



## TOWN OF HINTON BYLAW No. 2003-1

Bylaw of the Town of Hinton in the Province of Alberta to  
Regulate the Proceedings of Meetings of Council

**WHEREAS**, pursuant to the provision of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, permits Council to enact a Bylaw regarding the procedure to be used for Council and Committees;

**AND WHEREAS**, Council has deemed it necessary to regulate the procedure and conduct at meetings of Council and Committees established by Council;

**NOW THEREFORE** the Council of the Town of Hinton, in the Province of Alberta, duly assembled, enacts as follows:

### **Part 1: Interpretation**

#### **1.0 TITLE**

1.1 This Bylaw may be referred to as the "Council Procedure Bylaw"

#### **2.0 DEFINITIONS**

2.1 "**Act**" means the *Municipal Government Act*, R.S.A. 2000 c. M-26, as amended.

2.2 "**Agenda**" means the list and order of business items for any meeting of Council or Committees.

2.3 "**Bylaw**" means a Bylaw of the Town;

2.4 "**Chief Administrative Officer**" or "**C.A.O.**" means the Chief Administrative Officer of Hinton appointed pursuant to s. 205 of the Act or the designate of the Chief Administrative Officer;

2.5 "**Chair**" means the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor any other Member of Council chosen to preside at the meeting;

2.6 "**Closed Session**" means a part of the meeting closed to the public at which no resolution or Bylaw may be passed, except a resolution to revert to a meeting held in public;

2.7 **"Committee"** means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this Bylaw;

2.8 **"Council"** means the Mayor and Councillors of the Town of Hinton.

2.9 **"Delegation"** means any Member of the Public who has sought, and obtained, permission to attend before Council to speak or make a presentation;

2.10 **"Deputy Mayor"** means the Member of Council appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor;

2.11 **"Electronic Means"** means an electronic or telephonic communication method that enables all persons attending a meeting to hear and communicate with each other during the course of the meeting;

2.12 **"Inaugural Meeting"** means the meeting immediately following a general municipal election shall be called the Inaugural Meeting.

2.13 **"Indefinitely"** means for an unlimited or an unspecified period of time;

2.14 **"Mayor"** means the Member of Council duly elected as Mayor and continuing to hold office;

2.15 **"Member"** means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council;

2.16 **"Notice of Motion"** is a written statement informing Members of Council that a specific motion will be introduced at a future meeting. It provides advance notice to allow Members time to consider the proposal before it is formally debated and voted on.

2.17 **"Officer"** means the Chief Administrative Officer, Designated Officers and Directors and/or their delegates, all of whom shall be recorded in the official minutes;

2.18 **"Parliamentary Inquiry"** is a request made by a Member of Council to seek clarification on the rules of procedure or to understand how a particular matter should be handled according to the governing rules;

2.19 **"Point of Order"** means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business;

2.20 **"Postpone"** means to delay the consideration of any matter to a future time and/or date;

2.21 **"Public Hearing"** means a meeting of Council convened to hear matters pursuant to the Act;

2.22 "**Question of Privilege**" means all matters affecting the rights and exemptions of Council collectively or the propriety of the conduct of individual Members and includes but is limited to, the following:

- 2.22.1 The organization or existence of Council,
- 2.22.2 The comfort of Members,
- 2.22.3 The conduct of Administration or members of the public in attendance at the meeting, and;
- 2.22.4 The reputation of Members of Council as a whole;

2.23 "**Quorum**" is the majority of all Members;

2.24 "**Refer**" means to delay the consideration of any matter so additional information may be obtained by Administration or other body, as directed by Council;

2.25 "**Request for information**" means a request for information on a specific question, either about process or about content of a motion;

2.26 "**Rescind**" means to revoke or repeal a motion which had previously been passed by Council;

2.27 "**Terms of Reference**" means those terms pertinent to the establishment and mandate of a Committee and which are: in addition to or beyond the parameters of this Bylaw;

2.28 "**Town**" means the Corporation of the Town of Hinton;

2.29 "**Urgent Matters**" means a time-sensitive matter that requires immediate consideration;

2.30 "**Written**" means words represented or reproduced by any mode of representing or reproducing words in visible form as defined in the Interpretation Act.

## **Part 2: Application**

### **3.0 APPLICATION AND INTERPRETATION**

- 3.1 This Bylaw shall apply to all meetings of Council, and Council Committees as identified.
- 3.2 When any matter relating to meeting proceedings is not addressed in this Bylaw, Roberts Rules of Order, if applicable, shall apply.
- 3.3 In the event of conflict between the provisions of this Bylaw and Roberts Rules of Order, the provisions of this Bylaw shall apply.

- 3.4 In the absence of any statutory obligation, any provisions of this Bylaw may be waived by resolution of Council if two-thirds of all Members of Council present vote in favour of dealing with the matter under consideration.
- 3.5 A resolution waiving any provisions of this Bylaw as provided for in section 3.4 shall only be effective for the meeting during which it is passed.

#### **4.0 TITLES OF CHIEF ELECTED OFFICIALS AND OTHER COUNCILLORS**

- 4.1 The chief elected official for the Town of Hinton is to have the title Mayor, and a Councillor is to have the title Councillor.

#### **5.0 QUORUM**

- 5.1 If Quorum is not constituted within 15 minutes from the time set for commencement of a meeting, the C.A.O. must first call the meeting to order, record the names of Members present, and then adjourn the meeting.
  - 5.1.1 In the case of a Regular or Special Meeting of Council, Agenda items will be dealt with at the next Regular Meeting of Council unless a special meeting is called in the meantime; and
  - 5.1.2 In the case of a Committee of the Whole Meeting, Agenda items will be dealt with at the next Committee of the Whole Meeting.
- 5.2 If neither the Mayor nor the Deputy Mayor is present within 15 minutes after the scheduled start time of the meeting, Council will refer to the Deputy Mayor roster.
- 5.3 Whenever a vote on a motion before Council cannot be taken because of a loss of quorum resulting from:
  - 5.3.1 The declaration of pecuniary interest or conflict of interest; or
  - 5.3.2 From a Councillor or Mayor not being present for all or part of a Public Hearing. Then the motion shall be the first order of business to be proceeded with and disposed of at the next Regular Meeting of Council under that particular order of business.

#### **6.0 MEETINGS**

##### **6.1 Organizational Meetings**

- 6.1.1 An organizational Meeting of Council shall be held annually not later than two (2) weeks after the 3rd Monday in October.
- 6.1.2 The agenda for the Organizational Meeting shall be:
  - a) The establishment of Regular and Committee of the Whole Meeting dates for Council.
  - b) The seating of Councillors in Council Chambers, chosen by random ballot.

- c) The Deputy Mayor roster which shall be determined by appointing each Councillor for a three-month term. The roster shall be determined by the number of years served as a Member of Council, starting with Councillors with the most number of years.
- d) Make citizen appointments to Boards and Committees.
- e) Appointment of Council Members to Committees which shall be for a one (1) year term unless otherwise specified.
- f) Any other business required by the Act, or which Council may direct.

## 6.2 **Inaugural Meetings**

- 6.2.1 The Inaugural Meeting is the meeting immediately following a general municipal election.
- 6.2.2 The Mayor and each Councillor will take the prescribed Oath and introduction of elected Mayor and Councillors as the first order of business.
- 6.2.3 Until the Mayor has taken Oath of Office, the C.A.O. shall chair the meeting.

## 6.3 **Regular Meetings**

- 6.3.1 Shall be held in the Government Centre Council Chambers unless notice is given in accordance with the Act and this Bylaw
- 6.3.2 Shall be held on the first and third Tuesday of every month unless determined by a motion of Council.
- 6.3.3 Meetings shall commence at 4:00 p.m.
- 6.3.4 If a Regular Meeting falls on a statutory holiday, the meeting will take place the next business day.
- 6.3.5 The Mayor shall chair all Regular Meetings of Council.
- 6.3.6 No item of business may be dealt with at a Regular Meeting after 8:00 p.m. unless a motion is passed by majority vote before the 8:00 p.m. adjournment.

## 6.4 **Committee of the Whole Meetings**

- 6.4.1 Shall be held in the Government Centre Committee room unless notice is given in accordance with the Act and this Bylaw.
- 6.4.2 Shall be held the second and fourth Tuesday of every month.
- 6.4.3 Meetings shall commence at 4:00 p.m.
- 6.4.4 The Deputy Mayor shall chair Committee of the Whole Meetings.

6.4.5 No item of business may be dealt with at a Regular Meeting after 8:00 p.m. unless a motion is passed by majority vote before the 8:00 p.m. adjournment.

6.4.6 Subject to the Act, Committee of the Whole may consider any matter that Council may consider.

6.4.7 Committee of the Whole may:

- a) Conduct non-statutory public hearings;
- b) Receive delegations and submissions;
- c) Meet with other Municipalities and other levels of governments; and
- d) Recommend appointments of Members of the public to Council Committees, other Town Committees and other bodies on which the Town is entitled representation.
- e) May receive briefings in Committee of the Whole meetings.
- f) In addition to the restrictions in section 203(2) of the Act, the Committee of the Whole shall not hold statutory public hearings.

6.4.8 Committee of the Whole may make the following motions:

- a) To receive agenda reports as information.
- b) To refer matters to Administration or a Committee for review.
- c) To direct Administration to prepare reports on a matter for Council's consideration.

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

6.4.10 Committee of the Whole may consider a matter in Closed Session, in accordance with the Act and the Protection of Privacy Act (Statutes of Alberta, 2024 Chapter P-28.5).

6.4.11 No motions may be made when Committee of the Whole is in closed session in accordance with the Protection of Privacy Act (Statutes of Alberta, 2024 Chapter P-28.5) except motions to reconvene the Committee of the Whole meeting.

## 6.5 **Special Meetings of Council**

6.5.1 A Special Meeting of Council shall be scheduled by the C.A.O. when required to do so by the Mayor or a majority of Councillors of Council.

6.5.2 Where a Special Meeting of Council is required by a majority of Council the Mayor shall call such a meeting within 14 days of the date on which the request was made.

6.5.3 No matters other than those stated in the notice calling the Special Meeting of Council may be discussed, unless the entire Council is present and unanimously agrees to add the matter. If the whole Council is present, the matter may be added at any time during the meeting with unanimous consent.

6.5.4 No less than 24 hours' notice of a Special Meeting starting time, date and place at which it is to be held and stating the general nature of the business to be transacted at the meeting shall be provided to each Councillor and the public.

## 6.6 **Meeting through Electronic Communications**

6.6.1 In accordance with Section 199 of the Act, a Council Meeting or Council Committee Meeting may be conducted by means of electronic or other communication facilities if:

- a) Notice is given to the public of the meeting, including the way in which it is to be conducted;
- b) The facilities enable the public to watch or listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place; and
- c) The facilities enable all meeting participants to hear and communicate with each other.

6.6.2 A Councillor participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

## 6.7 **Closed Session**

6.7.1 Council and Council Committees may move into Closed Session for all or part of the meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in the Protection of Privacy Act (Statutes of Alberta, 2024 Chapter P-28.5)

6.7.2 During Closed Sessions, there can be no resolution or Bylaw passed, except a resolution to revert to a meeting held in public.

## 6.8 **Cancellation of Meetings**

6.8.1 A Regular or Committee of the Whole Meeting may be cancelled:

- a) By a majority of Members at a previously held meeting;
- b) With the written consent of the majority of Members, providing twenty four (24) hours' notice is provided to the public, or
- c) With the written consent of two-thirds (2/3) of the Whole Council if twenty-four (24) hours' notice is not provided to the public;

6.8.2 A Special Meeting of Council called under the initiative of the Mayor, maybe cancelled:

- a) By the Mayor, if twenty-four (24) hours' written notice is provided to all Members and the public; or
- b) If less than twenty-four (24) hours' notice is provided, the Mayor may cancel with the written consent of two-thirds (2/3) of the whole Council.

6.8.3 A Special Meeting of Council, requested in writing by a majority of Members, may be cancelled:

- a) With the written consent of the requesting Members, if twenty-four (24) hours' notice is provided to the Members and the public, or
- b) If less than twenty-four (24) hours' notice is provided, with the written consent of two-thirds of the whole Council.

## **7.0 PUBLIC HEARINGS**

7.1 Public Hearings will be held during Regular Council or Special Meetings:

7.1.1 At the discretion of Council; and

7.1.2 As required by the Act.

7.2 In accordance with Section 199 of the Act, Council has authorized for Public Hearings to be held by Electronic Means through the use of online video-conferencing software.

7.2.1 Councillors participating in Public Hearings via Electronic Means shall be required to confirm their identity, by use of the video-conferencing software, prior to the commencement of the Public Hearing.

7.2.2 Subject to the exceptions in section 197 of the Act regarding closed meetings, Members of the Public may access the meeting and make submissions in a comparable manner to that method permitted in Section 7.2. Members of the Public may utilize the video-conferencing software to make applicable submissions.

7.3 Notice of Public Hearings, the method by which the Public can access the meeting and documentation required for those meetings shall be done in accordance with the Town of Hinton Public Notification Bylaw No. 2002.

7.4 Any information in respect of the meeting that is required to be made publicly available will be provided on the Town of Hinton corporate website.

7.5 The Mayor shall Chair all Public Hearings.

7.6 At the commencement of a Public Hearing the Chair shall:

- 7.6.1 State the matter to be considered at the hearing.
- 7.6.2 Ask Administration if the Public Hearing has been advertised in accordance with the Act.
- 7.6.3 Ask the Administration if any letters in support or opposition have been received.
- 7.6.4 Request Administration to present a report on the issue at hand.
- 7.6.5 Request Administration's position on the proposed Bylaw.
- 7.6.6 Allow the applicant(s), and/or their representative(s), up to twenty (20) minutes to present their position, exclusive of the time required to answer questions put to them by a Council Member, unless granted a time extension by Council.
- 7.7 Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak in the following order:
  - 7.7.1 The Chair will call those who have indicated on the sign-in sheet that they wish to speak to the proposed Bylaw;
  - 7.7.2 The Chair will ask if there is anyone present who wishes to make any general comments regarding the proposed Bylaw; and
  - 7.7.3 The Chair will allow an opportunity for all persons to respond to any new information that has arisen.
- 7.8 If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on his or her behalf. The authorization must:
  - 7.8.1 Be in legible writing;
  - 7.8.2 Name the individual authorized to speak;
  - 7.8.3 Indicate the proposed Bylaw to be spoken to; and
  - 7.8.4 Be signed by the person giving the information.
- 7.9 The authorized speaker must state the name of the person that the speaker represents and present the written authorization to the C.A.O. or delegate.
- 7.10 No person, whether speaking individually or representing a group, shall address Council for more than five (5) minutes, exclusive of the time required to answer questions from a Council Member, unless granted a time extension at the discretion of Council.
- 7.11 The Chair shall ascertain that there are no more written or oral submissions.
- 7.12 The Chair shall ascertain if the Members are satisfied that they have obtained sufficient information.

- 7.13 The Chair may make any closing comments.
- 7.14 If there is more than one Public Hearing on the Agenda, the Chair shall adjourn or close one Public Hearing before opening another Public Hearing.
- 7.15 If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter unless it re-opens the Public Hearing.
- 7.16 If a Public Hearing is closed, Council shall not receive any additional submission from the public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.
- 7.17 All submissions for the Agenda of all Public Hearings and Regular Meetings of Council shall be received.

## **8.0 AGENDA**

- 8.1 Proposed agendas for Regular Council and Committee of the Whole meetings are developed by the C.A.O., reviewed by the Mayor and Deputy Mayor, and authorized by the consensus.
- 8.2 The Agenda and all associated reports, Bylaws, or other documents (unless they may be withheld under the Act, Protection of Privacy Act (Statutes of Alberta, 2024 Chapter P-28.5), or any Bylaw dealing with access to information) will be made available to Council and the general public on the Friday prior to the Council Meeting.
- 8.3 Supplementary materials for Agenda items that are received late and not included with the Agenda will be made available to Council, Administration, and the public in electronic format as soon as reasonably possible. If the materials are received less than 24 hours before the meeting, they will be considered by a resolution at the time the Agenda is adopted.
- 8.4 The first order of business at any Council meeting shall be the consideration of the proposed Agenda and adoption of it, subject to any amendment that Council may approve by Resolution.
- 8.5 The order of business at a Council meeting shall be in the order of the items on the adopted Agenda.
- 8.6 After adoption of the Agenda, Council may alter the order of the items on the Agenda, by majority vote, for convenience of the meeting.
- 8.7 For Closed Session, the section and subsection of the Protection of Privacy Act (Statutes of Alberta, 2024 Chapter P-28.5) relied upon must be quoted on the Agenda so it is clear why it is in Closed Session.
- 8.8 A Member may propose to discuss an issue of urgent public importance without having submitted a formal Notice of Motion in advance.

8.9 A motion to bring a matter before Council as an urgent matter is subject to the following conditions:

- 8.9.1 The matter proposed for discussion must relate to an unexpected situation that requires immediate and urgent consideration;
- 8.9.2 The matter shall not involve discussion on an item that has been discussed in the same meeting;
- 8.9.3 The matter shall not be one that should be dealt with by giving written Notice of Motion. The Council may vote to consider the motion, requiring two-thirds vote for consideration. If approved, the motion shall require a majority vote to pass. The matter shall not raise a question of privilege.

## **9.0 MINUTE WITH COUNCIL**

9.1 The purpose of Minute with Council is to provide a platform for residents to speak to Council.

9.2 Minute with Council is intended to be a one-way communication for residents to speak to Council.

- 9.2.1 Council will not engage in questions or discussion with speakers during Minute with Council.

9.3 Residents who wish to speak during Minute with Council are encouraged to register prior to the meeting they wish to speak at.

- 9.3.1 Registration may be completed by email to the Executive Assistant by 4:00 p.m. on the Monday prior to Tuesday's meeting.
- 9.3.2 Registration may also be completed via sign-up sheet on the day of the meeting.
- 9.3.3 Residents will be recognized to speak in the order in which they registered.
- 9.3.4 Anyone who did not register but wants to speak will get a chance after all registered speakers.

9.4 Each speaker will have up to three (3) minutes to speak to Council, with speaking time controlled by a digital timer.

- 9.4.1 Council may, at its discretion, increase the time allocated to a speaker.

9.5 There will be 20 minutes allocated to Minute with Council per meeting to ensure the session remains manageable.

- 9.5.1 Council may, at its discretion, increase the time allocated to Minute with Council.

## **10.0 DELEGATIONS**

- 10.1 Delegations may bring forward issues, provide input, or advocate for particular outcomes. Written requests to be a delegation must be submitted to the C.A.O. Office. The C.A.O. office will provide a date as to which date the delegation may appear.
- 10.2 Delegations must include a summary of the information that will be presented to Council and provide the information to Administration one week prior to the scheduled Council meeting.
- 10.3 Delegation requests for Regular Council and Committee of the Whole meetings are reviewed by the C.A.O, Mayor and Deputy Mayor and authorized by consensus.
- 10.4 Presentation time will be no longer than ten (10) minutes, with a visual timer exclusive of the time required to answer the questions put forward by Council.
- 10.5 Delegates shall conduct themselves in a respectful and professional manner during Council and Committee meetings. Delegates shall:
  - 10.5.1 Address the Chair when speaking and refrain from interrupting other speakers;
  - 10.5.2 Respect the ten (10) minute time limits set by Council
- 10.6 Delegations addressing Council shall be limited to comments and discussions pertinent to the specific topic of the delegation.
- 10.7 Delegations requesting reappearance on a specific matter shall only be permitted to do so if the information to be presented is new or a significant addition to that which was previously presented.
- 10.8 At the conclusion of a delegation's presentation, Council shall receive the presentation as information and proceed with the meeting, without engaging in debate or decision on the matter at that time.

## **11.0 PRESENTATIONS**

- 11.1 A Presentation is a formal communication delivered by an individual or group to provide information, insights, or proposals on a specific subject matter to Council or Committee. Presentations will be initiated by Council or Committee in order to address topics relevant to municipal operations, public interest, or council priorities.
- 11.2 Members may ask questions during or following the presentation for clarification or discussion.
- 11.3 The time allocated for each presentation will be determined by the C.A.O., Mayor and Deputy Mayor and authorized by consensus, based on the nature and importance of the topic. The length of time allocated will be communicated in advance to the presenter.

## **12.0 CONTROL AND CONDUCT OF BUSINESS**

12.1 Council shall hold its meetings openly and no person shall be excluded, except as prescribed in the Act.

12.2 The Chair shall:

12.2.1 Maintain order and preserve decorum and may, if necessary, call a Member to Order;

12.2.2 Decide points or order without debate or comment other than to state the relevant section of this Bylaw;

12.2.3 Determine which Member has a right to speak;

12.2.4 Rule when a motion is out of order.

12.2.5 Ensure all Members who wish to speak on a motion have spoken and that the Members are ready to vote and shall call the vote.

12.2.6 Subject to appeal as per Section 14, the Chair has the responsibility to determine whether a motion or amendment is in order. The Chair may refuse to present a motion or amendment to the Council if it is deemed out of order or contrary to law.

12.3 Members of the public gallery during a Regular Council or Committee of the Whole Meeting:

12.3.1 Shall not address Council or Committee without permission;

12.3.2 Shall maintain order and quiet; and

12.3.3 Shall not applaud or otherwise interrupt any speaker or action of the Members, or any other person addressing Council or Committee.

12.4 The Chair may, in accordance with the Act, expel and exclude any person who creates a disturbance or acts improperly.

12.5 When a Member or Officer wishes to speak at a Council meeting, they shall obtain the recognition of the Chair before doing so.

12.6 When a Member or Officer is addressing the Chair, every other Member shall:

12.6.1 Remain quiet and seated;

12.6.2 Not interrupt the speaker except on Point of Order; and

12.6.3 Not carry on private side conversations.

12.7 When a Member is addressing Council the Member shall:

12.7.1 Not speak disrespectfully of other Members;

12.7.2 Not shout, raise their voice, or use offensive language in referring to any Member, or to any official of the Town or a Member of the public; and

12.7.3 No Member shall, subject to the Act, leave the Council Chamber after a question is put to a vote until the vote is taken, notwithstanding Point of Privilege.

### **13.0 REQUEST FOR INFORMATION, POINT OF ORDER, PARLIAMENTARY INQUIRY AND QUESTION OF PRIVILEGE**

13.1 When a Point of Order is made, the Chair immediately makes a ruling on whether the point is well taken (Chair agrees that a rule has been broken) or not well taken (Chair does not agree that a rule has been broken). The Chair either requires a change to be made if the point is well taken or continues as previously if the point is not well taken. A ruling on a Point of Order is subject to appeal as per Section 14. A point of order can interrupt someone who is speaking.

13.2 When a Request for Information is made, the Chair shall provide an answer or direct the request to the appropriate Member of Council or Administration and the individual may answer the question if they choose to do so. A request for information cannot interrupt someone who is speaking.

13.3 When a Parliamentary Inquiry is made, the Chair will answer the question. The answer given is the opinion of the Chair, not a ruling. A parliamentary inquiry cannot interrupt someone who is speaking.

13.4 When a Question of Privilege is made, the Chair shall rule on the admissibility of the question. If the Chair agrees the question is in order at that time, the Member who raised the Question of Privilege may continue to pursue the issue. A question of privilege cannot interrupt someone who is speaking unless the item is urgent.

13.5 If the Chair determines that a Point of Order, Parliamentary Inquiry, or Question of Privilege is contrary to the rules or procedures of Council, the Chair shall immediately notify the Members, citing the relevant rule or authority, and no further debate or discussion shall be allowed.

13.6 The decision of the Chair shall be final unless challenged in accordance with Section 14.0 of this Bylaw.

### **14.0 APPEALS AND CHAIR'S RULING**

14.1 When a Member wishes to challenge the ruling of the Chair, the motion, "That the decision of the Chair be overruled" shall be made, and the question shall be posed immediately without debate.

14.2 The Chair shall accept the vote of the majority of the Members present, and the names of the Members voting shall be recorded in the Minutes.

14.3 If the Chair refuses to pose the question “That the decision of the Chair be overruled” Council shall request the Deputy Mayor to proceed, in accordance with Section 14.1.

14.4 Any resolution carried under the circumstances mentioned in Section 14.3 of this Bylaw, is effectual and binding as if carried under the chairmanship of the Chair.

## **15.0 MOTIONS IN COUNCIL**

15.1 Any Member may make a Motion on any matter on the Agenda. A recommendation in a report is not a Motion until a Member moves it.

15.2 An item of business will first be introduced to Council by the Chair, followed by a presentation from Administration, and/or an external presenter. Members will have an opportunity to ask clarifying questions of Administration, an external presenter, or other Members.

15.3 At the end of the presentation and questions, if any, on the item, a Member may make a motion about the item of business.

15.4 Motions do not require a seconder.

15.5 All Motions will be presented in a manner that will allow Council to take a positive action. Negative Motions are prohibited.

15.6 Once a motion is stated (put on the floor) by the Chair, Council may debate the motion.

15.7 A Member who has made a Motion may speak and vote either in favour of or in opposition to the Motion but must be present when the vote is taken.

15.8 Any Member may request that a Motion under consideration be read at any time, or presented in writing, but not so as to interrupt a Member who is speaking.

15.9 Once a Motion has been moved, it may only be withdrawn if there are no objections from any Member. If any Member objects to the Motion being withdrawn, a Motion to withdraw must be moved and voted on accordingly. Motions that are withdrawn will not be recorded in the minutes.

15.10 When a Motion contains more than one distinct proposition, Council will vote on each proposition separately if any Member so requests or the Chair so directs and there is no opposition from Council. If there is opposition to splitting the motion, the request to split the motion will be voted on accordingly.

15.11 Unless otherwise provided for in this Bylaw, Motions will be decided by a majority vote of Members present at the Meeting.

### Motion to Lay on the Table (Table a Motion)

15.12 A Motion to Lay on the Table enables Council to lay the pending question aside temporarily when something else of immediate urgency has arisen. The Motion is

not debatable or amendable, and, when passed, the question may only be resurrected by a Motion to take from the table. If the question is not taken from the table prior to the close of the next Regular Meeting, the motion dies.

#### Motion to Call the Question

15.13 A Motion to call the question:

15.13.1 Is not debatable;

15.13.2 Is not amendable; and

15.13.3 Requires a two-thirds vote of the Members present to pass.

#### Motion to Refer

15.14 A Motion to Refer must identify whether the motion is being referred to Administration or a Committee, and it must specify when the item will come back to Council if known.

15.15 A Member may debate a Motion to Refer prior to calling the vote.

#### Motion to Postpone

15.16 A Motion to postpone to a definite time or date is debatable. Debate on the Motion must be confined to its merit only and cannot go into the main question except as necessary for debate of the immediately pending question. A Motion to postpone must include the main Motion being postponed and all proposed (but undecided) amendments. Amendments that have already been approved are retained in the Motion.

15.17 A Motion to postpone indefinitely must include a reason for postponement and is debatable. Debate can go into the main question. A Motion to postpone indefinitely is generally used as a method to dispose of a question without bringing it to a direct vote.

#### Motions to Amend

15.18 A motion to amend a main Motion will be made in accordance with the following rules:

15.18.1 Only one (1) amendment to the main Motion and one (1) amendment to that amendment will be on the floor at any given time. Amendments will be voted on in the reverse order in which they were moved;

15.18.2 The Chair may process any amendment by asking for unanimous consent. If any Member objects the motion to amend will be stated by the Chair and then debated and voted on as normal.

15.18.3 The main Motion itself will not be debated while there are any amendments pending.

15.18.4 When all pending amendments have been voted on, the main motion is then open for further debate and further proposed amendments.

15.19 A Member may not move an amendment which:

15.19.1 Is not related to the subject matter of the main Motion; or

15.19.2 Is contrary to the main Motion.

#### Reconsideration

15.20 A motion to reconsider is used to bring back a decision previously made by Council or Committee for further discussion and possible change. Council or Committee must follow these rules:

15.20.1 Only a member who voted on the prevailing side of the original decision can make the motion to reconsider.

15.20.2 The motion to reconsider must be made at the same meeting, or if postponed, at the next regular meeting and must be presented before any other business is considered.

15.20.3 The motion to reconsider is debatable, but debate is limited to whether the previous decision should be reconsidered. No debate on the merits of the original motion shall take place unless the motion to reconsider is adopted.

#### Renewal of a Motion

15.21 A Renewal of Motion is making a motion again at a later meeting after it has been defeated.

15.22 Any Member may renew a motion that has been defeated, but only after six (6) months have passed since the motion was defeated, unless Council votes to renew the motion earlier with at least a 2/3 majority.

#### Notice of Motion

15.23 Prior to Council adjourning a Regular Meeting of Council, Councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and providing the C.A.O. with a written copy of the notice.

15.24 A notice of motion given at a Regular Meeting of Council will automatically appear on the agenda of the next Regular Meeting of Council as an action item unless otherwise stated.

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

15.26 A motion on notice is not debatable until the Councillor moves the motion.

### Motions to Recess and Adjourn

15.27 The Chair, without a Motion, may Recess the Meeting for a specific period of time.

15.28 Any Member may move that the Meeting Recess for a specific period of time.

15.29 After a Recess, business will be resumed at the point where it was interrupted.

15.30 A Motion to Recess or Adjourn may be made by any Member except when:

15.30.1 Another Member has the floor;

15.30.2 A call for a vote has been made;

15.30.3 The Members are voting;

15.30.4 The Meeting is in Closed Session; or

15.30.5 A previous Motion to Recess or Adjourn has been defeated, and no other proceedings have taken place.

15.31 A Motion to Adjourn is not debatable and cannot be reconsidered.

15.32 A Motion to Adjourn must, include the time it adjourned.

15.33 If a Motion to Adjourn is passed, any pending items on the Agenda will be added as the first order of business on the next scheduled Regular Meeting.

15.34 If the Motion to adjourn specified a date, time, and location to which to Adjourn, on the Agenda of the Meeting so specified; or

15.35 If the Motion to Adjourn did not specify a date, time, and location to which to Adjourn, on the Agenda of the next Regular Meeting.

## **16.0 DEBATE**

16.1 No Member of Council shall speak first without being recognized by the Chair; and being granted the floor.

16.2 No motion shall be offered, that is subsequently the same as one on which the judgment of the meeting has already been expressed during the same meeting.

## **17.0 MINUTES**

17.1 The C.A.O. shall ensure minutes of a Council meeting are prepared and that a copy is distributed to each Member of Council within three business days of meeting.

17.2 Minutes of all Council meetings shall contain:

17.2.1 The full corporate name.

17.2.2 The type of Council meeting – Regular, Special, Inaugural, Organizational or Committee of the Whole.

- 17.2.3 The date, hour, and place of Council meeting.
- 17.2.4 The names of all Council Members in attendance and absent.
- 17.2.5 The name of the Chair.
- 17.2.6 The names of attending C.A.O., administrators including each person's title.

17.3 Minutes will be recorded as specified in Section 208 of the Act.

17.4 Unadopted minutes will be posted on the municipal website as soon as available.

17.5 The Chair shall present the minutes to Council with a request for a motion to adopt the minutes.

17.6 Adopted minutes of a Council meeting must be signed by the Chair of the meeting and a designated officer.

17.7 Adopted minutes will be posted to the municipal website upon signature of signing authorities.

## **18.0 BYLAWS**

- 18.1 When a Bylaw is presented to Council for enactment, Administration shall publish the number and title of the Bylaw in the Agenda.
- 18.2 Administration shall provide a full copy of the Bylaw with the Agenda.
- 18.3 Every proposed Bylaw must have three (3) distinct and separate readings. Only the title or identifying number must be read at each reading.
- 18.4 A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
- 18.5 Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- 18.6 After first reading, Members may ask questions concerning the Bylaw.
- 18.7 A Bylaw shall be introduced for second reading by a motion that it be read a second time.
- 18.8 After a Member has made a motion for second reading of a Bylaw, Council may:
  - 18.8.1 Debate on the substance of the Bylaw; and
  - 18.8.2 Propose and consider amendments to the Bylaw.
- 18.9 A proposed Bylaw must not have more than two (2) readings at a Council meeting unless the Councillors present unanimously agree to consider the third reading.
- 18.10 When a Council unanimously agrees that a Bylaw may be presented for third reading:

- 18.10.1 Motion for third and final reading of the Bylaw shall be made;
- 18.10.2 Council shall vote on the motion without amendment or debate; and
- 18.10.3 The third reading requires no greater majority of affirmative votes than if it had received third reading at a subsequent meeting.

18.11 A Bylaw shall be passed when a majority of the Members voting on third reading vote in favour, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.

18.12 After Council votes affirmatively for a third reading of a Bylaw it:

- 18.12.1 Becomes a municipal enactment of the Town, and;
- 18.12.2 Is effective immediately unless the Bylaw provides otherwise.

18.13 In conformance with the Act:

- 18.13.1 If a Bylaw does not receive third reading within two years from the date of first reading, the previous readings are deemed to have been rescinded; and
- 18.13.2 If a Bylaw is defeated on second or third readings the previous readings are deemed to have been rescinded.

18.14 The Legislative Services Coordinator is designated to consolidate one (1) or more Bylaws as deemed convenient and in doing so must;

- 18.14.1 Incorporate all amendments to the Bylaw; and
- 18.14.2 Omit a provision that has been repealed or that has expired.

18.15 Every Bylaw which has passed the Council shall, as soon as reasonably possible after third reading, be signed by the Chair and the C.A.O., sealed with the Corporate Seal, and be deposited with the Legislative Services Coordinator for safe storage.

18.16 Every Bylaw of general application shall be printed or otherwise duplicated so as to be made available to all interested parties; other Bylaws shall be recorded and filed as well as amendments thereto and the C.A.O. shall retain the original of every Bylaw on file and properly record amendments thereto.

18.17 Where prescribed by provincial statute requiring a Bylaw to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes.

18.18 After a Bylaw requiring a vote of the electorate has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.

## **19.0 NON-STATUATORY HEARINGS**

19.1 Council may hold Non-Statutory Public Hearings to solicit input from the public on issues for which a Public Hearing is not legislatively required. A Non-Statutory Public Hearing may be held at a date, time, and place approved by Council resolution.

19.2 The procedures for the conduct of the non-statutory public hearing shall be the same as those for a statutory public hearing.

## **20.0 SEVERABILITY**

20.1 If any portion of this Bylaw is found by a court of competent jurisdiction to be invalid, such portion shall be severed from the Bylaw, and the remainder is to remain valid.

## **21.0 REPEALS AND COMING INTO FORCE**

21.1 This Bylaw shall come into force and effect when it receives third reading and is duly signed. All former versions of this bylaw are hereby rescinded.

21.2 Public Hearings by Electronic Means Bylaw No. 2022 and all amendments thereto are hereby repealed upon the coming into force of this Bylaw.

Read a first time this 02 day of December 2025.

Read a second time this 02 day of December 2025.

Read a third time this 02 day of December 2025.

<b>Mayor</b>	<b>Signature</b>
Brian LaBerge	
<b>Chief Administrative Officer</b>	<b>Signature</b>
Jordan Panasiuk	