this By-law shall prevail.

## **Part Two**

### **Organization of Council**

#### **Section 4** **Council**

- 4.1 The Reeve, when present shall preside as Chair of Council and unless otherwise determined by Council serve as the official representative of the County at all public events and meetings.
- 4.2 The Deputy Reeve shall act as Council Chair and Council representative should the Reeve become unable to attend a Council meeting or function.
- 4.3 In the absence, incapacity, or inability of the Reeve or Deputy Reeve to act, Council may appoint a replacement in accordance with Section 152(3) of the *Municipal Government Act* .

**Part Three**

**Meetings**

**Section 5 Schedule for Meetings of Council**

- 5.1 Regular meetings of Council will be held in Council Chambers unless notice is given pursuant to Section 5.7.
- 5.2 All Council meetings will be held free from admission and have open public access other than circumstances as identified in subsection 5.8 of this By-law.
- 5.3 Unless otherwise determined through resolution Council will hold four (4) monthly meetings established yearly at the Organizational meetings. If a regular meeting of Council falls on a Statutory Holiday the meeting will take place on the next business day unless otherwise determined through resolution.
- 5.4 Council meetings shall commence at 9:00 a.m. unless otherwise provided for through Council resolution.
- 5.5 Council may change, cancel or reschedule any meeting through Council resolution provided proper public notice is given pursuant to subsection 5.7 of this By-law.
- 5.6 No Council meeting may occur unless there is a Quorum of Councillors in attendance.  
  
If a Quorum is not available the scheduled meeting shall be cancelled. Public notice shall be given for the cancelled meeting and when the rescheduled meeting will occur.
- 5.7 The CAO shall ensure that notice of all meetings, meeting cancellations, and subsequent reschedules will be given in accordance with the Section 196 and 606 of the *Municipal Government Act*.
- 5.8 Council meetings shall be open to the public in their entirety unless one of the exceptions to disclosure named in Division Two (2) Part One (1) of the *Freedom of Information and Protection of Privacy Act* must be discussed.

If this is the case Council shall, through resolution, move “In Camera” for all discussions and deliberations on the matter at hand but shall not vote on any decisions “In-Camera”. All public and members of Administration not required to be in attendance must exit Council Chambers while Council is “In-Camera”.

If a vote is desired Council shall move out of “In-Camera”, open the meeting to the public and proceed with a resolution on the issue.

- 5.9 Special meetings may be called in accordance with Section 194 of the *Municipal Government Act*.

**Section 6 Organizational Meetings**

- 6.1 Inaugural Meetings.

At this meeting:

- (a) every member of Council must take the Oath of Office,
- (b) Council shall appoint the Reeve,
- (c) Council shall appoint a Deputy Reeve,
- (d) Council may establish a rotation schedule for the position of Deputy Reeve, and
- (e) Council shall appoint Members to Committees.

Until Council has taken the Oath of Office, the CAO shall chair the meeting. Once the position of Reeve has been appointed, the Oath of Office as well the Oath of Chief Elected Official has been taken the Reeve will take chair of the meeting.

- 6.2 An Organizational Meeting must be held in October of each year in accordance with Section 192 of the *Municipal Government Act* no later than two (2) weeks after the third Monday of the month. At this meeting Council shall:
- (a) appoint the Reeve & Deputy Reeve of the County,
  - (b) appoint Members to Committees.

Appointments of Council Members to Committees shall be for a term of one year unless otherwise specified.

#### **Part Four**

#### **Records of Council**

#### **Section 7 Agenda**

- 7.1 Items to be considered from a Director for inclusion on the Agenda shall be made available to the CAO no later than 4:00 p.m. four (4) days or the working day preceding four (4) days before the scheduled meeting of Council.
- 7.2 Council Members wishing to include an item on the Agenda must submit a Notice of Motion to the CAO no later than five (5) working days prior to the scheduled meeting.
- 7.3 Any member of the public who wish to be included on the Council agenda must have a written request submitted to the CAO as outlined in Section 18 of this By-Law. All items must be received a minimum of seven (7) days prior to the scheduled meeting.
- 7.4 When the date for submissions falls on a statutory holiday, the date for receipt shall be the following business day.
- 7.5 The items on the Agenda for Council meetings shall be approved by the CAO and made available to Councillors, when possible, a minimum of three (3) working days before the scheduled meeting date.

The dates for the availability of the agenda shall be subject to Administrative schedule and emergent issues.

- 7.6 Agenda Packages, as per Section 2.04, shall be made available to the public through the County of Wetaskiwin website. The Agenda, as per Section 2.03, will be available at the front counter at the County of Wetaskiwin Administration Building.

#### **Section 8 Additions to Agenda**

- 8.1 Notwithstanding subsection 7.1 of this By-law, in exceptional circumstances, items of emergent business nature will be made available to Council. These items will only be considered once made a part of the agenda pursuant to Section 8 of this By-law. Urgent items are considered to be time sensitive in nature without the ability to wait until the next appropriate meeting to be dealt with by Council.
- 8.2 Councillors and Administration may present information to be considered during a Council meeting prior to the acceptance of the Agenda. The item will then be placed under new business behind the last item that was originally set to be discussed.

- 8.3 When the time comes for the item to be discussed the party responsible for the items inclusion on the agenda will speak to the issue and discussion shall occur.
- 8.4 Once discussion has occurred the item will be accepted as information until the next meeting where it will be presented on the Agenda for decision. This will ensure that all proper research, possible advertisement, and citizen consultation has been conducted.
- 8.5 Notwithstanding subsection 8.4 of this By-law, if an issue is deemed by Council to be of a time sensitive nature, unable to wait until the next meeting, Council may provide direction on the issue providing there is a two-thirds (2/3) majority vote of Council.
- 8.6 Members of the public may not add new business to an Agenda outside of Section 7.3 of this By-law.

## **Section 9 Minutes**

- 9.1 The CAO shall prepare the minutes of every meeting, in accordance with Section 208(1) of the *Municipal Government Act*.
- 9.2 The Draft Minutes of previous Council Meeting(s) shall be provided to each Councillor before the meeting in which they are to be approved. There is no requirement to read draft minutes aloud at the meeting prior to adoption.
- 9.3 Every Councillor will have the opportunity to provide clarification to the Draft Minutes they have been supplied. Minutes will become official, inclusive of any changes through a Council resolution.

## **Part Four**

### **Procedures of Meetings**

## **Section 10 Roles**

- 10.1 The Chair:
  - (a) shall maintain order and preserve decorum at all meetings,
  - (b) may, if necessary, call a member to order,
  - (c) shall decide Points of Order and Points of Procedure without debate or comment from other Councillors or Administration,
  - (d) shall determine which Councillors have the right to speak,
  - (e) shall ensure that all Councillors who wish to speak have the opportunity to do so, that Councillors are prepared to vote, subsequently call the question, and ensure that all Councillors qualified to vote on an issue have done so,
  - (f) shall rule when a motion is out of order,
  - (g) shall rule when a motion is contrary.
- 10.2 Unless otherwise provided in a By-law the Reeve shall be an inherent member of all County Committees in accordance with Section 154(2) of the *Municipal Government Act* that states, "*The chief elected official is a member of all council committees and all bodies to which council has the right to appoint members under this Act, unless the council provides otherwise.*"
- 10.3 The Chair shall have the same rights and opportunity to participate in debate as all other members. The Chair is required to vote on all issues to which they are entitled to do so as all other members.

**Section 11 Conduct in Public Gallery**

- 11.1 During any meeting individuals in attendance in the public gallery shall:
- (a) not address the Council or Committee without permission,
  - (b) maintain order and quiet,
  - (c) not interrupt any speech or action of any person addressing Council or a Committee, and
  - (d) not engage in any improper conduct as determined by the Chair of the County meeting in compliance with the entirety of this By-law.

The Chair may order a member of the public, who disturbs, or acts improperly, at a meeting by words or actions, be expelled. The Chair may request the assistance of the County Peace Officers, RCMP or other enforcement officers to remove the person.

**Section 12 Conduct of Councillors**

- 12.1 Councillors must adhere to Code of Conduct as outlined in the Councillor Code of Conduct By-law 2018/05 or as amended.

**Section 13 Calling a Councillor to Order**

- 13.1 When the Chair calls a Councillor to order, it must be done so in accordance with the Councillor Code of Conduct By-law 2018/05 or as amended.

**Section 14 Points of Information, Order, Procedure, and Privilege**

- 14.1 When a Point of Order, Point of Procedure, or Point of Privilege arises, it shall be considered immediately.
- 14.2 When a Point of Information is raised, the Chair shall answer the query or direct the Point of Information to the appropriate member of Administration.
- 14.3 When a Point of Privilege arises, the Chair shall rule upon the admissibility of the question and if the Chair rules favorably, the Member, who raised the Point of Privilege, shall pursue the Point of Privilege or action.
- 14.4 When a Point of Order is raised, the Chair shall rule, without comment or debate from any other Councillor or Member, on the appropriate procedure or action required in order to address the Point of Order.

**Section 15 Pecuniary Interest**

- 15.1 Any Councillor who has a Pecuniary Interest as identified in Section 2.32 of this By-law on an issue before Council shall:
- (a) disclose the general nature of the Pecuniary Interest to Council as a whole, and
  - (b) a Councillor may be excused from a meeting in accordance with Section 170 and 172 of the *Municipal Government Act* upon resolution from the rest of Council allowing dismissal. The time of when the Councillor removes themselves from the meeting is recorded and forms part of the minutes before debate or discussion begins and return after the vote is declared. The time of when the Councillor returns to the meeting is recorded in the minutes and forms part of the minutes.



An Elected Official has the right to be excused from a meeting under reasons of Pecuniary Interest and may only re-enter the same meeting as a member of the general public for a public hearing or after discussion and voting on the issue is complete.

15.2 The Councillor declaring Pecuniary Interest is not considered part of Quorum for the discussion of the item.

15.3 The minutes of the meeting shall record the name and general nature of the Pecuniary Interest declared by a Councillor.

#### **Section 16 Recess**

16.1 Every regular meeting may recess without a motion for ninety (90) minutes at 12:00 noon unless otherwise determined by Council.

16.2 Notwithstanding subsection 16.1 of this By-law, a motion to recess for more than a period of fifteen (15) minutes may be made at any time and must include a time to reconvene.

16.3 The Chair may call for a recess up to a period of fifteen (15) minutes without resolution by Council.

#### **Section 17 Adjournment**

17.1 Council may determine a time for meetings to adjourn through resolution. If still in session at the time of adjournment Council may conclude the matter under discussion and then recess the meeting.

17.2 Council, through resolution, may extend the end time for a meeting provided that an adjournment time is established.

17.3 A meeting is deemed adjourned when:

- (a) a Quorum is no longer established within ten (10) minutes after a recess, or
- (b) the number of Councillors present at a meeting becomes less than the required number for a Quorum.

#### **Section 18 Communications**

18.1 When an individual(s) applies to have a letter or other communication considered by Council it shall be addressed to the CAO and shall:

- (a) clearly set out the matter at hand and the request,
- (b) be clearly written or typed and contain the name and address of the writer, and
- (c) for electronic communications contain the name and contact information of the writer.

18.2 No anonymous communications received will be presented to Council and will be filed by the CAO.

18.3 Communication received by the CAO that is not considered to meet the conditions in subsections 18.1 and 18.2 of this By-law, is abusive or otherwise inappropriate in nature may be filed and not presented to Council.

18.4 On receipt of a communication the CAO may:

- (a) include it on the agenda for the next appropriate Council meeting in full or in summary, or
- (b) refer it to the appropriate administrative department for reply.

- 18.5 Except for Council reports from attendance at meetings as an official County representative, Councillors shall not present matters for consideration by submitting communications for inclusion in the Agenda unless in accordance with Section 8. Rather, these items shall be submitted through Administrative Inquiry.
- 18.6 Any communications directed to a Councillor or to Council shall be provided to all Council including any subsequent action taken.

**Section 19 Administrative Inquiries**

- 19.1 A Councillor making an Administrative Inquiry requiring an answer shall put the information request in writing and provide it to the CAO.
- 19.2 All Administrative Inquiries as well as the recommendations from Administration must go through the CAO.
- 19.3 The CAO will provide the request to the appropriate department and once an answer to the inquiry can be determined will provide a response to the member and if required Council.
- 19.4 No individual Councillor may at any time give any direct direction to a member of Administration. Council may provide direction to the CAO who shall delegate the direction to the appropriate Administration department.
- 19.5 If an Administrative Inquiry requires a substantial and quantifiable cost to the County either in administrative time commitment or the procurement of contracted work, a cost report will be presented to Council along with the Administrative Inquiry response.
- 19.6 Council may at any time instruct the CAO to abandon any inquiry request.

**Section 20 Absence from Council**

- 20.1 Subject to Section 174(1)(d) of the *Municipal Government Act*, if a Councillor is absent from all regular Council meetings for a period of eight (8) consecutive weeks the Councillor may be considered disqualified unless the absences are authorized through resolution pursuant to Section 174(2) of the *Municipal Government Act*.

**Part Five**

**Motions and Debate**

**Section 21 General Provisions on Motions**

- 21.1 Motions in Council do not have to be seconded by another Councillor to be considered by Council.
- 21.2 Every motion, other than to recess, adjourn, or accept a presentation as information, shall be presented to Council to the satisfaction of all Councillors before the question is called.
- 21.3 The CAO, if requested, shall read the motion aloud before the call of the question.
- 21.4 All motions/votes must be recorded.

- 21.5 Once a motion has been moved, been presented to Council, and is being considered, no Councillor may make another motion other than to:
- (a) amend the main motion,
  - (b) amend an amendment to the motion,
  - (c) refer to the main motion,
  - (d) table the motion,
  - (e) move a motion of Privilege, that is a motion to,
    - (i) recess,
    - (ii) adjourn,
    - (iii) set the time for adjournment, or
    - (iv) extend the time for adjournment, or
  - (f) raise a:
    - (i) Point of Privilege,
    - (ii) Point of Order,
    - (iii) Point of Information, or
    - (iv) Point of Procedure.
- 21.6 Once a motion has been made and presented for consideration by Council, only Friendly Amendments that do not alter the intention of motion may be made either:
- (a) by the Motioning Councillor's initiative, or
  - (b) when requested by another Councillor speaking to the motion.

## **Section 22 Voting on Motions**

- 22.1 All Councillors must vote on all motions other than when a Councillor has a pecuniary interest as identified in Section 15 of this By-law or if a Councillor,
- (a) has not been present for the entirety of a public hearing, or
  - (b) is not present at the time of the call of the question.
- 22.2 In order for a motion to be considered the Councillor making a motion must be present at the time of the call of the question.
- 22.3 When voting all Councillors are required to raise their hands and leave them raised until the Chair is able to distinguish the votes cast on a motion both for and against.
- 22.4 A motion shall be declared lost when it:
- (a) does not receive the required number of votes, or
  - (b) receives a tie vote.
- 22.5 When a motion presents two (2) or more recommendations, a Councillor may request, before the question is called, that the recommendations in the motion be voted upon separately.
- 22.6 A vote on an item for which a Public Hearing has been held must follow the guidelines identified in Section 24 of this By-law.

## **Part Six**

### **Committees**

## **Section 23 Establishment and Conduct of Committees**

- 23.1 Council may establish Committees, pursuant to the *Municipal Government Act*, as are deemed necessary or advisable for the orderly and efficient handling of specific affairs of the County.
- 23.2 Council shall establish a mandate for all established Committees providing specific direction for the purpose and responsibilities of the Committee.

- 23.3 Unless contrary to Legislation or contract, Council has the ability to terminate any Committee through resolution.
- 23.4 At the first Meeting of any Committee a Committee Chair and Committee Vice-Chair shall be established as per the Terms of Reference of each Committee.
- 23.5 The role of all Committees shall be of an advisory nature. Committees shall make recommendations through Administration to Council for a decision. No budgetary decisions may be directly made by any Committee.
- 23.6 Committee recommendations shall only become binding once Council has adopted a Committee report and ratified Committee suggestions through resolution.
- 23.7 Council shall establish when Committee reports must be presented to Council. If no specific report timeframe is determined, it shall be at the discretion of the Council when to bring forward a Committee Report.
- 23.8 The requirements and procedure mandated in the Procedural By-law shall apply to the meetings of all County Committees.

### **Part Seven**

#### **Public Hearings**

#### **Section 24 Public Hearings – Process and Public Conduct**

- 24.1 Public Hearings shall be held when required and as set out in Section 230 of the *Municipal Government Act*.
- 24.2 All individuals in attendance at a Public Hearing will be asked to sign an attendance ledger before entering the hearing.
- 24.3 The Chair shall determine the amount of time for public input.
- 24.4 Individuals addressing a meeting must state their name and who, if anyone, they are representing as well as provide the CAO with the correct spelling of their name.
- 24.5 Individuals addressing Council at a Public Hearing may present additional information to Council outside of the requirements of Section 18 of this By-law with the consent of Council. A copy of any information presented may be taken for inclusion in the corporate record.
- 24.6 In accordance with the *Municipal Government Act* all Public Hearings:
  - (a) must hear from person(s), groups of persons or person representing them, who claims to be affected by the proposed By-law or resolution and who has complied with the procedures outlined by Council, and
  - (b) may hear from another person(s) who wish to make representations and whom Council chooses to hear.
- 24.7 The order of business for a Public Hearing shall be:
  - (a) The Chair will declare a Public Hearing open. The time and names of the delegation who registered will be recorded or it will be recorded that there were no delegates in attendance.
  - (b) Presentations from Administration and Councillor questions of clarification,
  - (c) Public Hearing presentations by:

- (i) those speaking that are in favor,
- (ii) those speaking that are opposed,
- (iii) follow up questions from Councillors,
- (d) Rebuttals as allowed by Council,
- (e) Questions from Councillors for Public and Administration.
- (f) The Chair will declare the Public Hearing closed. The time will be recorded.
- (g) Once the Public Hearing has been closed no additional information can be presented to Council.

**Section 25 Councillor Conduct During Public Hearings**

- 25.1 Councillors may request clarification during a presentation providing the question does not guide or manipulate the presentation.
- 25.2 Councillors must be present for a Public Hearing, in its entirety, in order to be entitled to vote on the matter. If a Councillor is not eligible to vote on a matter they must leave the meeting before the matter is discussed and a vote is taken.
- 25.3 The meeting Chair shall announce the opening and closing or recessing of a Public Hearing to the entire room. A motion is not required to open or close a Public Hearing.
- 25.4 The meeting chair must close a Public Hearing before any discussion between Councillors may be held on the issues at hand, or before a vote may be taken on the matter.

**Part Eight**

**By-laws**

**Section 26 By-laws**

- 26.1 When a By-law is presented to Council it will be included in the agenda package in compliance with Section 7 of this By-law.
- 26.2 All By-laws shall be subject to the requirements for advertising as mandated by the *Municipal Government Act*.
- 26.3 Every proposed By-law shall have three (3) separate and distinct readings.
- 26.4 A proposed By-law shall be introduced at the first reading through a motion that the By-law be given first reading. The following applies at the first reading:
  - (a) Council shall vote on the motion for first reading without amendment or debate.
- 26.5 The By-law shall be introduced for second reading through a motion that the By-law be read a second time. The following applies at second reading:
  - (a) Council may debate the content of the proposed By-law,
  - (b) Council may propose and consider amendments to the By-law, and
  - (c) a Councillor may request that the whole or individual parts of the By-law be read aloud.

- 26.6 The CAO shall be responsible for recording amendments to the proposed By-law. Resolution for amendments shall:
- (a) be put to a vote and, if carried, shall be considered as having received first reading and incorporated into the By-law, and
  - (b) when all amendments have been accepted or rejected through resolution, a vote on second reading as amended shall be called.
- 26.7 A By-law shall not be given more than two (2) readings at any meeting unless Council unanimously agree on a motion to give third reading without debate.
- 26.8 A motion shall be introduced to give third reading that the proposed By-law be read for a third time. Council shall vote on the motion without amendment or debate. If the motion is approved the proposed By-law shall take effect once signed by the designated signing authorities in the County, unless otherwise noted in the By-law.
- 26.9 If a reading of a proposed By-law fails all previous readings are rescinded and the proposed By-law shall be deemed to be defeated. The defeated By-law shall remain as part of the permanent record.
- 26.10 In accordance with Section 188 of the *Municipal Government Act*, if a By-law does not receive three (3) readings within two (2) years of the date of first reading, the readings are deemed to have been rescinded and the By-law shall be abandoned.
- 26.11 Once a By-law has passed through three (3) readings it shall be signed by the Reeve or the Councillor chairing the meeting at the time of third reading and by the CAO and shall be impressed with the County Seal. Once these steps have taken place the By-law will be deemed to be in effect, unless otherwise noted in the By-law.
- 26.12 The CAO is responsible to update and keep current all By-laws of the County that are subject to amendments, expiration or repeal.

## **Part Nine**

### **Standard of Care**

The following will govern the actions of Administration and Council in regard to appropriate actions both in Council Chambers as well as when in the public. It shall also govern the actions of the Public while in attendance at a public meeting or hearing.

#### **Section 27 Council Chambers**

- 27.1 In addition to the actions deemed to be impermissible in previous Sections of this By-law the following are also deemed to be contrary actions for anyone in attendance at a meeting:
- (a) use of a disruptive communication device (ie: cell phone), or
  - (b) use a disrespectful tone of voice, shouting, profane, vulgar or offensive language or any unnamed action deemed to be inflammatory or unproductive in nature by the meeting Chair.
- 27.2 In an emergency situation if a communication device must be answered by a Councillor they shall rise, be given permission by the Chair to exit Council Chambers and only then respond to the

communication. The Councillor entrance and exit shall be recorded in the minutes.

Members of the public in attendance at a meeting will be made aware of the communication device obligations at the beginning of the meeting. If a communication device from the public gallery interrupts a meeting a warning from the chair may be given.

- 27.3 Any attendees or meeting participants who act in a manner deemed unacceptable by the meeting Chair shall be subject to the consequential actions as outlined Section 11 and 12 of this By-law.
- 27.4 Media representatives shall not address Council or Administration during a meeting. Any issues requiring clarification shall wait until a meeting adjournment or an appropriate recess before any questions or inquiries are presented.

**Section 28 Media Relations**

- 28.1 Unless otherwise determined through resolution all official comments and releases from Council shall be provided to the media through the Reeve.
- 28.2 All media announcements from Administration shall be approved by the CAO before release.
- 28.3 All media inquiries directed to Administration shall be directed to the CAO for response.

**Section 29 Repealing**

- 29.1 This By-law repeals By-law 2015/51 Procedural By-law in it's entirety.

**Read a FIRST time this 6th, day of February, 2018 A.D.**

**Read a SECOND time this 6th day of February, 2018 A.D.**

**Read a THIRD and final time this 13th day of March, 2018 A.D.**

Original Signed  
\_\_\_\_\_  
REEVE

Original Signed  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

## **APPENDIX ONE – ORDER OF BUSINESS AT MEETINGS**

Subject to other provisions in this By-law, the order for business for a meeting shall be the order of the items contained in the Agenda, as follows:

### **Council Meetings** (Council General, Public Works, Planning and Development)

1. Present
2. Call to Order
3. Approval of Agenda
4. Minutes Approval
5. Appointed Committee Reports
6. Items from Administration (dependent on meeting type)
  - (a) CAO Report
  - (b) Public Works Reports
  - (c) Planning and Development Reports
7. Delegations
8. Unfinished Business
9. New Business
10. Informational Items
11. Adjournment