

## BYLAW NO. 23-01 TOWN OF FALHER

### A BYLAW OF THE TOWN OF FALHER IN THE PROVINCE OF ALBERTA FOR THE CONDUCT OF THE COUNCIL AND COMMITTEE MEETINGS, THE PREPARATION OF THE AGENDA AND MINUTES, AND THE CALLING OF MEETINGS.

**WHEREAS** the Council of the Town of Falher, in the Province of Alberta considers it expedient and desirable for effective governance to regulate the procedure and conduct of council, councilors and others attending council and council committee meetings in the Town Of Falher;

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

#### Title

1. This bylaw may be cited as "The Meeting Procedures Bylaw".

#### Definitions

2. In this Bylaw the following definitions shall apply:
  - a. **Agenda:** order of business, program of a business meeting;
  - b. **CAO:** the chief administrative officer or his delegate, for the Municipality;
  - c. **CEO:** the Mayor;
  - d. **Closed Session:** means the portion of the meeting at which only members of Council and other persons designated by Council may attend, and being closed to the public, approved by motion including the related section of the FOIP Act, and under the legislation of the Municipal Government Act
  - e. **Committee:** a committee of councils that is a standing committee, special committee, or a council committee;
  - f. **Committee of the Whole:** a meeting that permits Council to function informally and freedom of debate where decisions are referred to a regular meeting;
  - g. **Delegation:** any person that has permission of council to appear before council or a committee of council to provide pertinent information and views about the subject before council or council committee;
  - h. **Electronic Means:** an electronic or telephonic communication method that enables all persons attending a meeting to hear and communicate with each other during the course of the meeting
  - i. **Emergent items:** shall be considered as those items of an emergency nature that cannot be left until the next meeting or require immediate attention. When the nature of an emergent item is in question, its acceptance for the agenda shall be determined by a majority vote of council;
  - j. **Ex-officio:** by right of office, a member to all boards and committee in the absence of the appointed or alternate member.
  - k. **Lay on the table:** a pending question is set aside temporarily when something more urgent has arisen;
  - l. **Member:** a councillor or person at large appointed by council to a committee of council;
  - m. **Meetings:** meetings of council and council committees;
  - n. **Motion:** to move a formal suggestion in a meeting and the resolution of same (the act or result of);
  - o. **Municipality:** the Municipality of Falher, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality;
  - p. **Orders of the day:** agenda for the meeting;
  - q. **Point of Order:** a demand by a member that the Chair enforce the rules of procedure;
  - r. **Point of privilege:** a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual councilors and includes the: organization or existence of council, comfort of members, conduct of employees or members of the public in attendance at the meeting, or .....
  - s. **Postpone:** to delay the consideration of any matter either to a definite time when further information is to be obtained or indefinitely;
  - t. **Previous question:** a motion to end debate and vote on the motion under debate;
  - u. **Rescind:** to repeal, cancel or revoke;
  - v. **Reconsider a motion/resolution passed at the same meeting:** allows a motion to be brought back by a member who voted with the prevailing side;
  - w. **Reconsider a motion/resolution passed at a subsequent meeting:** a motion may be brought back only if the motion has not been acted upon and requires a two-thirds vote without notice, or a majority vote of all members who voted with the prevailing side and are present or have been notified;
  - x. **Special Resolution:** a resolution passed by a two-thirds majority of all members;
  - y. **Table a motion:** to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter (or may mean to table to a time certain);

- z. **Vote by raising hand:** each member present shall indicate a vote by raising his/her hand when the question is called by the Chair for either "those in favor" or "those opposed";
- aa. **Withdraw a motion:** permits a member to remove a question from consideration even after the motion has been restated by the chair.

### **Applicable**

- 3. This bylaw applies to all members attending meetings of council and committees established by council of the Municipality.

### **Meetings**

- 4. The regular meetings of council shall be established by a resolution of council at a council meeting at which all the councilors are present;
- 5. The CEO or his deputy shall preside at all meetings of the committee of the whole Council.
- 6. Regular meetings of council shall begin at 7:00 pm and are located in the council chambers of the municipal building.
- 7. If a quorum is not present within fifteen (15) minutes after the time fixed for the meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 8. The CAO or their delegate shall serve as secretary to all committee meetings.
- 9. Regular meetings shall adjourn by 10:00 pm, unless council passes a motion to extend the meeting for an additional thirty (30) minutes to a maximum of (60) minutes, but no other extension shall be allowed
- 10. Special meetings of council shall be established as required by council according to the provisions of the Municipal Government Act and the public shall be given notice.
- 11. Committee meetings shall be established by resolution of each committee and the public must be given notice as required by the provisions of the Municipal Government Act.
- 12. Committee meetings shall be presided by the chairman of the committee.
- 13. During committee meetings, no motions or resolutions, other than a motion to report to Council shall be passed.
- 14. The CEO shall be an ex-officio member of all Council committees and bodies which Council has a right to appoint members under the Act.
- 15. If the CEO is attending as ex-officio in the place of an appointed Council member, they are subject to the same rights and privileges of the other committee members including the right to make motions and vote.

### **Conduct Of Meetings**

- 16. Each member or delegate, as the case may be, shall address the chair but shall not speak until recognized by the chair.
- 17. Council shall adhere to proper business decorum at all times.
- 18. Speakers on a motion or resolution shall observe a three (3) minute time limit and no speaker shall speak more than once to a motion until such time as all wishing to speak to the motion have been heard.
- 19. A motion or resolution shall be placed before Council by a mover and does not require a seconder.
- 20. The mover of a motion or resolution is allowed to close the debate on each motion.
- 21. A resolution may be withdrawn at any time before voting subject to no objection from any member, as the case may be.
- 22. Any amendments to a motion shall be debated and will be voted upon immediately.
- 23. A member of Council may serve notice of motion to table an item at any time and such matter will be placed on the agenda of the next regular meeting by the CAO.
- 24. The presiding officer with the approval by resolution of the members may authorize a person in the public gallery to address members only on the topic being discussed at the time and within the time limits specified by the presiding officer.
- 25. The following resolutions are not debatable by members:
  - (i) adjournment
  - (ii) to take a recess
  - (iii) question of privilege
  - (iv) point of order
  - (v) to limit debate on a matter before members
  - (vi) postpone/table the matter to a time certain
- 26. Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member so requests or when the presiding chair so directs.
- 27. Whenever the presiding officer is of the opinion that a motion is contrary to the rules and privileges of council, they shall inform the member thereof immediately, before putting the question, and shall cite their reasons applicable to the case without argument or comment.

28. In all cases not provided for in the proceedings of the council, a two-thirds majority of council shall determine to uphold the ruling of the presiding officer or not as the case may be.
29. In the absence of the CEO and Deputy CEO and quorum is maintained, the members shall select an acting chair for the meeting.

### **Delegations**

30. A person or a representative of any delegation or group of persons who wish to bring any matter to the attention of council, or wish to have any matter considered by council shall address a letter or other written communication to the council outlining the subject to be discussed. The letter shall be signed by the correct name of the writer; the address of the writer, and delivered or mailed to the CAO. The letter must arrive before 1:00 pm on a business day at least three (3) business days immediately preceding the meeting at which it is to be presented. If the person wishes to appear before council on the matter it shall be stated in the letter.
31. In matters of on overladen agenda/order of business, the CAO may limit the number of delegations scheduled for any particular meeting. Delegations' may have their presentation to Council delayed until the second to next available meeting of council, or beyond, in such matters.
32. Delegations will be allowed fifteen (15) minutes for presentation and discussion. At the CEO's discretion, an extension may be given to this time limit.
33. Delegations shall speak only on the matters which they have submitted to Council and which have been included on the agenda.

### **Order Of Business**

34. The order of business at a meeting is the order of the items on the agenda except:
  - a. When the same subject matter appears in more than one place on the agenda and council decides, by motion, to deal with all items related to the matter at the same time,
  - b. Council decides not to deal with an item on the agenda and no motion is made about it.
  - c. Council, with unanimous consent only, may deal with a motion on a subject which is not on the agenda.

### **Agenda and order of business**

35. Prior to each meeting, the CAO shall prepare a statement of the order of business to be known as the "Agenda" of all matters to be brought before Council. To enable the CAO to do so, all documents and notice of delegation intended to be submitted to the council shall be received by the CAO not later than 1:00 p.m. three (3) business days prior to the Council Meeting.
36. The CAO shall place at the disposal of each member, a copy of the agenda and all supporting materials not later than 4:30 pm (1) business day prior to the Council Meeting.
37. Where the deadlines in the above Sections are not met, the agenda and supporting materials shall be deemed to be acceptable when the agenda is adopted at the meeting (amendments may be made at this time).
38. The business intended to be dealt with shall be stated in the agenda in the following order where applicable;
  - a. Call to Order
  - b. Acceptance of agenda
  - c. Public Hearing
  - d. Delegations
  - e. Adoption of Minutes
  - f. Business Arising from the Minutes
  - g. Financial
  - h. Bylaws & Policies
  - i. New Business
  - j. Correspondence
  - k. Reports
  - l. Confidential Items
  - m. Adjournment
39. The order of business established in the previous Section shall apply unless altered by the presiding officer with no objection from members, or otherwise determined by a majority vote of the members present, and the vote upon a matter of priority of business shall be decided without debate.
40. Standing Committees of Council shall be established and governed by policy or bylaw approved by council. Where appropriate authority is delegated to a Standing Committee, such committee and its mandate shall be established by bylaw.

**Meetings by Electronic Means**

41. Council members may attend a council meetings and council committee meetings by of electronic means. These include;
  - a. through the use of a telephone (with the speaker on), ensuring that dialogue is available for both parties;
  - b. through the use of a personal computer; or
  - c. other means as technology advances.
42. A Council member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, unless otherwise approved by Council.
43. A Council member shall be permitted to attend a meeting using electronic communication if that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
44. A Council member attending a meeting via electronic means is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
45. The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the meeting that a Council member is attending the meeting by means of electronic communications.
46. When a vote is called, Council members attending the meeting by electronic means shall be asked to state their vote only after all other Council members present at the meeting have cast their votes by a show of hands.
47. When a Council member attends a closed session, they will be required to confirm that they are attending the closed session alone in keeping with the definition of a closed session. A verbal confirmation shall be required.
48. Public attendance to council meetings and council committee meetings shall be in person, unless the meeting is held only by electronic means, with no in-person attendance by council members or administration. In such matters where a council meeting or council committee meeting is held only by electronic means, public attendance will be accepted via electronic means.
49. The public will be notified of council meetings and council committee meetings being held solely by electronic means, with no in-person attendance by council members or administration, with 24 hours' notice. Methods of notification will be pursuant to the Town of Falher's BYLAW FOR ADVERTISING STATUTORY AND NON-STATUTORY NOTICES.

**Voting**

50. All members of Council present, including the CEO, shall vote on all motions except where provisions are made for abstention in the Municipal Government Act. In such matters they shall leave the Council Chamber during the debate and voting on the matter before Council.
51. The CEO, when present, shall be the chairman of all meetings of Council. In the absence of the CEO, a Deputy Mayor shall preside.

**Preparation Of The Minutes**

52. The CAO or their designate shall, as soon as possible after a meeting of the Council, prepare minutes of the meeting and circulate them to the members of Council.

**Severability**

53. Should any portion of this bylaw be declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

**Enactment**

54. Bylaw No. 20-05 is hereby repealed.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2023

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2023

READ a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR