

## CITY OF ST. ALBERT

### BYLAW 22/20163/2018

A bylaw to set the procedures of Council.

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### **PURPOSE**

Whereas, pursuant to section 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 Section 203 of the *Municipal Government Act*, council may by bylaw delegate its powers, duties or functions to a council committee;

And Whereas the *Municipal Government Act* governs the conduct of council, councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality;

St. Albert City Council enacts:

### **SHORT TITLE**

1.1 This bylaw may be called the *Procedure Bylaw*.

### **DEFINITIONS**

2.1 In this bylaw:

- a. "Act" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
- b. "adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting; and 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;
- c. "amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;
- d. "chief administrative officer" means the chief administrative officer of the City or the designate of the chief administrative officer;

e. "City" means the City of St. Albert;

f. "close" means the termination of a public hearing;

f.g. "committee of the whole" means a committee comprised of all councillors which conducts itself as a committee of council;

g.h. "consent agenda" means ~~that portion~~ a single item on the agenda of a regular council meeting ~~that contains reports from committees in~~ which ~~received unanimous support at the committee prior~~ the recommended action is to forwarding to council; ~~councillor reports; reports that are for information only~~ approve, without discussion, questions, or part of a process of regular quarterly or annual reporting; or any other business items, other than bylaws, that do not require debate. Items on the the recommendations in each of the agenda reports referenced in the consent agenda ~~may be adopted by an omnibus motion report;~~

h.i. "council committee" means a committee, board or other body established by a council under the Act;

j. "council lounge" means the room adjoining council chambers;

i.k. "councillor" means a member of council excluding the chief elected official;

l. "emergent business" is a time sensitive matter that requires Council's or a Committee's immediate and urgent consideration and where previous notice is not practical;

j.m. "in camera" means a meeting at which only councillors and other persons specified by council may attend;

k.n. "member of council" or "council member" shall mean any member including the chief elected official;

t.o. "notice of motion" is the means by which a ~~e~~Councillor may bring a topic before Council.

m.p. "orders of the day" means a requirement that the mayor return to the pre-determined agenda, including adjourning at the pre-determined time, unless a motion to extend the discussion occurring at that time or a motion to extend the meeting is adopted;

n.q. "peace officer" means a peace officer as defined in the *Police Act*;

o.r. "point of order" means a demand by a member of council that the mayor enforce the rules of procedure;

~~p~~-S. “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:

- i. the comfort of councillors
- ii. the conduct of ~~city~~City employees or members of the public in attendance at the meeting;
- iii. the accuracy of the reports of council’s proceedings; and
- iv. the reputation of council and councillors;

~~q~~-t. “postpone” means to delay the consideration of any matter, either:

- i. to later in the meeting;
- ii. to a specified time and/or date;
- iii. until the occurrence of an event; or
- iv. indefinitely;

~~r~~-u. “public hearing” means a meeting or portion of a meeting that council is required to hold under the Act or another enactment for the primary purpose of hearing submissions;

~~s~~-v. “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, but which is not a public hearing;

~~t~~-w. “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;

~~u~~-x. “reconsider” means to bring forward for consideration of Council a motion that has already been brought before, and voted upon by Council, earlier in the same meeting.

~~v~~-y. “refer” means to send a pending motion or agenda item to a council committee or the administration for investigation and report;

~~w~~-z. “renew” means to bring forward to a later meeting a previously defeated motion;

- ~~x~~.aa. "rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- y.bb. "table" means to set a matter aside until a majority decides to address the item again by means of a motion to ~~lift~~ raise from the table; and
- ~~z~~.cc. "term" means the length of time that an elected council serves between two consecutive municipal elections.

## APPLICATION AND INTERPRETATION

- 3.1 This bylaw shall apply to all meetings of council and committee of the whole.
- 3.2 Council may make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
- a. any reference to the mayor shall be treated as a reference to the chair of the council committee;
  - b. any reference to a councillor shall be treated as a reference to a member of the council committee; and
  - c. any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Act* or this bylaw, council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.5 The precedence of the rules governing the procedures of council is:
- a. the *Act*;
  - b. other provincial legislation;
  - c. this bylaw; and
  - d. *Robert's Rules of Order Newly Revised*.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so.

## ORGANIZATIONAL MEETINGS

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 At the organizational meeting, council shall establish, by resolution, for the forthcoming year:
  - a. the roster for deputy mayor for a two-month period on a rotating basis;
  - b. the dates, time of commencement and place of the regular council meetings; and
  - c. the date of the next organizational meeting; and
  - d. the edition of *Robert's Rules of Order Newly Revised* that will be used by council.
- 4.3 Notwithstanding section 4.2 b., if all councillors are not in attendance at the organizational meeting, the scheduling of regular council meetings shall be postponed until the next council meeting at which all councillors are in attendance, and council shall establish the date, time of commencement and place of the next council meeting.

## INAUGURAL MEETING

- 5.1 The ~~organizational~~first meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2 Each member of council shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 5.3 Until the mayor has taken the oath of office, the chief administrative officer shall chair the inaugural meeting.
- 5.4 At the inaugural meeting, ~~in addition to those items in Section 4.2,~~each member of council shall affirm the Code of Conduct as approved from time to time by council.
  - ~~a. Each member of council shall affirm the Code of Conduct as approved from time to time by council;~~
  - ~~b. Council shall establish by resolution the roster for members of council to serve on the nominating committee on a rotating basis for the four-year term.~~

5.5 The mayor may deliver on inaugural address at the inaugural meeting.

5.6 The first organizational meeting after an inaugural meeting shall either occur at the next meeting date following the inaugural meeting or immediately following the inaugural meeting.

## **COUNCIL SEATING**

6.1 The mayor shall occupy the seat at the centre of the council table.

6.2 The seats of ~~the members of council~~councillors shall be chosen by lot prior to the inaugural meeting.

6.3 Council may reallocate the seating for councillors by lot at any time.

## **QUORUM**

7.1 Quorum of council is a majority of members of council.

7.2 If quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, the chief administrative officer will document the names of those who are present and the meeting will be adjourned and rescheduled.

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

## **DUTIES OF OFFICIALS**

### **Duties of the Mayor**

8.1 The mayor shall:

- a. open ~~and adjourn~~ council meetings;
- b. chair council meetings;
- c. chair meetings of the nominating committee;
- d. preserve order and decorum in council meetings;
- e. rule on all questions of procedure;

- f. ensure that each member of council who wishes to speak on a debatable motion is granted the opportunity to do so;
  - g. determine the speaking order when two or more members of council or others wish to speak; and
  - h. decide who, aside from members of council, may address council.
- 8.2 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.
- 8.3 If the mayor is present at a committee meeting by virtue of office:
- a. the mayor has all the rights and privileges of the other committee members including the right to make motions and vote; but
  - b. the mayor shall not be counted to determine quorum.

### **Duties of the Deputy Mayor**

- 9.1 Unless otherwise determined by council, during the twelve month period following the organizational meeting, each ~~councillor~~councillor shall serve as deputy mayor for a two-month period, as assigned to that ~~councillor~~councillor at the organizational meeting.
- 9.2 The deputy mayor shall chair council meetings when the mayor is absent or unable to act as mayor and shall have all the powers and responsibilities of the mayor under this bylaw during the mayor's absence or ~~incapacity of the mayor~~inability to act.
- 9.3 The deputy mayor may chair meetings of committee of the whole when delegated by the mayor.
- 9.4 In the absence or inability of the mayor and deputy mayor to act, the next ~~councillor~~councillor scheduled to be deputy mayor on the roster shall chair council meetings and shall have all the powers and responsibilities of the mayor under this bylaw.

### **Duties of the Chief Administrative Officer**

- 10.1 The chief administrative officer shall, subject to the *Act* and the *City Manager's*Manager Bylaw:

- a. provide council with information and advice with respect to the operation of the City;
- b. when requested, provide information and advice to the mayor and council on procedural matters in council;
- c. record minutes of the meetings of council and provide secretariat functions for council meetings;
- d. receive recommendations for resolutions and make them available to each members of council; and
- e. review proposed bylaws to ensure compliance with this bylaw and to advise the proponent and council of the existence of complementary and conflicting provisions in other bylaws.

## THE CONDUCT OF A COUNCIL MEETING

### Agenda

- 11.1 There shall be a committee of council called the agenda committee established by bylaw. The agenda committee will be responsible for determination of the content of the proposed agenda for upcoming council meetings;  
and the order of agenda items on the proposed agendas.
- 11.2 The agenda shall be circulated to members of council no less than 5 days prior to the council meeting.
- 11.3 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to:
  - a. ~~consent of approval by~~ council of the agenda as presented; or
  - b. ~~consent of approval by~~ council for amendment of the agenda; and subsequent approval of the agenda as amended.

~~The mayor may declare the agenda to be approved.~~
- 11.4 Amendments to the agenda may include:
  - a. reordering of the items on the agenda;
  - b. assigning a specific time at which to address a particular agenda item; or
  - c. addition of an emergent agenda item.
- 11.45 The order of business at a council meeting shall be the order of the items on the adopted agenda.



- 11.56 After adoption of the agenda, council may alter the order of the items on the agenda, by majority vote, for convenience of the meeting.

### **Rules Governing Debate**

- 12.1 A motion must be made by a member of council before council can debate an item before council.
- 12.2 A seconder to a motion is not required.
- 12.3 All discussion at a meeting of council shall be directed through the mayor.
- 12.4 A member of council who has made a motion may speak either in favour of, or in opposition to, the motion.
- 12.5 Unless otherwise provided by resolution, a member of council may speak only:
- a. once on any motion;
  - b. once on any amendment to a motion; and
- 12.6 Notwithstanding 12.5:
- a. a member of council may ask questions of the administration or other member of council on any motion or amendment to a motion;
  - b. a member of council may speak to answer questions put by other member of council; and
  - c. a member of council who has made a motion may speak a second time to ~~close~~end the debate.
  - d. there will be no limit on the length at which a member of council may speak.
- 12.7 The mayor may participate in debate on any matter before council without relinquishing the chair.
- 12.8 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 until the vote on the motion has been taken.
- 12.9 When a member of council wishes to leave the council chambers while a meeting of council is in progress:

- a. the member of council shall await the formal acknowledgement of the mayor before leaving; and
- b. the time of the member's departure, and return, if any, shall be recorded in the minutes.

c. for the purpose of interpreting this section, the council lounge is considered to be part of the council chambers.

12.10 If a member of council has a pecuniary interest under the *Act*, that member of council shall state that he/she has a pecuniary interest and the nature of the pecuniary interest and shall leave the room in which the meeting is being held.

12.11 Where a member of council has left the meeting under section 12.10:

- a. the reason for and time of the member of council's departure, and return, if any, shall be recorded in the minutes;
- b. if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavour to advise the member of council who has left the meeting of the amendment so that the member of council may determine whether he/she continues to have a pecuniary interest; and
- c. council shall not consider any other agenda item until the chief administrative officer has endeavoured to advise the member of council who left the meeting because of a pecuniary interest that there is a new agenda item before the meeting.

12.12 In order to ensure that quorum is not lost, the mayor may recess the meeting briefly if a member of council wishes to leave the meeting but intends to return.

12.13 Subject to the *Act*, no member of council shall leave their seat in the council meeting chambers after a question is put to a vote until the vote is taken.

12.14 A councillor who is speaking may be interrupted by the mayor if:

- a. the councillor speaking is out of order; or
- b. the matter being addressed by the councillor speaking is outside the jurisdiction of council.

12.15 A member of council who is speaking may only be interrupted by another councillor on:

- a. a point of privilege; or
- b. a point of order.

12.16 The member of council who is speaking when a point of order or point of privilege is raised shall cease speaking immediately.

12.17 The mayor may grant permission:

- a. to the councillor raising the point to explain the point briefly; and
  - b. to the councillor who was speaking to respond briefly; but
- otherwise a point of order or privilege is not debatable or amendable.

12.18 The mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a councillor to the ruling.

12.19 The mayor 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.

### **Challenging the Ruling of the Mayor**

13.1 Any councillor may challenge the ruling of the mayor on a point of order or privilege and state the terms of the challenge.

13.2 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.

13.3 If a ruling of the mayor is challenged, the mayor shall briefly state the reasons for the mayor's ruling and then put the question to council.

13.4 Council shall decide the challenge, by majority vote, without debate.

13.5 The decision of council on the challenge is final.

13.6 If the mayor refuses to put the challenge to council, council may request the deputy mayor to assume the chair in order that the challenge to the mayor's ruling can be put to council in accordance with the provisions of sections 13.3 to 13.5. The result of the vote is as binding as if conducted under the mayor and the mayor shall abide by the result.

### **MAINTAINING ORDER IN COUNCIL**

#### **Order in Council Chambers - Council**

14.1 The mayor may call to order any councillor who is out of order.

- 14.2 A councillor who is called to order must cease talking or otherwise engaging in the activity specified by the mayor in the call to order.
- 14.3 When a councillor has been called to order but persists in breaching the order of council, the mayor may name the councillor and declare the offence.
- 14.4 The chief administrative officer shall note the offence in the minutes.
- 14.5 If a councillor who has been named:
- a. apologizes to council and withdraws the offensive statement or action, then
    - i. that councillor may remain and continue to participate in the meeting; and
    - ii. the mayor may direct that the notation of the offence be removed from the minutes; or
  - b. fails or refuses to apologize and withdraw the offensive statement or action then that councillor is automatically expelled and must leave council chambers immediately.
- 14.6 A councillor who refuses to leave the council chambers upon the order of the mayor may be removed by a peace officer.
- 14.7 No councillor shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 14.8 A councillor who is called to order or named may immediately thereafter challenge the ruling of the mayor and state the terms of the challenge.
- 14.9 When there is a challenge to the ruling of the mayor, all further debate shall cease until the challenge has been dealt with by council.
- 14.10 A challenge of the mayor's ruling shall follow those procedures outlined in sections 13.3 to 13.5.

### **Order in Council Chambers – The Public**

- 15.1 Only members of council, the chief administrative officer, and those individuals authorized by the chief administrative officer or mayor may be present on the floor of council chambers.

~~15.2 A person not listed in section 15.1 may be present on the floor of council chambers if that person has first received the approval of the mayor.~~

~~15.3~~15.2 The chief administrative officer, an employee or consultant authorized by the chief administrative officer may address the council from the floor of council chambers, if recognized by the mayor.

15.~~43~~ A person not listed in section 15.1 may address council from the public gallery with permission of the mayor.

15.~~54~~ No person present in the gallery or on the floor of council chambers shall cause any disturbance, interrupt any speaker or interfere with the action of council.

15.~~65~~ The mayor may call to order any person on the floor or in the gallery who has created a disturbance and may expel that person from council chambers.

15.~~76~~ An employee or member of the public who refuses to leave council chambers upon the order of the mayor may be removed by a peace officer.

## **RULES FOR MOTIONS**

### **Motions**

16.1 A member of council may make a motion introducing any new matter if:

- a. The motion is a recommendation from a council committee;
- b. Notice of motion has been provided in accordance with section 23 of this bylaw; or
- c. A motion is passed dispensing with notice.

16.2 At least three days before a regularly scheduled meeting of council, the chief administrative officer shall make all motions filed under section 16.1 available to ~~the member~~all members of council.

16.3 Section 16.1 does not apply to any of the motions set out in section 16.9.

16.4 A motion must be made prior to any debate or vote occurring.

16.5 A recommendation in a report is not a motion until a member of council moves it.

16.6 Council shall consider only one motion at a time.

16.7 After a motion has been moved, it may not be withdrawn without the majority consent of council.

16.8 The following motions are not debatable by council:

- a. to raise a point of privilege;
- b. to call for orders of the day;
- c. to raise a point of order;
- d. to withdraw a motion;
- e. to recess or adjourn the meeting; or
- f. to challenge a ruling of the mayor.

16.9 When a motion has been made and is being considered, no member of council may make any other motion except:

a. as set out in section 16.8;

~~b. to amend the motion;~~

~~e.b.~~ to refer the main motion to committee of the whole, the administration, a council committee or some other person or group for consideration;

~~d.c.~~ to postpone consideration of the motion; ~~or~~

~~e.d.~~ to table the motion; or

e. to amend the motion.

16.10 Motions shall have precedence in accordance with the order that they are listed in section 16.8 and then in subsections 16.9(b), 16.9(c), 16.9(d) and 16.9.(e).

16.11 If a motion is voted on by council, a member of council who voted on the prevailing side may move, at the same meeting or continuation thereof, that the vote be reconsidered, provided that the vote has not caused an irrevocable action.

16.12 If a motion fails, the same motion shall not be renewed unless:

- a. a general municipal election has been held; or
- b. one year has passed since the date that the motion was defeated.

16.13 Notwithstanding section 16.12, if a motion is defeated, a member of council may introduce a motion calling on council to renew the motion if:

- a. a two-thirds majority of council grants leave to a member of council to introduce a motion calling on council to renew the motion; or
- b. the member of council who wishes to have council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant further debate.

16.14 If a motion succeeds, a member of council may introduce a motion calling on council to rescind the motion or amend a motion previously adopted ~~provided that~~ if:

- a. the member of council sets out in writing what special or exceptional circumstances warrant further debate; or
- b. ~~16.15 In~~ emergent situations, where previous notice to rescind or amend a motion previously adopted is not practical, a motion to rescind or amend a motion previously adopted shall require a two-thirds vote of members of council present at the council meeting at which the rescinding or amending motion is introduced.

16.~~16~~15 A motion to rescind, renew or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.

16.~~17~~16 Council may consider a matter in camera in accordance with the *Freedom of Information and Protection of Privacy Act*.

16.~~18~~17 No motions may be made when council is sitting in camera except the motion to return to the public forum.

16.~~19~~18 Before calling the vote on a motion that, if passed, would result in a requirement for an action to be completed by a specified date or within a specific amount of time, the Mayor shall consult with the Chief Administrative Officer regarding the practicality of the date specified in the motion.

### **Amendments to Motions**

17.1 A member of council who moved a motion may not move an amendment to it.

17.2 Notwithstanding 17.1, a member of council who has moved a motion may restate the motion to include a proposed amendment if no other member of council objects.

- 17.3 Any member of council, other than the member of council who moved the main motion, may move to amend a motion.
- 17.4 The member of council who moved the main motion may move an amendment to the amendment.
- 17.5 The mayor shall allow only:
- a. one amendment to the main motion; and
  - b. one amendment to the amendment
- to be advanced and considered at a time.
- 17.6 Council must vote:
- a. on an amendment to the amendment, if any, before voting on the amendment; and
  - b. on any amendment before voting on the main motion.
- 17.7 When an amendment is on the floor, council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
- 17.8 The mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of council.
- 17.9 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.

### **Motions to Refer**

- 18.1 Any member of council may move to refer any main motion, and any pending amendments, to a council committee or the administration for investigation and report.
- 18.2 A motion to refer:
- a. is debatable;
  - b. precludes any further amendment to the main motion, until the motion to refer has been addressed by council;
  - c. shall include instructions indicating what the receiving body is to do and the date by which council requires a response; and



- d. may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 18.3 The mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 18.4 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.

### **Splitting a Motion**

- 19.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a member of council may request that the motion be split into parts so that each part may be voted upon individually.
- 19.2 A member of council who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 19.3 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.

### **Tabling Motions**

- 20.1 A motion may be tabled by a majority vote of council to enable council to deal with other more pressing matters.
- 20.2 A motion to table:
  - a. includes all other motions; and
  - b. takes precedence over any other motionconnected with the motion being ~~tabled~~considered for tabling.
- 20.3 A motion that has been tabled may be raised from the table at any time by a majority vote of council.

- 20.4 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.
- 20.5 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.
- 20.6 A motion fails if it is not raised from the table within one year of being tabled.

### **Postponing Motions**

- 21.1 A motion may be postponed:
- a. to later in the meeting to enable council to deal with other more pressing matters; or
  - b. to a specified time and/or date; or
  - c. until the occurrence of an event; or
  - d. indefinitely.
- 21.2 A motion to postpone:
- a. includes the motion being postponed and all connected amendments; and
  - b. takes precedence over any other motion connected with the motion being postponed.
- 21.3 A motion that has been postponed under section 21.1(a) or 21.1(d) may be considered at any time by a two-thirds majority vote of council.
- 21.4 If a motion to consider a postponed motion is defeated, it may only be made again after council has addressed some other matter or business.
- 21.5 When a motion that has been postponed is brought back to council, it is brought back with all motions connected with it, exactly as it was when postponed.
- 21.6 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.
- 21.7 The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current council term.

## Consent Agenda

- 22.1 The recommendation in the agenda report for the consent agenda portion of a meeting is moved and voted upon without debate as one item regardless of the number of reports included.
- 22.2 If a member of council 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.
- 22.3 Approval of the consent agenda shall include approval of all the recommendations contained in the respective reports.
- 22.4 Council will deal with items for debate in the order that they appear on the agenda, unless otherwise decided in accordance with Section 11.
- 22.5 A motion must be made before any exempted item is discussed-, debated, or the subject of questions.

## Notice of Motion

- 23.1 Prior to council adjourning a regular council meeting, member of council will be given an opportunity to present a notice of motion by reading into the minutes the notice of motion and by providing the chief administrative officer with a written copy of the notice.
  - a. Any motion arising from an unsolicited or unscheduled presentation to Council shall be treated as a "Notice of Motion" and subject to the rules outlined in this section.
- 23.2 In addition to the opportunity described in section 23.1 members of council may:
  - a. Present a notice of motion during discussion or debate on a matter which the notice of motion pertains; or
  - b. Present a notice of motion by providing written notice, including by email, of the motion to all other members of council, the Chief Administrative Officer, and any other members of administration required by the Chief Administrative Officer to receive notice.
- 23.3 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 23.4 A notice of motion may state the date of the regular council meeting at which the motion will be included in the agenda.

- 23.5 If no date is provided in the notice of motion as allowed by section 23.3,2(a), the agenda committee will determine which council meeting agenda will include the motion for which the notice of motion was provided.
- 23.6 A date included in a notice of motion as per section 23.3,2(a), or determined by the agenda committee as per section 23.45, shall be no less than ~~13~~27 days later than the date of the council meeting at which the notice of motion was provided.
- 23.7 A date included in a notice of motion as per section 23.2(b) shall be no less than 27 days later than the date of the next regular council meeting after the date that notice of motion was provided.
- 23.78 A notice of motion may be added to the agenda with less than the time outlined in section 23.6 if Council passes a resolution waiving the time requirement for notice.
- 23.89 If a motion for which a notice of motion was provided is not ~~made~~removed at the meeting that was either indicated in the notice of motion or determined by the agenda committee, it will appear on the agenda for, and may be ~~made~~removed at any of, the next two regular meetings. After the third regular meeting, it will not appear on subsequent agendas unless a new notice of motion is provided.
- 23.910 A notice of motion cannot be made at a special council meeting.
- 23.4011 A motion on notice is not debatable until a member of council moves the motion.

### Electronic Voting

- 24.1 Electronic voting technology that enables administration to display and record each motion, the names of members of council who voted for and against the motion, and the result of the vote shall be used during council meetings.
- 24.2 When the electronic voting technology is in operation:
- all members of council shall vote using the electronic voting technology, unless excused from voting by any statute; and
  - all votes shall be displayed publicly and recorded in the minutes in accordance with the public display.
- 24.3 When the electronic voting technology is inoperable or unavailable, a recorded vote shall be taken manually.

## RULES FOR BYLAWS

### Bylaws

- 25.1 The chief administrative officer must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time.
- 25.2 Each proposed bylaw must include:
- a. the bylaw number assigned to it by the chief administrative officer; and
  - b. a concise title.
- 25.3 The bylaw number and concise title of a proposed bylaw must be included on the agenda of the meeting at which the bylaw is to be introduced.
- 25.4 The chief administrative officer must make available a copy of the bylaw to each member of council before the first reading of the bylaw.
- 25.5 After first reading of the bylaw a member of council may move to have the bylaw read a second time.
- 25.6 Council may not give a bylaw more than two readings at a meeting unless members of council unanimously agree to consider third reading at that meeting.
- 25.7 Any amendments to the bylaw that are passed by Council before the motion for third reading is passed:
- a. are deemed to have received first and second reading; and
  - b. are incorporated into the proposed bylaw.
- 25.8 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.
- 25.9 If amendments to the proposed bylaw have been carried, ~~a member~~all members of council ~~may request~~must have had an opportunity to review the full text of the bylaw as amended prior to third reading and, if necessary, the mayor shall provide a recess for the member of council to do so.
- 25.10 If any reading of a proposed bylaw fails, all previous readings are rescinded.

## COMMITTEE OF THE WHOLE

- 26.1 There shall be a committee of the whole comprising all members of council.
- 26.2 The Mayor shall be chair of the Committee of the Whole unless another individual is chosen by the Mayor to act as chair. The Mayor may at any time resume the chair.
- 26.3 Council, by majority vote, may schedule a committee of the whole meeting or may resolve itself into committee of the whole.
- 26.4 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:
- a. the budget;
  - b. the audit;
  - c. transportation issues;
  - d. development issues;
  - e. strategic planning;
  - f. legislative reform;
  - g. policing matters; and
  - h. policy formulation.
- 26.5 Committee of the whole may:
- a. conduct public meetings;
  - b. receive delegations and submissions;
  - c. meet with other municipalities and other levels of governments; and
  - d. recommend annual appointments of members of the public to council committees, other City committees and other bodies on which the City is entitled to have representation.
- 26.6 Council may receive briefings in committee of the whole.

- 26.7 In addition to the restrictions contained in section 203(2) of the *Act*, the committee of the whole shall not hold public hearings.
- 26.8 The mayor may call for a meeting of the committee of the whole at any time.
- 26.9 Subject to the *Act*, any member of council 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.
- 26.10 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.
- 26.11 Quorum of committee of the whole is a majority of members of council.
- 26.12 In the committee of the whole, the procedures of council shall be relaxed as follows:
- a. a member of council may speak even though there is no motion on the floor, but if there is a motion on the floor a member of council shall only address that motion;
  - b. a member of council may speak more than once, provided that each member of council who wishes to speak to the matter has already been permitted to do so;
  - c. with the permission of the mayor, persons other than councillors may be seated at the council table and on the council floor; and
  - d. no notice need be given of any motion to be made.
  - e. The mayor may make a motion on any matter without relinquishing the chair.
- 26.13 Committee of the whole may move in camera in accordance with the *Act* and the *Freedom of Information and Protection of Privacy Act*.
- 26.14 No motions may be made when committee of the whole is sitting in camera in accordance with the *Freedom of Information and Protection of Privacy Act* except motions to return to the public forum.
- 26.15 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.

- 26.16 When council moves into committee of the whole to consider a matter delegated to it by council, members of council are required to vote on a recommendation to council.

### **NOMINATING COMMITTEE**

- 27.1 There shall be a committee of Council called the nominating committee.
- 27.2 The nominating committee shall make recommendations to council on the appointment of members of council to council committees, to other City committees, and to bodies on which the City is entitled to have representation.
- 27.3 The nominating committee of council shall be composed of the all members of council.
- 27.4 The mayor is the permanent chair of the nominating committee.

### **PUBLIC APPOINTMENTS TO COMMITTEES**

- 28.1 Council ~~will~~may, by policy, establish procedures for the recommendation for appointment of members of the public to committees, boards or other agencies to which council may appoint members of the public.
- 28.2 Appointments to public committees shall be made by resolution of Council.

### **INFORMATION REQUESTS**

- 29.1 A member of council wishing to make an information request of administration shall present it to council either:
- a. at the time designated for information requests on the agenda of a regular council meeting; or
  - b. during discussion of a matter on the agenda to which the information request is related.
- 29.2 If the chief administrative officer is unable to answer the information request at the meeting, the chief administrative officer will forward the request to the appropriate official or body in the City for a response.
- 29.3 Unless the information request specifies that the member of council wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all members of council.



- 29.4 If the chief administrative officer determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the chief administrative officer shall file a response with council stating the reasons for withholding the information.
- 29.5 If the chief administrative officer determines that the time and cost of compiling the information will be considerable, the chief administrative officer shall request a resolution of council to approve the request either at the same meeting or a future meeting.
- 29.6 If a member of council who has made an information request wishes to withdraw the request, at the appropriate time on the agenda that member of council shall so inform council.

## PUBLIC HEARINGS

~~30.1 “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.~~

~~30.2 “Close” used in relation to a public hearing means to terminate the public hearing.~~

~~30.3 The order of presentations and any time limitations imposed on presenters shall be in accordance with the policy and procedures for public hearings adopted from time to time by council.~~

30.41 The mayor, or the chief administrative officer, shall inform council of any written submissions and the numbers in favour of and opposed to the matter.

~~30.52~~ Any person who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by the council in person or through an agent.

~~30.63~~ Any member of council or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.

30.4 Prior to holding a public hearing on a bylaw Council shall vote on the motion for first reading of a bylaw, and if first reading passes, Council shall establish a date on which the public hearing on the bylaw will be held.

30.5 The proceedings of public hearings shall be as follows:

a. The Mayor opens the public hearing.

b. Administration introduces the bylaw.

- c. If administration and the applicant have worked together in the process, they may determine an effective and efficient approach to presenting the pertinent information to Council. Alternatively, an applicant may have a maximum of ten minutes to make a presentation to Council following administration's presentation.
- d. Council may ask questions of the administration and of the applicant.
- e. The Mayor invites members of the public to speak to the bylaw.
- f. Council hears from those in attendance who wish to speak to the bylaw. Individuals shall be allotted a maximum of five minutes to make their presentations. Those who register as groups shall be allotted a maximum of ten minutes. Council may vote to extend the time limits. Presenters may enhance their presentations by circulating or providing a report containing more detailed information.
- g. Council may ask questions of the members of the public who have come forward to speak to the bylaw.
- h. Once Council has heard from the public, Council may ask questions of administration on any points raised by the public that were not answered in previous questioning.
- i. The Mayor asks if there is anyone who wishes to speak to NEW information – the speaker should identify the new information that he or she is addressing.
- j. Repeat procedures set out in sections 30.5(g), 30.5(h) and 30.5(i) until no one comes forward.
- k. The Mayor shall ask for a motion to close or to adjourn the public hearing until a later meeting of Council.

**30.76** If a public hearing is adjourned, council shall not receive any additional submissions in relation to the subject matter until it reconvenes the public hearing.

**30.7** Once the public hearing is closed, Council cannot receive any additional substantive information on the bylaw as proposed without holding another public hearing.

**30.8** Depending upon the nature of the bylaw and the need for additional public circulation and response, Council may continue with subsequent readings at the same meeting or at subsequent meetings.

~~30.89~~ The public hearing must be closed before council votes on second reading of the bylaw.

30.10 If the Bylaw requires referral to the Edmonton Metropolitan Region Board, following passage of second reading, Council shall refer the Bylaw to the Edmonton Metropolitan Region Board. A decision on a bylaw referred to the Edmonton Metropolitan Region Board shall be presented to Council after second reading.

~~30.9 Once the public hearing is closed, council shall not receive any additional information on the proposed bylaw or resolution without reopening the public hearing.~~

~~30.10 Unanimous approval of council is required to pass a motion to close a public hearing in the same meeting as First Reading was given.~~

30.11 If Council determines that any amendments that have been made have a substantive impact on, or have changed the intent of the Bylaw, Council may decide to re-open the public hearing for input from the public prior to second reading.

a. A public hearing may only be re-opened during the same Council meeting in which the public hearing was closed.

30.12 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the mayor opens another public hearing.

30.13 Matters that are related to the same topic may be addressed in the same public hearing.

## **PUBLIC MEETINGS AND NON-STATUTORY PUBLIC HEARINGS**

31.1 Council may hold public meetings or non-statutory public hearings to solicit input from the public on issues for which a public hearing is not legislatively required.

~~31.2 Public meetings shall be conducted according to the procedures for public meetings established by council in policy.~~

31.~~32~~ Non-statutory public hearings shall be conducted according to the procedures for statutory public hearings adopted from time to time by council.

## PUBLIC PRESENTATIONS

32.1 The maximum amount of time allotted for public presentations, excluding public hearings, shall be 15 minutes unless:

- a. the Mayor, at his/her discretion, extends the amount of time; or
- b. Council, by resolution, extends the amount of time.

32.2 An individual or group presentation shall not exceed five minutes unless:

- a. the Mayor, at his/her discretion, extends the amount of time; or
- b. Council, by resolution, extends the amount of time.
- c. Notwithstanding sections 32.2(a) and 32.2(b), if a group is an advisory committee to Council or invited by Council, ten minutes will be allotted for the presentation.

Individuals representing more than one person will only be allotted one presentation.

32.3 If requested by a member of Council, a vote of Council must be taken to approve an extension of time given by the Mayor under sections 32.1(a) and 32.2(a).

32.4 Individuals or groups wishing to address Council on an agenda item scheduled for an upcoming Council meeting, shall register with Legislative Services by noon of the day of the Council meeting and shall provide their name, contact information and the agenda item they wish to speak to. Individuals or groups who have registered shall be given priority during the public presentation time, in the order in which they have registered, to make their presentations to Council.

32.5 On the day of the Council meeting, a sign-in sheet shall be available at the entrance to Council Chambers for people who have not registered but who wish to address Council on an agenda item scheduled for that Council meeting.

32.6 Individuals and groups who have registered to address Council on specific agenda items when those items come before Council shall be accommodated within the following steps:

- a. The Mayor will invite administration, along with any consultants that administration deems necessary, to introduce the agenda item.
- b. Council may ask questions of administration.
- c. The Mayor may invite any interested member in the public gallery to speak to the agenda item. The speaker will provide to Council his/her name, and may

provide his/her address to enable Council or administration to follow-up with the presenter, if required.

d. Council may ask questions of the presenters.

e. Council may ask further questions of administration.

f. Council will then debate and deal with the agenda item.

32.7 Individuals or groups wishing to address Council on a new topic not scheduled for an upcoming Council meeting, shall register with Legislative Services at least 10 business days prior to the Council meeting they wish to attend and shall provide their name, contact information, their topic, and any presentation material they will be utilizing. The presentation material will be included in the Council agenda.

a. Presentation material not provided to Legislative Services 10 business days prior to the Council meeting may not be used in a presentation or distributed to Council at the Council meeting.

32.8 Agenda Committee shall review the submissions of individuals or groups wishing to address Council on a new topic and shall determine if:

a. The Council meeting the individual or group wishes to attend has sufficient time for Council to hear their presentation and that relevant staff from administration is available to answer any questions from Council arising from the new topic; or

b. The new topic shall be scheduled for a later Council meeting.

32.9 Individuals and groups who have registered to address Council on a new topic shall be accommodated within the following steps:

a. The Mayor will invite the presenter to make their presentation on their new topic.

b. Council may ask questions of the presenter.

c. Council may ask questions of administration.

d. Council may ask administration to further research the new topic and bring back any new recommendations to Council as an agenda item.

32.10 Council Chambers are equipped with a computer connection for the use of the public as well as an overhead projector. Computers are not provided in order to prevent the contamination of City networks with viruses. Further to section 32.7, members of the public who wish to make presentations to Council shall arrive at least one-half hour prior to the commencement of the Council meeting to install

and test their own computer equipment.

## ADJOURNING THE MEETING

~~32~~33.1 When the mayor is satisfied that all the business and purposes of a meeting have been addressed, the mayor may adjourn the meeting or request a motion to adjourn the meeting.

~~32~~33.2 Any member of council may move to adjourn the meeting at any time.

## COMMUNICATIONS

~~32-33~~34.1 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 policies and procedures adopted by council.

## COMING INTO FORCE AND REPEAL

~~34-35~~35.1 This bylaw comes into force on receiving third reading by council and repeals Bylaw ~~35/2009~~22/2016, Procedure Bylaw.

READ a First time this \_\_\_\_ day of \_\_\_\_\_, 2018.

READ a Second time this \_\_\_\_ day of \_\_\_\_\_, 2018.

READ a Third time this \_\_\_\_ day of \_\_\_\_\_, 2018.

SIGNED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF LEGISLATIVE OFFICER