

BYLAW 11-2011

A BYLAW OF STRATHCONA COUNTY IN THE PROVINCE OF ALBERTA TO REGULATE MEETING PROCEEDINGS.

The Council of Strathcona County in the Province of Alberta hereby enacts as follows:

PART 1: SHORT TITLE

- 1.1 This Bylaw is called "*The Meeting Procedures Bylaw*".

PART 2: DEFINITIONS

- 2.1 "Act" means the Municipal Government Act, RSA 2000, c. M-26;
- 2.2 "Acting Mayor" is the Councillor who is appointed by resolution of Council from time to time to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor;
- 2.3 "Agenda" is the list of items and orders of business for any meeting;
- 2.4 "Bylaw" is a Bylaw of the County;
- 2.5 "Chairman" or "Chair" is the person presiding at meetings, and, when in attendance at a Council meeting, shall mean the Mayor;
- 2.6 "Chief Commissioner" is the person appointed by Council as the Chief Administrative Officer pursuant to the Act or his designate;
- 2.7 "Clear Days" as set out in the Interpretation Act, RSA 2000, c.I-8, as amended, means, in calculating the number of days, that the days on which the events happen shall be excluded;
- 2.8 "Committee of the Whole" is a committee consisting of all Councillors of Council which meets at an In-Camera session;
- 2.9 "Council" is the Councillors of Strathcona County elected pursuant to the provisions of the Local Authorities Election Act, RSA 2000, c. L-21;
- 2.10 "Council Open House" means a portion of a Meeting which is held for the purpose of allowing members of the public to express to Council their opinions or concerns on matters of public interest except those matters specifically excluded from discussion under this Bylaw;
- 2.11 "Council Priorities" is a period of time set aside on the Agenda when emergent issues can be raised by Council including Notices of Motion previously introduced and Direction Requests;

- 2.12 "Councillor" is a member of Council and includes the Mayor;
- 2.13 "County" is Strathcona County;
- 2.14 "Deputy Mayor" is the Councillor who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor;
- 2.15 "Direction Request" is a request to Council for direction on a Program Request;
- 2.16 "Group" means 2 or more Persons gathered together by a common interest in any matter, one of whom shall be appointed as spokesperson to be solely responsible for presenting the points of view or positions of the Persons he or she represents;
- 2.17 "In Camera Session" is a part of a Meeting which is closed to the public;
- 2.18 "Information Request" is an inquiry which can be dealt with either at a Meeting or which may require some interpretation of current policies, bylaws or budget but which can be responded to within ten (10) business days;
- 2.19 "Information Requests/Notices of Motion" is that period of time set aside on the Agenda when Councillors may make Requests for Information to the Chief Commissioner and present Notices of Motion;
- 2.20 "Manager" is the Manager of Legislative and Legal Services for Strathcona County;
- 2.21 "Mayor" is the Chief Elected Official of the County;
- 2.22 "Mayor's Executive" is a committee established through the County's Boards and Committees Bylaw, as amended or replaced from time to time;
- 2.23 "Meeting" means an Organizational Meeting, Regular Meeting and Special Meeting of Council held in accordance with the Act and includes a Meeting of a Committee established by Council;
- 2.24 "Order of Business" means the order of business and time schedule for a meeting of Council;

- 2.25 "Organizational Meeting" is a Meeting of Council held in accordance with the Act;
- 2.26 "Person" shall include an individual, partnership, association, body corporate, trustee, executor, administrator or legal representative;
- 2.27 "Point of Information" is a request directed through the Chairman to another Councillor or to staff for information relevant to the business at hand but not related to a Point of Procedure;
- 2.28 "Point of Procedure" is the raising of a question by a Councillor, directed to the Chairman, to call attention to any departure from The Meeting Procedure Bylaw or to obtain information on a matter of parliamentary law or the rules of the County bearing on the business at hand in order to assist a Councillor to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion;
- 2.29 "Program Request" is a request from a Councillor to administration which:
- (a) has political, budgetary or policy impacts; and/or
 - (b) involves a significant amount of administrative time and resources to effectively respond to; and
 - (c) requires a resolution of Council to approve before any work is initiated.
- 2.30 "Public Hearing" is a pre-advertised meeting of Council convened to hear matters pursuant to:
- (a) the Municipal Government Act, or
 - (b) any other Act; and
- and is separate from a Regular Meeting of Council;
- 2.31 "Question of Privilege" refers to all matters affecting the rights and privileges of Council collectively or any of its Councillors individually;
- 2.32 "Quorum" is a majority of those Councillors elected and serving on Council, except where special Committee policies have been passed;

- 2.33 "Regular Meeting" is a meeting of Council held in accordance with the Act;
- 2.34 "Special Meeting" is a meeting of Council held in accordance with the Act.

PART 3: APPLICATION

- 3.1 This Bylaw shall govern the conduct of Meetings and Committees established by Council and shall be binding upon all Committee members whether Councillors or a member of the public appointed by Council to a Committee of Council.
- 3.2 When any matter relating to the meeting proceedings is not addressed in this Bylaw, Robert's Rules of Order, if applicable, shall apply.
- 3.3 In the event of conflict between the provisions of this Bylaw and Robert's Rules of Order, the provisions of this Bylaw shall apply.

PART 4: CONDUCT OF MEETINGS

- 4.1 Quorum
- (a) As soon as there is a Quorum of Councillors after the hour fixed for the meeting, the Chairman shall take the chair and call the Meeting to order.
 - (b) Unless a Quorum is present within 30 minutes after the time appointed for the Meeting, the Meeting shall stand adjourned until the next regular Meeting date or until a Special Meeting is called to deal with the matters intended to be dealt with at the adjourned Meeting. The Manager shall record the names of the Councillors present at the expiration of the 30 minute time limit and such record shall be appended to the next Agenda.
 - (c) The only action that can legally be taken in the absence of Quorum is to extend the time to which to adjourn (if more than 30 minutes is being allowed), adjourn, recess or to take measures to obtain a Quorum.
 - (d) In the event that Quorum is lost after the meeting is called to order, the meeting shall be suspended until Quorum is obtained. If Quorum is not obtained within 30 minutes, the meeting shall stand adjourned.

4.2 Chairman

- (a) The Chairman shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on Points of Procedure and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any Councillor from any ruling of the Chair.
- (b) The Chairman shall make reasonable efforts, including the calling of a recess, to ensure all Councillors in attendance at a meeting are present while a vote is being taken, unless a Councillor is excused from voting in accordance with the Act or this Bylaw.
- (c) When the Chairman wishes to participate in the debate on a question or motion properly before the Meeting, the Chairman shall vacate the Chair and request the Deputy Mayor to assume the Chair.
- (d) The Chairman may invite Persons forward from the audience to speak with the permission of Council if it is deemed to be within the best interests of the issue being discussed, the public, and the conduct of good business.

4.3 Conduct

- (a) Councillors shall not:
 - (i) use offensive words or unparliamentary language in the meeting and shall refrain from abusive conduct, personal attacks or verbal attacks upon the character or motives of other Councillors of Council, boards, commissions, committees, staff or the public;
 - (ii) disobey the rules of the meeting or disturb the proceedings;
 - (iii) disobey the decision of the Chairman or of Councillors on any question of order, practice or interpretation;
 - (iv) leave their seat while a vote is being taken and until the result is declared;
 - (v) interrupt a Councillor while speaking, except to raise a Point of Procedure or Question of Privilege;

- (vi) engage in any other conduct in contravention of an Act of Canada or Alberta or a Council-approved Bylaw or Policy; or
 - (vii) pass between a Councillor who is speaking and the Chair.
- (b) A Councillor who wishes to leave the meeting prior to adjournment shall so advise the Chairman and the time of departure shall be noted in the minutes.

4.4 Calling a Councillor to Order

- (a) When a Councillor has been warned about breaches of conduct but continues to engage in them, the Chair may name the Councillor by stating the Councillor's name and declaring the offence.
- (b) The offence must be noted in the minutes.

4.5 Effect of Naming Councillor

- (a) If a Councillor who has been named apologizes for a breach of conduct and withdraws any objectionable statements, then:
- (i) that Councillor may remain and continue participating in the meeting; and
 - (ii) the Chair may direct that the notation of the offence be removed from the minutes; or
- (b) If a Councillor who has been named fails or refuses to apologize, then:
- (i) Council may pass a motion to:
 - (A) censure the Councillor; or
 - (B) require that Councillor to immediately leave Council Chambers for the remainder of the meeting or until the Councillor apologizes and withdraws the objectionable statements.
 - (ii) Council must, without debate, vote on the motion under this Section; and
 - (iii) A majority vote carries the motion.

4.6 Removal of Councillor

- (a) If a Councillor has been expelled pursuant to Section 4.5(b)(i)(B), that Councillor must leave Council Chambers immediately.
- (b) The Chair may request the Royal Canadian Mounted Police to remove an expelled Councillor if that Councillor does not leave voluntarily.

4.7 Disturbance by Public

- (a) The Chair may order any member(s) of the public who disturbs the proceedings of Council by words or actions to be expelled.
- (b) The Chair may request the Royal Canadian Mounted Police to remove the person(s).

4.8 Questions Of Privilege:

- (a) A Councillor who desires to address the meeting upon a matter which concerns the rights or privileges of the Councillors collectively, or of himself/herself as a Councillor personally, shall be permitted to raise such Question of Privilege.
- (b) A Question of Privilege shall take precedence over other matters and while the Chairman is ruling on the Question of Privilege, no one shall be considered to be in possession of the floor.

4.9 Points Of Procedure:

- (a) A Councillor who desires to call attention to a violation of this Bylaw shall ask leave of the Chairman to raise a Point of Procedure. When leave is granted, the Councillor shall state the Point of Procedure with a concise explanation and shall attend the decision of the Chairman upon the Point of Procedure. The speaker in possession of the floor when the Point of Procedure was raised shall have the right to the floor when debate resumes.
- (b) A Councillor called to order by the Chairman shall immediately vacate the floor until the Point of Procedure is dealt with, and shall not speak again without the permission of the Chairman unless to appeal the ruling of the Chair.

4.10 Appeal Ruling:

- (a) The decision of the Chairman shall be final, subject to an immediate appeal by a Councillor of the meeting.
- (b) If the decision is appealed, the Chairman shall give concise reasons for his ruling and a majority of the Councillors present at the Meeting, without debate, shall decide the question. The ruling of the Councillors shall be final.

PART 5: ORDER OF BUSINESS

5.1 The Order of Business at a Meeting is the order of the items on the Agenda except:

- (a) when a previous Meeting has been adjourned for lack of Quorum and no Special Meeting has been called to deal with the business of the adjourned Meeting, the Agenda items from the adjourned Meeting must be dealt with before any items on the current Agenda;
- (b) when Council alters the Order of Business for the convenience of the Meeting by a majority vote;
- (c) when the same subject matter appears in more than one place on an Agenda and Council decides, by motion, to deal with all items related to the matter at the same time; and
- (d) when Council decides not to deal with an item on the Agenda and no motion is made about it.

5.2 The Order of Business shall be:

- (a) Call to Order
- (b) Adopt Agenda
- (c) Adopt Minutes
- (d) Council Priorities
- (e) Consent Agenda
- (f) Items for Debate
- (g) Information Requests/Notices of Motion
- (h) Mayor and Councillor Reports
- (i) Adjournment

PART 6: AGENDA

6.1 Adopt Agenda

- (a) Council must vote to adopt the Agenda prior to transacting other business and may:
 - (i) add new items; and
 - (ii) delete any items from the Agenda.

6.2 Minutes

- (a) Minutes of Council Meetings shall be recorded without note or comment and shall record the names of the Councillors present at the Meeting and shall be presented to Council for adoption at a subsequent Meeting.
- (b) The preparation and distribution of minutes of Council Meetings shall be the responsibility of the Manager.

6.3 Consent Agenda

- (a) A Councillor may make a motion on all recommendations or all recommendations on any part of the agenda, and Council may vote on all items moved but, if any Councillor so requests, any item or items for debate must be exempted from the motion and the vote.
- (b) Council will deal with items for debate in the order that they appear on the Agenda, unless otherwise decided in accordance with Section 5.
- (c) A motion must be made before any exempted item is discussed.

6.4 Information Requests/Notices of Motion

- (a) A Councillor wishing to request information from the Chief Commissioner shall present it to Council as an Information Request.

- (b) If the Chief Commissioner is unable to answer the Information Request at the meeting, the Chief Commissioner will forward the request to the appropriate County department for response within ten (10) business days unless otherwise agreed to by the Councillor and the Chief Commissioner.
- (c) The Chief Commissioner may determine that an Information Request is a Program Request.

6.5 Program Requests

- (a) A Councillor wishing to make a Program Request of the Chief Commissioner shall present it to Council as a Program Request.
- (b) A Program Request shall be forwarded to administration for the preparation of a Direction Request.
- (c) Where the Chief Commissioner determines that a resolution of Council is necessary, the Program Request, together with the Direction Request, will be brought forward to Council as a Council Priority within thirty (30) days or such other date as agreed to by the Councillor and Chief Commissioner.

6.6 Notice Of Motion

- (a) A Notice of Motion must be used to introduce a new matter for consideration by Council which does not appear on the Agenda and must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.
- (b) A Notice of Motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made.
- (c) A Notice of Motion introduced in accordance with this section shall be included under Council Priorities on the Agenda of the next Regular Meeting or other Meeting date as specified by the Councillor.
- (d) A Notice of Motion may be received by the Manager prior to the closing of the Meeting. In this event, the Councillor shall read the Notice of Motion which shall be recorded in the minutes.

- (e) A Councillor who hands a written Notice of Motion to the Manager to be read at any Regular Meeting need not necessarily be present during the reading of the Notice.

6.7 Mayor and Councillor Reports

- (a) The Mayor shall update Council on recent activities of interest to the Council, the municipality and the region.
- (b) The Mayor's report shall be adopted by a resolution of Council.
- (c) Councillors shall update Council on recent activities of interest to the ward, Council, the municipality and the region.
- (d) Councillors shall report to Council on the activities of boards and committees to which the Councillor has been appointed by Council at least once per year.

6.8 Adjournment

- (a) A Motion to Adjourn the meeting shall be in order except:
 - (i) when a Councillor is in possession of the floor; or
 - (ii) when it has been decided that the vote now be taken; or
 - (iii) during the taking of a vote.
- (b) Adjournment time is at the conclusion of the Agenda as adopted by Council or when a Motion to Adjourn has been passed.

PART 7: MEETINGS

7.1 Regular Meetings

- (a) The Regular Meetings of Council shall be established by resolution at the annual Organizational Meeting or at a Regular Meeting of Council following the Organizational Meeting, as may be appropriate.
- (b) Notice of Regular Meetings need not be given.

- (c) If Council changes the date, time or place of a Regular Meeting, at least 24 hours' notice of the change must be given to:
 - (i) any Councillor not present at the meeting at which the change was made, and
 - (ii) the public.

7.2 Special Meetings

- (a) A Special Meeting shall be scheduled by the Manager when required to do so by the Mayor or a majority of the Councillors of Council.
- (b) Where a Special Meeting is required by a majority of Council the Mayor shall call such meeting within 14 days of the date on which the request was made.
- (c) No less than twenty four (24) hours notice of a Special Meeting stating the time, date and place at which it is to be held and stating in general terms the nature of the business to be transacted at the meeting shall be provided to each Councillor and to the public.
- (d) A Special Meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
- (e) The Agenda for a Special Meeting of Council shall be restricted to the business stated in the notice unless all the Councillors of Council are present, in which case, by unanimous consent, any other business may be transacted.

7.3 Organizational Meeting

- (a) An Organizational Meeting of Council shall be held annually as required by the Act.
- (b) The Agenda for the Organizational Meeting shall be restricted to:
 - (i) the administration of the oath and the introduction of new Councillors should the meeting follow a general municipal election;

- (ii) selection of the Deputy Mayor and Acting Mayor by rotation;
- (iii) the establishment of the Regular Meeting dates for Council;
- (iv) establishment of Councillor membership on committees and boards;
- (v) any such other related business as is required by the Act.

7.4 In-Camera Sessions

- (a) Council and Council Committees may close all or part of a Meeting to the public if a matter to be discussed is within one of the exceptions to disclosure as set out in the Freedom of Information and Protection of Privacy Act, RSA 2000, c. F-25;
- (b) When a Meeting is closed to the public, the Meeting may include any person or persons invited to attend by Council;
- (c) A subdivision authority, development authority, subdivision and development appeal board and assessment review board established under the Act may deliberate and make its decisions in a meeting closed to the public.
- (d) When a Meeting is closed to the public pursuant to this section, no resolution or bylaw may be passed at the Meeting, except a resolution to revert to a Meeting held in public.

7.5 Public Hearings:

- (a) Public Hearings will be held, whenever possible, at a time to accommodate members of the public.
- (b) Persons interested in speaking at a Public Hearing should register with the Manager's office prior to the Public Hearing. Names of registered speakers for a Public Hearing shall not be released to the public prior to 12:00 noon of the Friday preceding the Public Hearing.
- (c) The Chairman shall declare the Public Hearing in session and shall outline Public Hearing Procedures.
- (d) The Manager or department representative shall introduce the resolution or bylaw and shall briefly state the intended purpose.

Department presentations shall follow the introduction of the bylaw or resolution.

- (e) The Chairman shall then open the floor to presentations from the public.
- (f) The Chairman shall call upon those persons who have registered with the Manager's office to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. The Chairman shall request those who wish to make presentations to identify themselves. A person who does not identify himself or herself will not be given the opportunity to speak.
- (g) Presentations by the public may be made verbally, in writing, or electronically. Written submissions shall be collected by the Manager and retained for record purposes.
- (h) Presentations shall be limited to 5 minutes unless there is consent by Council to extend the allotted time.
- (i) Questions of clarification will be addressed during the Public Hearing.
- (j) Following public presentations, the Chairman shall close the Public Hearing and open the floor for debate.
- (k) The passage of Bylaws requiring a Public Hearing shall be in accordance with Section 10.7 of this Bylaw.
- (l) When a Councillor is absent from a Public Hearing on a proposed Bylaw or resolution, that Councillor must declare and disclose the reason for the abstention prior to any discussion of the matter and abstain from discussions or voting on any question relating to the matter.
- (m) Where a Councillor is absent for a portion of a Public Hearing on a proposed Bylaw or resolution, that Councillor may declare and disclose the reason for the abstention prior to any discussion of the matter and abstain from discussions or voting on any question relating to the matter.
- (n) The Minutes shall indicate all declarations of abstention.

7.6 Council Open House

- (a) A Council Open House shall be held as part of the regular Council meeting.
- (b) Persons or Groups who wish to speak at a Council Open House are encouraged to register with the Manager's office in advance. Persons or groups who will not identify themselves will not be given the opportunity to speak.
- (c) The Chairman shall open the floor to public presentations.
- (d) The following matters shall not be discussed at a Council Open House:
 - (i) Matters of a confidential nature as described in Section 7.3 of this Bylaw;
 - (ii) Matters that have been, or will be, more appropriately dealt with at another venue including, but not limited to, Public Hearings, Public Input Sessions, Subdivision and Development Appeal Board, an Assessment Review Board or other Board or Committee Meeting.
 - (iii) Any other matter that Council considers to be inappropriate.
- (e) Each Person or Group will be given an opportunity to speak at a Council Open House only once in respect of a given issue. Council may waive this restriction if it is of the view there have been significant new developments in respect of the issue or if sufficient time has elapsed such that Council is prepared to consider the issue again.
- (f) Presentations at Council Open House may be made verbally, in writing or electronically. Written submissions shall be collected by the Manager and retained for record purposes.
- (g) Council shall limit questions of clarification to an aggregate total of 5 minutes, unless there is consent by Council to extend the allotted time. Council shall not enter into debate during a Council Open House.

- (h) Debate concerning matters raised during a Council Open House may take place during the regular Council meeting at the conclusion of the Council Open House and at the discretion of Council.
- (i) A written response shall be provided to presenters in accordance with Council Open House Policy GOV-001-016 as revised or replaced from time to time.

7.7 Public Presentations

- (a) Public Presentations may be arranged for the purpose of providing for:
 - (i) special recognition of persons, organizations and events;
 - (ii) award presentations; or
 - (iii) reports from outside agencies.
- (b) Requests for Public Presentations from the public shall be made to the Manager in writing at least 12 days prior to a Regular Meeting. Requests received less than 12 days before a Regular Meeting of Council shall be included on the Agenda for the next Regular Meeting immediately following. Exceptions may be made at the discretion of the Mayor's Executive or Council.
- (c) Presentations shall be limited to five (5) minutes in length unless there is consent by the Mayor's Executive prior to establishment of the Agenda or by Council at the Regular Meeting to extend the presentation.
- (d) Debate concerning matters raised during Public Presentations shall take place at the discretion of Council.
- (e) Information presented during a Public Presentation shall relate only to the subject matter for which the presentation was originally requested.

7.8 Public Input Sessions

- (a) Council may schedule a Public Input Session during a Regular Meeting for the purpose of obtaining public opinion on any resolution, bylaw, issue or other matter.

- (b) Persons or Groups interested in speaking at a Public Input Session should register with the Manager's office prior to the Public Input Session.
- (c) The Chairman shall call upon those persons who have registered with the Manager's office to speak first, followed by other persons at the Meeting who have not registered to speak but who wish to address Council. Persons who do not identify themselves will not be given an opportunity to speak.
- (d) Presentations made by Persons or Groups may be made verbally, in writing or electronically. Written submissions shall be collected by the Manager and retained for record purposes.
- (e) Council debate concerning matters raised at a Public Input Session shall take place at the conclusion of the Public Input Session and at the discretion of Council.

7.9 Time Limits

- (a) Presentations during Council Open House, Public Presentations to Council and Public Input Sessions shall be limited to 5 minutes, or for Groups, an aggregate total of 15 minutes if time permits, unless there is consent by Council to extend the allotted time.
- (b) Extensions of time limits for presentations during Council Open House, Public Presentations to Council and Public Input Sessions may be granted by consent of Council, based on any one or more of the following:
 - (i) the issue or Bylaw under discussion is deemed by Council to be contentious or complex and the allotted time is not sufficient, in the opinion of Council, to give the matter due consideration;
 - (ii) the granting of an extension of time will not prejudice the rights of other presenters to their allotted presentation time as prescribed by this Bylaw.

7.10 Electronic Meetings

- (a) A Meeting may be conducted by means of electronic or other communication facilities if:

- (i) notice is given to the public of the meeting, including the way in which it is to be conducted;
 - (ii) 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
 - (iii) the facilities enable all the meeting's participants to watch or hear each other.
- (b) Councillors participating in a Meeting held by means of a communications facility are deemed to be present at the Meeting.

PART 8: MOTIONS

- 8.1 A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
- 8.2 Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 8.3 The mover of a motion must be present when the vote on the motion is taken.
- 8.4 When a matter is under debate, no motion shall be received other than a Motion to:
- (a) Fix the Time for Adjournment;
 - (b) Adjourn;
 - (c) Withdraw;
 - (d) Call the Question (that the vote must now be taken);
 - (e) Postpone to a certain time or date;
 - (f) Refer;
 - (g) Amend;
 - (h) Postpone indefinitely;

which in declining order shall be the order of precedence.

8.5 Motion to Withdraw

- (a) Enables the mover to withdraw or modify a motion or substitute a different one in its place.
- (b) The mover of a motion may withdraw that motion without permission so long as the motion has not been stated by the Chair.
- (c) If the motion has been stated by the Chair and is formally before the meeting the mover may ask to withdraw, substitute or modify it and the Chairman shall grant permission; however, if any objection is made, it is necessary to obtain leave by Motion to Withdraw and this motion cannot be debated or amended. Once a motion is withdrawn, the effect is the same as if it had never been made.

8.6 Motion to Postpone to a Certain Time or Date

- (a) Is used if Council would prefer to consider the main motion later in the same meeting or at another meeting.
- (b) Is **debatable to its merits only**, and cannot go into the main question except as necessary for debate of the immediately pending question.

8.7 Motion to Refer

- (a) Is used to send a pending question to a committee, department or selected persons so that the question may be carefully investigated and put into better condition for Council to consider.
- (b) Shall be clear as to the information required and shall provide direction as to the Person or Group to which it is being referred.
- (c) **Is debatable.**

8.8 Motion to Amend

- (a) Is used to modify the wording of a motion before the motion itself is voted on.
- (b) **Is debatable** whenever the motion to which it applies is debatable.

- (c) All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chairman shall rule on disputes arising from amendment.
- (d) Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced.
- (e) The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
- (f) Nothing in this section shall prevent other proposed amendments being read for the information of the Councillors.
- (g) When the motion under consideration contains distinct propositions, a Councillor may request that the vote upon each proposition be taken separately, which request may be granted at the discretion of the Chairman.

8.9 Motion to Postpone Indefinitely

- (a) Is used as a method to dispose of a question without bringing it to a direct vote.
- (b) Must include a reason for postponement and **is debatable**. Debate can go into the main question.

8.10 Motion to Reconsider

- (a) Is used to permit correction of an action or to take into consideration added information or a changed situation that has developed since the taking of the vote on a motion.
- (b) May be moved after a motion has been voted upon, and before moving to the next item on the Agenda or at any time before the Chair declares the Meeting adjourned.
- (c) Must be moved by a Councillor who voted with the prevailing side and who shall state the reason for making the Motion.
- (d) Debate must be confined to reasons for or against reconsideration.

- (e) If a Motion to Reconsider is carried, the Question on which the vote is to be reconsidered becomes the next order of business in the exact position it occupied the moment before it was voted on originally.
- (f) Reconsideration of the question shall be **open to debate**, voted upon, and shall require the votes of a majority of Councillors present to carry it, unless otherwise required by this Bylaw.

8.11 Motion to Rescind

- (a) is used to cancel a previous action.
- (b) A Motion to Rescind a previous motion, if passed by a majority vote of the Councillors present, renders the previous motion referred to be null and void.
- (c) A Motion to Rescind **is debatable** into the merits of the question it is proposed to rescind.
- (d) If a Motion to Rescind relates to an action taken at a previous meeting and the matter does not appear on the Agenda, a Notice of Motion shall precede the Motion to Rescind.
- (e) A Motion to Rescind will not undo actions which have already been taken as a result of the motion previously passed.

8.12 Motion to Suspend the Rules

- (a) Is used to temporarily suspend the rules of procedure in order to allow Council to take up a question or do something that would be in violation of this Bylaw and **is not debatable**.
- (b) In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council if 2/3 of all Councillors of Council present vote in favour of dealing with the matter under consideration.
- (c) If passed, Council may proceed to deal with the matter in question.
- (d) A resolution waiving any provision of this Bylaw as provided for in this section shall only be effective for the meeting during which it is passed.

PART 9: SPEAKING TO MOTIONS AND LIMITS ON DEBATE

- 9.1 No Councillor is permitted to speak unless and until recognized by the Chair.
- 9.2 Unless otherwise provided by this Bylaw, Councillors may speak only twice on any motion; however, Council may give permission to speak again.
- 9.3 Councillors may not speak more than once until every Councillor has had the opportunity to speak except:
- (a) in the explanation of a material part of the speech which may have been misunderstood; or
 - (b) in reply, to close debate, after everyone else wishing to speak has spoken, provided that the Councillor presented the motion to the Meeting.
- 9.4 Supplementary questions or a series of questions relating to the matter before the Meeting may be raised by a Councillor, but each such question requires the consent of the Chair.
- 9.5 Through the Chairman, a Councillor may ask:
- (a) questions of another Councillor or of staff on a Point of Information relevant to the business at hand.
 - (b) questions to obtain information relating to the Minutes presented to the Meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.
- 9.6 All questions or debate shall be directed through the Chair.

SECTION 10: VOTING

- 10.1 Every Councillor present, including the Mayor, shall vote on every matter, unless:
- (a) the Councillor is required to abstain from voting under this or any other bylaw or enactment; or
 - (b) the Councillor is permitted to abstain from voting under this or any other bylaw or enactment.

- 10.2 A Councillor present at a meeting shall make a request for a recess if for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent, unless that Councillor is excused from voting pursuant to this section.
- 10.3 As the Chairman calls for those Councillors in favour or against, votes shall be made by the raising of hands, by the use of an electronic or computerized voting system or, in the case of an electronic meeting, verbally.
- 10.4 Every vote taken at a Meeting shall be recorded by noting the names of the Councillors voting for and against all motions and of those who are absent for or abstaining from the vote.
- 10.5 If there are an equal number of votes for and against a resolution or Bylaw, the resolution or Bylaw is defeated.
- 10.6 Call the Question
 - (a) When a Motion that a Vote be Taken (Call the Question) is presented, it shall be put to a vote without debate and, if carried by a majority vote of the Councillors present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.
 - (b) When the Chairman, having ascertained that no further information is required, commences to take a vote, no Councillor shall speak to or present another motion until the vote has been taken on such motion or amendment.
 - (c) A Councillor who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.
- 10.7 Voting On Bylaws
 - (a) Where a Bylaw is presented to a Meeting for enactment, the Manager shall cause the number, short title and brief description of the Bylaw to appear on the Agenda.
 - (b) The following shall apply to the passage of all Bylaws:

- (i) A Bylaw shall be introduced for First Reading by a Motion that it be read a first time specifying the number of the Bylaw.
- (i) After a Motion for First Reading of the Bylaw has been presented, Councillors may debate the substance of the Bylaw and propose and consider amendments to the Bylaw.
- (ii) Notwithstanding Section 8.8 (c) of this Bylaw, a motion to amend a Bylaw must be seconded.
- (iv) Any proposed amendments shall be put to a vote, and if carried, shall be considered as having been incorporated into the Bylaw at First Reading.
- (v) When all amendments have been accepted or rejected, the Chairman shall call the Question on the Motion for First Reading of the Bylaw.
- (vi) When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established before first or second reading.
- (vii) All aspects of the passage of a Bylaw at First Reading shall apply to second and third readings of any Bylaw.
- (viii) A Bylaw shall not be given more than two readings at one meeting unless the Councillors present at the meeting unanimously agree that the Bylaw may be presented for third reading at the same meeting at which it received two readings.
- (ix) A Bylaw shall be passed when a majority of the Councillors present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
- (x) When a Bylaw has been given three readings and is signed and dated in accordance with the Act, it is considered an enactment of the County and is effective immediately, unless the Bylaw or an applicable provincial statute provides otherwise.

- (c) The previous readings of a proposed Bylaw are rescinded if the proposed Bylaw
 - (i) does not receive third reading within 2 years of First Reading; or
 - (ii) is defeated on second or third reading.
- (d) After passage, a Bylaw shall be signed by the Mayor or Mayor's designate and by the Manager and shall be impressed with the corporate seal of the County.
- (e) Clerical, typographical and grammatical errors in bylaws may be corrected by the Manager.
- (f) The Manager may consolidate a bylaw by incorporating all amendments to it into one Bylaw.
- (g) A copy of any bylaw, resolution or record certified by the Manager as a true copy of the original is prima facie proof of the bylaw, resolution or record.

10.8 Pecuniary Interest (Conflict)

- (a) Councillors who have a reasonable belief that they have a pecuniary interest (as defined in the Act) in any matter before Council, any committee of Council or any board, commission, committee or agency to which they are appointed as a representative of Council, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, abstain from discussions or voting on any question relating to the matter and shall remove themselves from Council Chambers until the matter is concluded.
- (b) the Minutes shall indicate the declaration of disclosure, the time at which the Councillor left the room and the time the Councillor returned.

SECTION 11: EFFECTIVE AND REPEAL DATE


- 11.1 This Bylaw becomes effective upon third reading and upon proper signature thereof.

11.2 Bylaws 106-2004 and 52-2009 are hereby repealed.

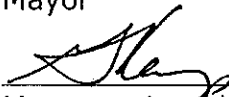
Read a first time this 26th day of April, 2011.

Read a second time this 26th day of April, 2011.

Read a third time and finally passed this 26th day of April, 2011.



Mayor



Manager, Legislative and Legal Services

Date Signed: April 29, 2011