

TOWN OF VULCAN

BYLAW NO. 1492-20

A BYLAW OF THE TOWN OF VULCAN, IN THE PROVINCE OF ALBERTA, TO PROVIDE RULES GOVERNING THE PROCEEDINGS AND THE REGULAR BUSINESS OF COUNCIL AND COUNCIL COMMITTEES

WHEREAS, pursuant to the *Municipal Government Act*, Town Council may pass Bylaws in relation to the establishment and functions of Council Committees, and the procedure and conduct of Council and Council Committees.

AND WHEREAS, pursuant the *Municipal Government Act*, Town Council may by Bylaw delegate its powers, duties or functions to a Town Council Committee.

AND WHEREAS the *Municipal Government Act* governs the conduct of Town Council, Councillors, Council Committees; municipal organization and administration; public participation; and the powers of a municipality.

NOW THEREFORE, the Town Council of the Town of Vulcan enacts as follows:

1. **BYLAW TITLE**

- 1.1. This Bylaw may be cited as the "Council Procedural Bylaw".

2. **DEFINITIONS**

- 2.1. In this Bylaw:

- 2.1.1. **ACT** means the *Municipal Government Act*, R.S.A., as amended.
- 2.1.2. **ACTING MAYOR** means the member selected by Council to preside at a regular meeting thereof in the absence or incapacity of both the Mayor and Deputy Mayor.
- 2.1.3. **ADMINISTRATION** means the employees of the Town.
- 2.1.4. **AGENDA** means the list and order of business items for any meeting of Council or Committees.
- 2.1.5. **BYLAW** means a bylaw of the Town.
- 2.1.6. **C.A.O.** means the Chief Administrative Officer.
- 2.1.7. **CHAIRPERSON** means the member elected from among the members of a committee or appointed by Council to preside at all meetings of the committee.
- 2.1.8. **CLOSED SESSION** means a part of the meeting that is closed to the public, in accordance with the *Freedom of Information and Protection of Privacy Act*, which may include the presence of certain members of staff, or the public, where matters and all discussions are held in confidence by all in attendance. During closed sessions, there can be no resolution or bylaw passed, except a resolution to revert to a meeting held in public.

- 2.1.9. **COUNCIL** means the Mayor and Councillors of the Town of Vulcan being elected pursuant to the provisions of the Local Authorities Election Act of Alberta whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Municipal Government Act and the Local Authorities Election Act.
- 2.1.10. **COUNCIL COMMITTEE** means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this bylaw.
- 2.1.11. **DELEGATION** means any person or group that has permission to appear before Council, or a Council Committee, to provide pertinent information and views about a specific subject.
- 2.1.12. **DEPUTY MAYOR** means the member appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.
- 2.1.13. **EX-OFFICIO** means membership by virtue of one's office and/or where appointed by Town Council (has the rights of membership including attending meetings, discussing issues, making motions and voting).
- 2.1.14. **MAYOR** means the member of Council duly elected as Mayor and continuing to hold office. The Mayor is the presiding officer at all meetings of Council unless otherwise specified.
- 2.1.15. **MEMBER** means a member of Council, duly elected and continuing to hold office or a Member of Committee duly appointed by Council.
- 2.1.16. **MGA** means the Municipal Government Act, Chapter M-26, 2000, Revised Statutes of Alberta, with amendments in force.
- 2.1.17. **MOTION** means a standard terminology used by Council to describe the original statement whereby business is brought before a meeting and may also mean resolutions.
- 2.1.18. **ORGANIZATIONAL MEETING** means a meeting that is held annually by Council in accordance with the provisions of Section 192(1) of the Municipal Government Act.
- 2.1.19. **PECUNIARY INTEREST** is as defined in Section 170(1-4) of the Municipal Government Act. If a matter before Council may financially benefit an Elected Official and/or his or her family to the exclusion of benefitting others, that Elected Official has a pecuniary interest in the matter.
- 2.1.20. **POINT OF ORDER** means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of business.
- 2.1.21. **PRESIDING OFFICER** means the Mayor, Deputy Mayor, Acting Mayor or other such person selected by Council to chair the meeting as constituted by this Bylaw.
- 2.1.22. **PUBLIC HEARING** means a meeting of Council convened to hear matters pursuant to the Municipal Government Act.
- 2.1.23. **QUORUM** means a simple majority of Members in attendance of Council, or a Council Committee.

- 2.1.24. **RECORDING OFFICER** means any person directed or appointed by the CAO to record the Minutes of the meeting.
- 2.1.25. **REPEAL or RESCIND** means to render a bylaw, policy, or motion no longer in affect.
- 2.1.26. **SPECIAL MEETINGS** mean a meeting called by the Mayor pursuant to the Municipal Government Act.
- 2.1.27. **TABLED MOTION** means to delay consideration of any matter until a specified time, either at another time in the meeting or at another meeting. The resolution to table is not debatable, nor amendable.
- 2.1.28. **TELECONFERENCE SERVICES** means suitable electronic methods to participate in the live (real-time) meeting, allowing Members to participate in discussion, debate resolutions, and voting.
- 2.1.29. **TOWN** means the corporation of the Town of Vulcan and where the context so requires, means the area included within the boundaries of the Town.

3. APPLICATION AND GOVERNANCE

- 3.1. This Bylaw applies to all Regular Meetings, Special Meetings, Public Hearings, Organizational Meetings, and Closed Sessions of Town Council or Council Committee.
- 3.2. The precedence of the rules governing the procedure of Council is:
 - 3.2.1. The Municipal Government Act
 - 3.2.2. Other Provincial Legislation
 - 3.2.3. This Bylaw
 - 3.2.4. Robert's Rules of Order
- 3.3. Notwithstanding subsection (3.2), the rules governing the procedure of Town Council and Council Committee shall be observed as applicable except that:
 - 3.3.1. No motion shall be required to be seconded.
 - 3.3.2. Members may speak more than once to any motion or question.
 - 3.3.3. The Member shall not be restricted to asking questions only of the previous speaker, but the questions must relate directly to the matter under discussion.
- 3.4. In the absence of a statutory obligation, any concern about the procedure or process of a Council meeting may be decided upon and approved by a majority vote of all Members present.

4. DUTIES OF A COUNCILLOR

- 4.1. To consider the welfare and interest of the Municipality as a whole and to bring to Council's attention anything that would promote the welfare or interests of the municipality.
- 4.2. To participate generally in developing and evaluating the policies and programs of the Municipality.
- 4.3. To participate in Council meetings and Council Board, Committee and Commission meetings to which they are appointed to by Council.

- 4.4. To obtain information about the operation or administration of the Municipality from the C.A.O., or their designate.
- 4.5. To keep in confidence matters discussed in Closed Session at a Council or Council Board, Committee, or Commission meeting until discussed at a meeting held in public.
- 4.6. To adhere to the Code of Conduct established by the Council under Section 146.1(1) of the Municipal Government Act.
- 4.7. To perform any other duty or function imposed on Councillors by this or any other enactment or by Council.
- 4.8. A Council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the C.A.O. or a Designated Officer.
- 4.9. A Council may not delegate:
 - 4.9.1. Its power or duty to pass a bylaw.
 - 4.9.2. Its power to make, suspend or revoke the appointment of a person to the position of C.A.O.
 - 4.9.3. Its power to adopt budgets.
 - 4.9.4. Its power with respect to set and collect taxes.

5. DUTIES OF THE MAYOR

- 5.1. The duties of the Mayor, in addition to those of a Councillor as outlined in Section 4 of this Bylaw are:
 - 5.1.1. To preside when in attendance at a Council Meeting.
 - 5.1.2. To perform any other duty imposed on the Mayor by this or any other enactment or Bylaw.
- 5.2. The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.

6. DUTIES OF THE DEPUTY MAYOR

- 6.1. The Deputy Mayor shall assume all responsibilities and duties of the Mayor when he or she is unable to perform their duties or when the office is vacant
- 6.2. Council may appoint an Acting Mayor to act as the Mayor if both the Mayor and Deputy Mayor are unable to perform their duties or if both offices are vacant.

7. ORGANIZATIONAL MEETINGS OF TOWN COUNCIL

- 7.1. The C.A.O. shall set the time and place for the first organizational meeting of council following the general election, scheduled in accordance with the Municipal Government Act.

- 7.2. At the commencement of the annual organizational meeting following an election, the C.A.O. shall call the meeting to order and shall preside over the meeting until the Oath of Office has been administered to the Mayor.
- 7.3. After the Mayor has taken the oath, he/ she shall preside over the meeting and the Councillors shall take the Official Oath of Office.
- 7.4. Selection of Council seating in Chambers after each general municipal election shall be determined based on the previous experience as a councillor. In the event of a tie, the determining factor for sequence of choice will be total votes received in the municipal election.
- 7.5. At the annual Organizational Meetings, Council shall:
 - 7.5.1. Appoint Council members to the Committees, Commissions, Boards and other bodies on which Town Council is entitled to representation.
 - 7.5.2. Determine the Regular Council Meeting Schedule for the calendar year as per Policy A-18.
 - 7.5.3. Determine the schedule and terms for the Deputy Mayor position as per Policy A-16.
 - 7.5.4. Identify individuals with signing authority for the Town as per Policy F-03.
- 7.6. Councillor appointments to Committees, Commissions, Boards, and Town Council's representatives on other organizations desiring the same, shall be nominated either by the Mayor or a member of council. Except where more nominations are received than the number of positions required by the committee, Council then shall determine the appointment by secret ballot.

8. COMMITTEE OF THE WHOLE

- 8.1. There shall be a Committee of the Whole comprising of all Council Members.
- 8.2. Committee of the Whole shall meet during the dates and times determined by resolution of Council or scheduled at the Organizational Meeting. The meeting shall be chaired by the Mayor, unless otherwise determined, and Quorum shall be a majority of Members.
- 8.3. The purpose of Committee of the Whole meetings is for the Committee to:
 - 8.3.1. receive information that enhances the understanding of an issue or topic.
 - 8.3.2. hear delegations from the public and collect comments, questions and feedback on particular matters.
 - 8.3.3. direct Administration and make recommendation to Council through resolution.
 - 8.3.4. assist Council with making informed decisions.
- 8.4. The Committee may only make the following Resolutions:
 - 8.4.1. to adopt the agenda.
 - 8.4.2. to move in and out of a Closed Session.
 - 8.4.3. to accept reports and delegations as information.
 - 8.4.4. to refer an item back to Administration or a Committee of Council.
 - 8.4.5. to make recommendations to Council.
 - 8.4.6. to provide Administration with direction on a matter pertaining to an item on the corresponding meeting Agenda;
 - 8.4.7. to adjourn the meeting.

- 8.5. Meetings shall be held in the public forum unless discussion falls under Division 2, Part 1 of the Freedom of Information and Protective of Privacy Act.

9. SPECIAL MEETINGS

- 9.1. When extenuating circumstances arise and a Council resolution or bylaw is required. Council may hold a Special Meeting in accordance to the Municipal Government Act Section (194).
- 9.2. A Special Meeting of Council may be called at the discretion of the Mayor, or the majority of Town Council.

10. PUBLIC HEARINGS

- 10.1. Public Hearings shall be heard during Regular Meetings of Council.
- 10.2. Public Hearings on any matter to be heard by Town Council require notice in accordance with the Municipal Government Act.
- 10.3. At the commencement of a Public Hearing, the Mayor or presiding officer shall:
- 10.3.1. Declare the Public Hearing "Open"
 - 10.3.2. State the matter to be considered at the meeting.
 - 10.3.3. Request that Administration present a report on the matter at hand.
 - 10.3.4. Allow any delegation involved in the matter and/or their representatives up to fifteen (15) minutes to present their position. This time does not include the time necessary to answer questions put by Council. This time may be extended by Council.
- 10.4. Following the presentations, Council shall allow time for anyone from the gallery, who wishes to do so speak in favour or against the proposed bylaw. Persons speaking must state their name, address, and if they are speaking for themselves or on behalf of a group or organization.
- 10.5. No person may speak longer than five (5) minutes exclusive of the time required to answer questions of Council. This time limit may be extended by Council.
- 10.6. Following the presentations and all public statements the Mayor will declare the Public Hearing "Closed".
- 10.7. In accordance with the Municipal Government Act, Council may then:
- 10.7.1. Make such amendments as it considers necessary and proceed to pass the proposed bylaw.
 - 10.7.2. Defeat the proposed bylaw; or
 - 10.7.3. Postpone the proposed bylaw.

11. PLACES, DATES AND TIMES OF MEETINGS

- 11.1. All Regular Meetings of the Council of the Town of Vulcan shall be held in the Town Council Chambers, located at 321 2nd Street South, unless otherwise agreed to by a majority of Council

- 11.2. Regular Meetings shall be held on the second and fourth Mondays of each month, except for the months of August, and December, which shall be held on the second Monday only of these months. When a Statutory Holiday falls on a Monday, the Council meeting will be moved to the Tuesday following.
- 11.3. Regular Meetings of Council shall commence at 7:00 p.m. and adjourn at 11:00 p.m., if in session at that hour, unless otherwise determined by a unanimous vote of the members present. Such a motion, passed either while in Council or in Committee, may extend the time of adjournment to no later than 12:00 o'clock midnight.
- 11.4. In accordance with the Municipal Government Act, the public has the right to be present at all Council, or Council Board, Committee, or Commission meetings.
- 11.5. Notice of all Council, Board, Committee, and Commission meetings shall be placed in the public area of the Town of Vulcan's Administration Building. The Town shall also advertise all Council, Board, Committee, and Commission meetings on the Town of Vulcan website. This shall constitute notification to the public.
- 11.6. Council through resolution may cancel meetings in the manner as prescribed by the Municipal Government Act.

12. REMOTE ATTENDANCE AT COUNCIL MEETINGS

- 12.1. Members of Council, or authorized Council Committees, who are unable to attend meetings in person, under extenuating circumstances, have the option to participate in a Meeting through teleconference services or electronic communication services.
- 12.2. A Member of Council may attend no more than three (3) Regular Council Meetings per year by means of electronic communications unless approved by resolution of Council.
- 12.3. If the Mayor attends by remote means, he/she may participate in discussion, but the Deputy Mayor or alternate if physically present in Council Chambers shall be the presiding officer to best facilitate an orderly and efficient meeting process.
- 12.4. The Mayor or Deputy Mayor shall announce to those in attendance at the meeting that the Councillor is attending the meeting by means of electronic communications.
- 12.5. A Councillor attending a meeting by electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
- 12.6. When a vote is called, Councillors attending by means of electronic communications shall be asked to state their vote only after all Councillors present in the meeting have cast their votes by a show of hands or electronic submission.
- 12.7. No portion of a "closed session" may be conducted through the use of remote communication.
- 12.8. Any member who wishes to utilize remote communication to attend a Council meeting, must notify in writing or email the C.A.O. that he or she intends to participate by means of a remote communication; and the Council member must give two (2) business days notice in order to allow for the necessary arrangements to be made to facilitate the remote attendance.

13. LIVE STREAMING MEETINGS

- 13.1. All Regular Council Meetings will be live streamed to the Town's website when appropriate and will be available through archives provided the equipment is functional and no technical difficulties are experienced. The Town of Vulcan cannot guarantee that video streamed footage will always be available.
- 13.2. If it is predetermined that no further items and/or decisions are to be addressed or made following the closed session portion of any meeting other than the decision to adjourn the meeting, Council may decide through general consent to close the video stream function once Council moves to closed session.

14. AGENDA PROCEDURES

- 14.1. Agendas shall be prepared under the joint direction of the Mayor, Chair, or designate, C.A.O., and Administrative staff.
- 14.2. The deadline for Agenda Items including requests to present shall be received before 12:00 Noon the Thursday prior to Monday on which the Regular Meeting is to be held.
- 14.3. A Member wishing to introduce a new matter for consideration may submit a motion and any supporting information, in the form of a request for decision, to the Chief Administrative Officer in accordance with section 14.2.
- 14.4. Notice of Motion
- 14.4.1. If past the Agenda deadline listed in Section 14.2, items may be brought forth as a *Notice of Motion* under Agenda Item *Adoption of the Agenda*, or Agenda Item *Current Business* for consideration of placement on the current meeting, the next meeting or other meeting date Meeting Agenda.
- 14.4.2. A Member may present and describe a *Notice of Motion*, they shall read the Notice of Motion, which shall be recorded in the minutes and shall form part of the Agenda for the next meeting or other meeting date as specified by the Member.
- 14.5. The Agenda shall be made available to Council, and the Public no later than 4:30 P.M. the Friday, or three (3) days before the Regular Meeting.
- 14.6. Failure to meet the deadlines imposed in Section 14.2 does not invalidate the Agenda.
- 14.7. The Agenda, or order of business, for each meeting shall be as follows:
- 14.7.1. **Call to Order**
- a) Once Quorum has been established, the Presiding Officer shall call the meeting to order.
- 14.7.2. **Adoption of the Agenda**
- a) The Presiding Officer shall ask if Council is willing to adopt the Agenda as presented. If Council wishes to add or remove items from the Agenda, it must do so with a majority vote. If the Agenda is to be accepted as presented, Council may adopt the Agenda with a majority vote.

- b) Council may add last minute items to the Agenda during the adoption of the Agenda under circumstances where urgent matters that were not scheduled need to be addressed.
- c) Following the adoption of the Agenda, Council may modify the order of items should circumstances arise where it is appropriate to do so, through general consent.

14.7.3. Adoption of Previous Minutes

- a) The Presiding Officer should present previous meeting Minutes to Council with a request to adopt the Minutes as presented. Any Member may request that the Minutes be amended to correct any inaccuracy or omission.
- b) Minutes from all previous Council meetings and Public Hearings that have not yet been addressed should be considered here.

14.7.4. Public Hearing

- a) Public Hearings shall be heard during Regular Meetings of Council in accordance to Section 10 of this Bylaw and the Municipal Government Act.

14.7.5. Delegations and Presentations

- a) Council, or its authorized Council Committees, shall receive a maximum of two delegations at a regularly scheduled meeting. All requests to appear before Council must be received in writing in accordance with Section 14.2.
- b) When multiple delegation requests are received, it is at the Mayor's, or Chair's, discretion as to which delegations appear for the upcoming meeting.
- c) Presentations shall speak only on the matters which they have submitted to Council and which have been included on the agenda.
- d) Presentations may be limited in the time they are permitted but shall generally be allowed fifteen (15) minutes for presentation and discussion, which can be extended or decreased at the discretion of Council.
- e) Council will entertain any questions/concerns from the general public during delegations upon unanimous consent of the Members present. Any member of the public may come forward and ask questions on issues that Council is presently dealing with or on any other issue that is of interest to the general public.
- f) Presentations shall not address Council on the same subject matter more than once every six (6) months.
- g) Council may recognize members of the public, organizations, community groups, etc. under this section to recognize accomplishments, awards, performance, or achievements.

14.7.6. Correspondence and Information Items

- a) Items of correspondence, and other information brought forward to Council on a regular basis may be included in this section.
- b) When addressing items of Correspondence and Information, Council may:
 - i. accept the correspondence or information as information by Resolution;
 - ii. refer any communication to Administration or a committee to review; or
 - iii. act upon the correspondence or information by Resolution.

14.7.7. Financial Reports

- a) Financial Statements, Cash Statements, Budget "*year to date*" Statements and other financial information brought forward to Council on a regular basis may be included in this section.

14.7.8. Bylaws and Policies

- a) Draft bylaws and policies shall be prepared at the request of Council or a Council Committee by the C.A.O. or appropriate staff. Full copies of the drafts shall be included in the agenda package.
- b) Before a bylaw is passed, it shall, in accordance with the Municipal Government Act, have three distinct and separate readings before it is adopted, but no more than two readings may take place at any one meeting of Council, except when unanimous consent is provided to hold third (3rd) and final reading.
- c) Council shall vote on the motion for the first reading of the bylaw without amendment or debate.
- d) When all amendments (if any) have been accepted or rejected, the motion for second reading of the bylaw as presented or amended shall be considered.
- e) When a bylaw has received third reading and been passed, the Mayor or presiding officer shall declare the bylaw adopted, and it becomes a municipal enactment, effective immediately unless the bylaw itself provides otherwise.
- f) Upon being passed, a bylaw shall be signed by the Presiding Officer of the meeting at which it was passed and by the CAO and shall be embossed with the corporate seal of the Town.
- g) A bylaw which requires approval from the Province of Alberta shall receive two readings prior to the submission of a certified copy to the provincial authorities. The third reading may proceed only after the signed approval of the provincial authority is received.
- h) Policies shall be presented for discussion, and passed by simple majority, and shall come into effect as soon as they are passed unless they contain a deferred implementation.

14.7.9. Current Business

- a) Administration will bring Requests for Decision and other items for consideration to Council under this section. Decisions of Council shall be made through Resolution.

14.7.10. Committee Reports

- a) Committee/Board Minutes brought forward to Council on a regular basis may be included in this section.

14.7.11. Councillor Reports

- a) Each Councillor will be provided a maximum of five (5) minutes for the purpose of providing a verbal update on Committees or community events in which municipal participation has been approved by Council.

14.7.12. Administrative Reports

- a) Administration may provide Council with reports or updates on projects and departmental progression, which may be accepted as information by Resolution.
- b) Administration shall not make recommendations within their Staff Report, nor shall Council make approvals.

14.7.13. Closed Session

- a) Council and Council Boards, Committees, and Commissions may conduct all or part of their meetings closed to the public if a matter to be discussed is within one of the categories of information referred to in the Freedom of Information and Protection of Privacy Act.
- b) Council shall state the purpose and time in the resolution to move into Closed Session.
- c) In accordance with the Municipal Government Act, where Council, or an authorized Council Committee closes all or part of a meeting to the public, the Council or authorized Committee, may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend.
- d) Council shall not pass resolutions or bylaws during closed sessions. Any decisions reached by consensus during the closed session must be passed as motions when the regular meeting resumes.
- e) What is discussed in closed session must remain confidential and may not be discussed at any other time or place, unless brought forward as a motion and recorded in the regular meeting minutes.

14.7.14. Adjournment

- a) When all the items on an Agenda have been addressed, the Presiding Officer will call for a Motion to adjourn the meeting.

- b) Council may adjourn a meeting prior to addressing all items on the Agenda only through approval of a unanimous Motion to adjourn.

15. COMMENCEMENT OF A TOWN COUNCIL MEETING - (QUORUM)

- 15.1. When Quorum is present at the time set for commencement of a meeting, the Presiding Officer should call the meeting to order.
- 15.2. In the case that the Mayor or Deputy Mayor is not in attendance within fifteen (15) minutes after the hour appointed for a meeting, and quorum is present, the C.A.O., or designate, shall call the meeting to Order and a Chair shall be chosen by the Councillors present, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
- 15.3. If there is no quorum present within fifteen (15) minutes after the time appointed for the meeting of Council, the C.A.O. shall, call the roll and take down the names of the members present, and advise that the Council shall stand adjourned until the next meeting, unless a Special Meeting is duly called in the meantime.
- 15.4. If Quorum becomes lost at any time during the meeting to the extent where it cannot be resumed in an appropriate time frame as determined by the Presiding Officer, the Presiding Officer shall adjourn the meeting.

16. CONTROL & CONDUCT OF COUNCIL MEETINGS

- 16.1. Council meetings shall be held in public and no person may be excluded except as prescribed in the Municipal Government Act or under Section 16.11 of this Bylaw.
- 16.2. Subject to being overruled by a majority vote of members of Council which vote shall be taken without debate, the Mayor or other presiding officer shall:
 - 16.2.1. Maintain order and preserve decorum of the Meeting;
 - 16.2.2. Decide points of order without debate or comment other than to state the rule governing;
 - 16.2.3. Determine which member has a right to speak;
 - 16.2.4. Ensure that all Members who wish to speak on a motion have spoken and that the Members are ready to vote and shall call the vote;
 - 16.2.5. Rule when a motion is out of order, and;
 - 16.2.6. Call a member to order.
- 16.3. Every member wishing to speak shall raise their hands to be recognized by the Mayor or presiding officer, and, after being acknowledged by the Chair, shall then have the floor.
- 16.4. When two or more members wish to speak to a matter, the Mayor or other presiding officer shall decide who is entitled to speak.
- 16.5. When a member is addressing the Mayor or presiding officer, every other member shall:
 - 16.5.1. Remain quiet, and;
 - 16.5.2. Not interrupt the speaker except on a point of order, and;
 - 16.5.3. Not carry on a private conversation, and;
 - 16.5.4. Not cross between the speaker and the chair.

16.6. When a member is addressing the Council he/ she shall:

- 16.6.1. Not use offensive words in referring to any member of the Council, any official or any employee of the Town;
- 16.6.2. Not reflect on any vote of council except when moving to rescind it and when so doing shall not reflect on the motives for the members who voted for the motion;
- 16.6.3. Not shout or use profane, vulgar or offensive language, and;
- 16.6.4. Assume personal responsibility for any statement he/ she quoted to Council or upon request of Council, shall give the source of the information.

16.7. A member called to order by the Mayor or presiding officer shall immediately discontinue speaking and debate shall be suspended until the point of order is decided.

16.8. Members of the public who constitute the audience in the Council Chambers during a Council meeting:

- 16.8.1. May not address Council without permission of the Council;
- 16.8.2. Shall maintain order and quiet;
- 16.8.3. Shall not shout, use profane, vulgar or offensive language, and;
- 16.8.4. Shall not applaud or otherwise interrupt any speech or action of the member, or any other person addressing Council.

16.9. Any person attending a meeting is expected to behave in a polite, courteous, and professional manner whether speaking or watching the proceedings. Cell phones must be turned to silent and conversation must be held outside of Council Chambers, or the room in which a meeting is being held.

16.10. Any person or Member who does not comply with the required proper conduct may be asked to leave by the Mayor or presiding officer as set out in the Municipal Government Act.

16.11. If a person has been requested to leave for improper conduct but does not leave the room, Members may recess until such time as the person in question leaves the room or a Peace Officer escorts the individual out of the room.

16.12. Where a member wishes to leave the Council Chambers while a meeting is in progress, he/ she shall address the Mayor or presiding officer, excuse him/ herself and await acknowledgment before leaving his/ her place.

16.13. No member shall leave the Council Chambers after a question is put to vote until the vote is taken.

17. PROCEEDINGS AT MEETINGS

17.1. **Points of Order** - Any Member or Administration may raise a Point of Order and ask that the Presiding Officer rule on the point.

17.2. **Pecuniary Interest** - A Councillor who has a pecuniary interest in a matter before Council (as set out in the Act) shall disclose the general nature of the pecuniary interest and leave the room (unless he or she is allowed to remain in accordance with the Act) until discussion and voting on the matter are concluded.

- 17.3. **Conflict of Interest** - A Member who believes that he or she may benefit in some way from a proposal or action being considered by Council or Committee, but does not fall under the rules of pecuniary interest should declare his or her perceived conflict of interest in an effort to provide transparency in decisions. However, the Member is still required to vote on the matter in accordance with the Municipal Government Act.
- 17.4. **Motions** - A Main Motion brings new business (the next item on the agenda) before Council.
- 17.4.1. After a motion is read or stated by a Member, it shall be deemed to be in the possession of the Council, or authorized Council Committee.
- 17.4.2. A motion is not required to be seconded.
- 17.4.3. When a motion is before the meeting, it may be:
- a) Debated - may be spoken to
 - b) Requested for the consideration of a friendly amendment - as agreed to by the mover
 - c) Carried - majority voted in favor
 - d) Carried Unanimously - all members voted in favour
 - e) Defeated - majority voted opposed
 - f) Withdrawn - at the request of the maker
 - g) Tabled - as defined in Section 2.1.27 of this Bylaw
- 17.4.4. When a Motion has been made and is being considered, the Motion must be addressed before moving on to another Motion, unless a subsidiary Motion or privileged Motion is proposed.
- 17.4.5. The Member who made the Motion may withdraw or amend the Motion at any time prior to the vote on the Motion.
- 17.4.6. A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion (without adding to its scope), may be incorporated into the original motion if the mover of the motion approves. Only the motion as changed by the friendly amendment shall appear in the Minutes.
- 17.4.7. A Motion that contains several propositions may be voted on as a single Motion or may be separated into separate Motions if any Member requires it.
- 17.4.8. Any issue addressed by Council, or an authorized Council Committee, at any Regular Meeting where a resolution has been voted upon, either carried or defeated, other than a motion to table, shall not be allowed to be brought back to any Regular Meeting for further consideration until at least six (6) months following the date of the Council meeting where it was originally addressed.
- 17.4.9. If a motion is not taken from the table within twelve months after the date that it was tabled the motion dies.

17.5. **Discussion/Debate** - After a motion is read or stated by a Member, it shall be open for discussion and debate.

17.5.1. If the Mayor wishes to join in the debate on a question or motion properly before Council, he/she shall vacate the Chair and request the Deputy Mayor or some other member of Council take the Chair.

17.5.2. The Mayor or presiding officer shall determine which member has a right to speak, and ensure that all Members who wish to speak on a motion have spoken.

17.5.3. Any member may ask to have the motion under discussion to be read again at any time during the debate but may not interrupt a speaker to do so.

17.5.4. The following motions are not debatable by members:

- a) Adjournment
- b) To take a recess
- c) Point of order
- d) To limit debate on a matter before members
- e) To table the matter

17.5.5. No member shall normally speak more than five (5) minutes on any motion or amendment to a motion but may request permission to exceed this limit.

17.6. **Voting** - When debate on a motion is closed, the Mayor or presiding officer shall put the motion to a vote, and this decision is final unless overruled by a majority vote of the members present at the meeting.

17.6.1. Once the motion has been put to a vote, no member shall debate further on the motion or speak any words except to request that the motion be read aloud.

17.6.2. If any member of the Council should call for a poll of the members for a recorded vote prior to the vote being taken on a motion, the names of those who voted for and those who voted against the motion shall be entered in the minutes.

17.6.3. When a motion is put to vote, no member shall leave Council chambers until the vote is taken.

17.6.4. Unless excused from voting by reason of a direct or indirect pecuniary interest, the Mayor when present, and each Councillor present, shall vote on every division on every motion before Council.

17.6.5. Each Member must vote once per Motion in accordance with the Municipal Government Act. Once the vote is called by the Presiding Officer, the Members must vote by:

- a) Electronic Submission.
- b) Show of Hands, if electronic means are unavailable.
- c) Verbally, if unable to show hands.

17.6.6. A majority of Members shall pass a Motion unless otherwise provided for by the Municipal Government Act. If a Motion receives an equal number of votes for and against, the Motion is considered defeated.

17.6.7. Following a vote, the Mayor of presiding officer shall declare the result of the vote.

17.7. **Recess** - Should Members desire a recess of up to 1.5 hours in duration, the Mayor or presiding officer may recess and reconvene the meeting and determine the length of time Council will recess for, without a Resolution. The duration of the recess shall be entered in the minutes.

17.7.1. After the recess, business will be resumed at the point when the recess was called.

17.7.2. Where a Member wishes to leave the Town Council Chambers while a Meeting of Council is in progress, they shall rise and await the silent acknowledgment of the Mayor or presiding officer before leaving his or her place.

18. MINUTES OF THE PREVIOUS MEETING

18.1. Minutes of all proceedings of regular and special Council meetings shall be recorded in accordance with the Municipal Government Act.

18.2. The C.A.O. or designate shall, prior to the next Regular Meeting of Council, prepare minutes of the meeting and make them accessible to the members of Council or the committee.

18.3. Any Member may make a motion requesting that the Minutes be amended to correct minor changes to the Minutes to correct errors in grammar, spelling or to correct the omission of a word. No change shall be allowed that will change a decision made by Members.

19. COMMUNICATIONS AND PETITIONS

19.1. Where a person wishes to bring any matter to the attention of Council or to have any matter considered by Council, he/ she shall address a letter or other communication to the Council which shall:

19.1.1. be forwarded to the C.A.O.

19.1.2. Be printed, typewritten or fairly written;

19.1.3. Be legible, coherent, and respectful;

19.1.4. Clearly set out the matter at issue and the request made of Council; and

19.1.5. Be able to identify the writer and the writer's contact information.

19.2. If the standards set out in section 19.1 are not met, the C.A.O. may file the communication.

19.3. If the standards set out in section 19.1 are met and the C.A.O. determines the communication is within the governance authority of Council, the C.A.O. will collect all information necessary for the matter to be included on a future Council Agenda for consideration by Council.

- 19.4. If the standards set out in section 19.1 are met and the C.A.O. determines the communication is not within the governance authority of Council, the C.A.O. will:
 - 19.4.1. Refer the communication to administration for a report or a direct response and provide a copy of the original correspondence and the response to the Mayor and Councillors.
 - 19.4.2. Take any other appropriate action on the communication.
- 19.5. If a Councillor objects to the process determined by the C.A.O. a Councillor may introduce a notice of motion requesting the item be included for Council consideration on a Council Agenda.
- 19.6. Where a person wishes to bring a matter to the attention of Council by means of petition. The petition must meet the requirements of section 222 to 226 of the Municipal Government Act to be sufficient and to be considered by Council.
- 19.7. If a petition is declared not sufficient, Council is not required to take notice of it.

20. COUNCIL COMMITTEES

- 20.1. Council shall from time to time pass bylaws establishing Authorized Council Committees, Boards or Commissions. These bylaws shall establish the parameters of responsibility and protocols.
- 20.2. Council may appoint such standing and special committees as are necessary and expedient for the orderly and efficient handling of the affairs of the Town and shall establish the Terms of Reference for said Committees.
- 20.3. The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 20.4. When establishing a Committee, Council must adopt a Terms of Reference for the Committee that:
 - 20.4.1. Names it;
 - 20.4.2. Establishes membership, purpose and authority;
 - 20.4.3. Sets the term or affirms that the committee exists on an on-going basis at the pleasure of Council;
 - 20.4.4. Allocates any necessary budget or other resources.
- 20.5. The size of a quorum required for a meeting of a special or standing committee shall be determined on a simple majority the number of members specifically named to the committee only.
- 20.6. Unless Council designates the Chairperson of a committee, each standing or special committee shall select its own Chairperson and Vice Chairperson.
- 20.7. Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the approved Terms of Reference.

- 20.8. The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 20.9. A Member of a Committee can remain in the position of Chairperson for a maximum of three terms of office.
- 20.10. A Chairperson of a Committee, when not appointed by Council, may be removed from office by a vote of a majority of the members of the Committee.
- 20.11. The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.
- 20.12. In the absence or inability of the Chairperson to preside over a meeting, the Vice-Chairperson shall preside and shall exercise the same powers, duties, and responsibilities that the Chairperson would be entitled to exercise if present.
- 20.13. A Committee shall conduct its meetings in public in accordance with the provisions of the Municipal Government Act.
- 20.14. Committees shall establish, on an annual basis, a schedule of regular meetings;
- 20.15. The Chairperson may call a meeting of the Committee at any time and must do so if a majority of Committee members so request in writing, including a statement of purpose of the meeting. A Special Meeting requested by Committee members must be held within 14 days after the request is received.
- 20.16. Minutes must be prepared for all Committee meetings and must:
- 20.16.1. include all decisions and other proceedings;
 - 20.16.2. include the names of Committee members present at and absent from the meeting;
 - 20.16.3. include any abstentions made under the Municipal Government Act by any member and the reason for abstention;
 - 20.16.4. include the signatures of the Chair and the Recording Secretary; and
 - 20.16.5. be retained in a safe manner and be available upon request. A final copy of minutes must be filed with the Town's Legislative Coordinator.
- 20.17. When a Committee is of the opinion that a meeting should be held in closed session, the motion passed to authorize the closed session shall include the reason for holding the meeting closed, and the meeting shall be conducted in accordance with the Municipal Government Act.
- 20.18. Committee meetings shall be open to all Members of Council, but only those Members specifically appointed to that Committee, or appointed ex-officio are entitled to take part in discussion and debate and vote on any matter before the Committee.
- 20.19. A Member of a Committee who has a pecuniary interest in a matter before the Committee shall disclose the general nature of the interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed in the Municipal Government Act.

Initials  

20.20. Any member absent from three (3) consecutive regular meetings of a Committee, unless such absence is authorized by resolution of the Committee, will automatically forfeit his/her membership as of the date of the third consecutive meeting absent from. Any member forfeiting his/her membership may be eligible for re-appointment in the future but not for the unexpired portion of the term forfeited.

20.21. No Committee or any member of a Committee has:

- 20.21.1. The power to pledge the credit or course of action of the Town or enter into any agreement on behalf of the Committee or Town;
- 20.21.2. The power to authorize any expenditure to be charged against the Town without prior approval by Council; or
- 20.21.3. The authority to act except as established in the Terms of Reference for the Committee.

20.22. Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.

20.23. A Committee shall report to Council, as required.

20.24. The C.A.O. shall appoint an Administrative Representative to each Committee who shall:

- 20.24.1. Ensure required notice is given, and accurate minutes are kept, for all Regular and Special Meetings of the Committee.
- 20.24.2. Provide advice, research, information and additional support staff as required by the Committee; and
- 20.24.3. Not be a member of the Committee and may not vote on any matter.

21. INTENTION OF TOWN COUNCIL

21.1. It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

22. REPEAL OF PREVIOUS BYLAWS

22.1. Bylaw No. 1428-14 of the Town of Vulcan and any amendments are hereby repealed.

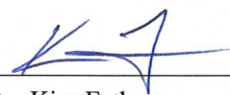
23. COMING INTO FORCE

23.1. This Bylaw shall take effect on the day it receives THIRD and FINAL reading and is duly signed.

READ a first time this 27th day of July 2020.



Mayor – Tom Grant



CAO – Kim Fath

Initials  

READ a second time this 27th day of July 2020.



Mayor – Tom Grant



CAO – Kim Fath

READ a third time, by unanimous consent of the Councillors present, and finally passed this 27th day of July 2020.



Mayor – Tom Grant



CAO – Kim Fath

