

## BYLAW 20-2015

### 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 "Council" is the Councillors of Strathcona County elected pursuant to the provisions of the Local Authorities Election Act, RSA 2000, c. L-21;
- 2.8 "Council Priorities" is a period of time set aside on the Agenda when emergent issues raised by Council will be debated;
- 2.9 "Councillor" is a member of Council and includes the Mayor;
- 2.10 "Councillor Inquiries" is that period of time set aside on an Agenda when Councillors may:
- (a) Make Information Requests; and
  - (b) Present Notices of Motion.

- 2.11 "County" is Strathcona County;
- 2.12 "Deputy Mayor" is the Councillor who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor;
- 2.13 "Director" is the Director of Legislative and Legal Services for Strathcona County;
- 2.14 "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;
- 2.15 "In Camera Session" is a part of a Meeting which is closed to the public;
- 2.16 "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;
- 2.17 "Mayor" is the Chief Elected Official of the County;
- 2.18 "Mayor's Executive" is a committee established through the County's Boards and Committees Bylaw, as amended or replaced from time to time;
- 2.19 "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;
- 2.20 "Order of Business" means the order of business and time schedule for a Meeting of Council as set out in Schedule "A";
- 2.21 "Organizational Meeting" is a Council Meeting held in accordance with the Act;
- 2.22 "Person" shall include an individual, partnership, association, body corporate, trustee, executor, administrator or legal representative;
- 2.23 "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;
- 2.24 "Point of Privilege" refers to all matters affecting the rights and privileges of Council collectively or any of its Councillors individually;
- 2.25 "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;

- 2.26 "Priorities Committee" means the Priorities Committee as established by Bylaw 19-2015 as amended or replaced from time to time;
- 2.27 "Program Request" is a request from a Councillor 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.
- 2.28 "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;
- 2.29 "Quorum" is a majority of those Councillors elected and serving on Council, except where special Committee policies have been passed;
- 2.30 "Regular Meeting" is a meeting of Council held in accordance with the Act;
- 2.31 "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 Council Meetings and meetings of other Committees established by Council and shall be binding upon all Committee members whether a Councillor 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 Director 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 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 Points 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 Point of Privilege.
- (b) A Point of Privilege shall take precedence over other matters and while the Chairman is ruling on the Point 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 must state the question "Is the ruling of the Chair upheld?"
- (c) A majority of the Councillors present at the Meeting, without debate, shall decide the question. The ruling of the Councillors shall be final.

4.11 Pecuniary Interest

- (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.

#### 4.12 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 5: AGENDAS AND MINUTES**

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 Agenda orders the business for a Meeting and will follow the appropriate Order of Business as set out on Schedule "A".

5.3 Council must vote to adopt the Agenda prior to transacting other business and may:

- (a) add new items; and



- (b) delete any items from the Agenda.

#### 5.4 Consent Agenda

- (a) The Consent Agenda portion of a Meeting is moved and voted on without debate as one item regardless of the number of reports included.
- (b) A Councillor may add any item or items to the Consent Agenda or may exempt any item or items from the motion and the vote;
- (c) Bylaw items that have been selected for consent may be voted on together.
- (d) Council will deal with items for debate in the order that they appear on the Agenda, unless otherwise decided in accordance with Section 5.1.
- (e) A motion must be made before any exempted item is discussed.

#### 5.5 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 Director.
- (c) Clerical, typographical and grammatical errors in Minutes may be corrected by the Director.

### **PART 6: COUNCIL MEETINGS**

#### 6.1 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 and the Priorities Committee;
  - (iv) establishment of Councillor membership on committees and boards; and
  - (v) any such other business as is described in the notice of the meeting.
- (c) The Director shall ensure a schedule of Meetings as scheduled at the Organizational Meeting is posted as directed by Council.

## 6.2 Regular Meetings

- (a) Notice of Regular Meetings need not be given.
- (b) 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.

## 6.3 Special Meetings

- (a) A Special Meeting shall be scheduled by the Director 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.

#### 6.4 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) 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.

#### 6.5 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 Director's office prior to the Public Hearing.
- (c) The Chairman shall declare the Public Hearing in session and the Director shall outline Public Hearing Procedures.
- (d) The Director 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 Director'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 Director 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 12.3 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.

## **PART 7: COUNCILLOR INQUIRIES AND REPORTS**

### 7.1 Information Requests

- (a) A Councillor wishing to request information from the Chief Commissioner shall present it 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.
- (c) Unless the Information Request specifies that the Councillor wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all members of Council.
- (d) The Chief Commissioner may determine that an Information Request is a Program Request.

### 7.2 Notices of Motion

- (a) A Councillor wishing to introduce any new matter may do so only if notice is given at a Council Meeting.
- (b) A Notice of Motion must be in writing and 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 must be given without discussion of the matter, but written copies distributed may include explanatory paragraphs.
- (d) If the subject matter and proposed action contained in the Notice of Motion is determined by the Chairman to be a Program Request, the Motion shall be presented as a Program Request at a Priorities Committee Meeting.
- (e) A Notice of Motion introduced in accordance with this Section shall be included under Council Priorities on the Agenda of the next available Regular Meeting or other Meeting date as specified by the Councillor.
- (f) A Notice of Motion may be received by the Director 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.
- (g) Councillor who hands a written Notice of Motion to the Director to be read at any Regular Meeting need not necessarily be present during the reading of the Notice.
- (h) A Program Request may not be made by way of Notice of Motion.

#### **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 A recommendation in a report does not constitute a motion until a Councillor has expressly moved it.
- 8.3 Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 8.4 The mover of a motion must be present when the vote on the motion is taken.
- 8.5 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) Recess;
  - (d) Withdraw;

- (e) Call the Question (that the vote must now be taken);
- (f) Postpone to a certain time or date;
- (g) Refer;
- (h) Amend;
- (i) Postpone indefinitely;

which in declining order shall be the order of precedence.

#### 8.6 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 with the unanimous consent of Council; 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.

#### 8.7 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.

#### 8.8 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.

## 8.9 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 to a motion may be made before Council at any time, but an amendment to the amendment may be made before Council at the same time.
- (d) The amendment to the amendment must be voted on before the amendment.
- (e) An amendment to an amendment must be relevant to the amendment.
- (f) 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.
- (g) Nothing in this Section shall prevent other proposed amendments being read for the information of the Councillors.
- (h) 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.
- (i) The Chair may accept an amendment as a Friendly Amendment if no member of Council objects.
- (j) "Friendly Amendment" means a change that does not affect the substance of a motion and clarifies the motion's intent.

## 8.10 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.

#### 8.11 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.

#### 8.12 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.

#### 8.13 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.

#### 8.14 Motion to Recess

- (a) Any Councillor may move that Council recess for a specific period.
- (b) The motion may not be used to interrupt a speaker.
- (c) After the recess, business will be resumed at the point when it was interrupted.
- (d) A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.

#### 8.15 Motion to Renew

- (a) If a motion fails, the same, or substantially the same, motion may not be renewed unless:
  - (i) it is brought more than one year after the date of the original motion; or
  - (ii) it is brought after a general election which has taken place since the date of the original motion; or
  - (iii) the Councillor who wishes to have Council renew a motion provides prior Notice of Motion setting out in writing what special circumstances or significant new developments have occurred in respect of the issue to warrant further consideration.
- (b) A motion to renew may not be introduced where the vote on the original motion has caused an irrevocable action.

#### 8.16 Motion to Adjourn

- (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 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.

#### **PART 10: VOTING**

- 10.1 Votes on all motions must be taken as follows:
  - (a) The Chair must put the motion.
  - (b) Councillors must:

- (i) Use the electronic or computerized voting system if it is available;
  - (ii) Vote by a show of hands if the electronic or computerized system is unavailable; or
  - (iii) Vote verbally if participating by a communication facility.
- (c) Every Councillor present, including the Mayor, shall vote on every matter, unless:
- (i) the Councillor is required to abstain from voting under this or any other bylaw or enactment; or
  - (ii) the Councillor is permitted to abstain from voting under this or any other bylaw or enactment.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) If there are an equal number of votes for and against a resolution or Bylaw, the resolution or Bylaw is defeated.

## 10.2 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.

### 10.3 Voting On Bylaws

- (a) Where a Bylaw is presented to a Meeting for enactment, the Director 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.
  - (ii) 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.
  - (iii) 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.
  - (iv) When all amendments have been accepted or rejected, the Chairman shall call the Question on the Motion for First Reading of the Bylaw.
  - (v) When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established before first or second reading.
  - (vi) All aspects of the passage of a Bylaw at First Reading shall apply to second and third readings of any Bylaw.
  - (vii) 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.
  - (viii) 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.
  - (ix) 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 Director and shall be impressed with the corporate seal of the County.
- (e) Clerical, typographical and grammatical errors in bylaws may be corrected by the Director.
- (f) The Director 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 Director as a true copy of the original is prima facie proof of the bylaw, resolution or record.

#### **PART 11: REPEAL**

11.1 Bylaw 67-2013 is hereby repealed.

#### **PART 12: EFFECTIVE DATE**

12.1 This Bylaw becomes effective on third reading and upon being signed.

Read a first time this 28<sup>th</sup> day of April, 2015.

Read a second time this 28<sup>th</sup> day of April, 2015.

Read a third time and finally passed this 26<sup>th</sup> day of May, 2015.

Roxanne Carr  
Mayor

Glenna Kemp  
Director, Legislative and Legal Services

Date Signed: June 11, 2015

**SCHEDULE "A"**

**REGULAR MEETING OF COUNCIL  
ORDER OF BUSINESS**

1. Call to Order
2. Adopt Agenda
3. *In-Camera* Session
4. Consent Agenda
5. Adopt Minutes
6. Council Priorities
7. Requests for Decision
8. Public Hearings
9. Adjournment