



BYLAW #884 Procedural Bylaw

BEING A BYLAW OF THE TOWN OF STAVELY, IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS.

WHEREAS Section 180 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, requires council to act by bylaw;

WHEREAS the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, Section 145; provides that a Council may pass bylaws in relation to the establishment and functions of council committees and other bodies; procedures to be followed by council, council committees and other bodies established by the council;

WHEREAS Council has deemed it necessary to regulate the procedure and conduct at meetings of council and committees established by Council;

WHEREAS, the Council of the Town of Stavely has the duty to ensure that it provides good government and its elected officials uphold the highest standards for an accountable and transparent governance process; and

AND WHEREAS Council has deemed it necessary to regulate procedures for receiving and responding to communications and submissions to Council;

NOW THEREFORE, the municipal council of the Town of Stavely, in the Province of Alberta, duly assembled, hereby enacts as follows:

1 TITLE

This Bylaw may be cited as the "Procedural Bylaw".

2 DEFINITIONS

- (a) **"Act"** means the Municipal Government Act, R.S.A. 2000 Chapter M-26, as amended;
- (b) **"Administration"** means the Chief Administrative Officer or an employee accountable to the Chief Administrative Officer employed by the Town of Stavely;
- (c) **"Agenda"** means the list and order of business items for any meeting of Council or Committees;
- (d) **"Bylaw"** means a bylaw of the Town of Stavely;
- (e) **"Chief Administrative Officer (CAO)"** is the administrative head of the municipality who is appointed by Council pursuant to the Municipal Government Act and includes any person appointed by the CEO to act as his/her appointee;
- (f) **"CEO"** is the Chief Elected Official of the Town of Stavely, duly elected to the position under the Municipal Government Act and includes any Councillor appointed by the CEO to act as his/her Appointee;
- (g) **"Chairperson"** means the Member of a Committee or other person (ie. Mayor or appointee) who has the authority to preside over a meeting;
- (h) **"Closed meeting (closed)"** Councils and council committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act. When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting of a council or council committee held in public. The council may allow one or more other persons to attend, as it considers appropriate, and the minute of the meeting must record the names of those persons and the reasons for allowing them to attend.
- (i) **"Committee"** means a committee, board, commission, authority or any other Public body established by Council pursuant to this bylaw;
- (j) **"Committee of the Whole"** means a committee of the whole Council where no bylaw or resolution, apart from the resolution necessary to revert to an open meeting may be passed.



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- (k) **"Council"** means the Mayor and Councillors of the Town of Stavelly.
- (l) **"Councillor"** is a Member duly elected to the position under the Municipal Government Act, to represent the Town.
- (l) **"Consensus"** means a decision-making process that seeks the input and agreement of participants to resolve or mitigate objections to achieve the most agreeable decision. Consensus is defined as meaning both general agreement and the process of getting such an agreement.
- (m) **"Delegation"** means any person or group 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.
- (m) **"Deputy Mayor"** means the Member of Council appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor;
- (n) **"Electronic Meeting"** is a meeting held in two or more places with the participants using electronic means of communication; where all meetings participants and public can watch and/or hear and speak to each other. Participation of Councillors, Town Staff and Delegations by electronic means shall be reflected in the Minutes;
- (o) **"Ex-officio"** means the Mayor, having membership in a Committee by virtue of one's office have the same rights and privileges of all members, including the right to vote. (The Mayor, as a ex-officio to all Council standing committees, if present at any of these committee meetings, is counted on to determine if the Members required for Quorum is present).
- (p) **"Freedom of Information and Protection of Privacy Act" or "FOIP"** means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended or legislation substituted therefore.
- (q) **"Mayor"** means the Member of Council duly elected to Council and appointed as Mayor by the Council at large;
- (r) **"Member"** means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council;
- (s) **"Municipality"** means the Town of Stavelly, a municipal corporation of the Province of Alberta.
- (x) **"Public Hearing"** means a meeting of Council convened to hear matters pursuant to the Act;
- (z) **"Quorum"** is the majority of all Members, fifty (50) percent plus one (1), unless Council provides otherwise in this Bylaw;
- (A) **"Rescind"** means to repeal, cancel or revoke:
- (D) **"Request for Decision (RFD)"** is a form prescribed by Administration and used for submissions to Council in order to clarify and provide the information required by Council to deliberate and make decisions. The submission presented may request direction on an issue rather than a decision.
- (E) **"Recorded Vote"** means that prior to a vote on the motion a member has called for the Minutes to record the members present at the meeting and for the Minutes to show which members voted for or against the motion or abstained;
- (aa) **"Special Meeting"** means a meeting called by the Mayor pursuant to the Act;
- (bb) **"Terms of Reference"** means those terms pertinent to the establishment and mandate of a Committee and which are in addition to or beyond the parameters of this Bylaw
- (cc) **"Village"** means the municipality of the Town of Stavelly.
- (F) **"Special resolution"** means a resolution passed by a two-thirds majority of all members.
- (G) **"Table"** means 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 certain time).
- (F) **"Vote by raising hand"** means each member present shall indicate a vote by raising his/her hand when the question is called by the chairman for either "those in favour" or "those opposed".
- (G) **"Withdraw a motion"** permits a member to remove a question from consideration even after the motion has been restated by the chair.



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3 APPLICATION

3.1 The purpose of this Bylaw is to set the structure of council meetings and provide direction to Council when the need arises to address matters where issues arise and need to be addressed using a formal process. This Bylaw applies to:

- i. all Council meetings, and
- ii. all Committee meetings, except for:
 - a. when Council has granted permission to the Committee to establish its own procedures.

3.2 The precedence of the rules governing the procedure of Council is:

- i. the Municipal Government Act;
- ii. other Provincial Legislation; and
- iii. this Bylaw.

3.3 When a matter arises related to proceedings in a meeting which is not covered by a provision of This Bylaw or the Act, the matter shall be decided by reference to Robert's Rules of Order.

3.4 Procedure shall be a matter of interpretation by the Mayor or meeting Chair.

3.5 The Mayor or Chair shall regulate all discussions within a meeting.

4 ORGANIZATIONAL MEETING

4.1 Annually not later than two weeks after the third Monday in October, Council shall hold an Organizational Meeting.

4.2 The Organizational meeting immediately following a general municipal election shall be referred to as the "Inaugural" meeting at which until the Mayor has been appointed, the CAO shall chair the Inaugural Meeting and:

- i. All members of Council must take the Oath of Office;
- ii. All members of Council must take Code of Conduct Oath;
- iii. The Mayor will appoint a schedule for Councillors to the position of Deputy Mayor, on a rotation basis, and
- iv. Appoint member of Council Boards and Committees
- v. All other matters required for the operation of the Town must be dealt with.

4.3 The Chief Administrative Officer shall set the time and place for the Organizational Meeting, business of the meeting being limited to:

- i. appointment of Mayor and Deputy Mayor for the following year;
- ii. the appointments of Members to Committees to which Council is entitled to make;
- iii. any other business required by the Act, or which Council or the CAO may direct to
- iv. organize the Council structure of the Town;
- v. appointments of Council Members to Committees shall be for a term of one year, unless
- vi. otherwise specified.
- vii. (e)review and signing of the Code of Conduct for Elected Officials.
- viii. review of Remuneration Policy.

5 COUNCIL MEETINGS

5.1 Regular meetings of Council will be scheduled on the second and fourth Monday of every month except July, August and December, with meetings to commence at 7:00 pm at the Town of Stavelly Council Chambers, unless notice is given in accordance with the Act and this Bylaw that the Regular Meeting will be held elsewhere in the community.



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5.2 One Regular meeting of Council will be scheduled for each July, August and December as determined by Council at the preceding meeting in June and November, with the meetings to commence at 7:00 pm at the Town of Stavelly Council Chambers.

5.3 In the event a Regular Meeting falls on a General Holiday, the meeting will be held the Tuesday following the General Holiday.

5.4 Regular Council Meeting, Council Committee or Special meetings must be conducted in public; however, Council may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.

- (1) before closing all or any part of the meeting to the public, a Council or Council Committee shall pass a motion;
 - i. that includes the basis for which that part of the meeting is to be closed and;
 - ii. the related section of FOIP that applies, under the Exception to Disclosure in Division 2 of Part 1 (Section 16 to 29) or under the regulations under subsection (7).
- (2) when a meeting is closed (in camera) no motion or Bylaw may be passed except a motion to revert to a meeting held in Public,
- (3) where a Council or Council Committee closes all or part of a meeting to the public, the Council or Council Committee may allow one or more other person 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,
- (4) after the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a period of five (5) minutes must be given for those members of the public to return to the meeting before it continues.

5.5 Regular scheduled Council Meetings may only be cancelled by resolution of Council.

5.6 When a Councillor has a pecuniary interest in a matter before the council, a council committee or any other body to which the Councillor is appointed a representative of the council, the Councillor must, if present,

- i. disclose the general nature of the pecuniary interest prior to any discussion of the matter,
- ii. abstain from voting on any question relating to the matter,
- iii. subject to subsection (3), abstain from any discussion of the matter, and
- iv. subject to subsections (2) and (3), leave the room in which the meeting is being held until discussion and voting on the matter are concluded.

5.7 A Councillor is disqualified if the Councillor is absent from all regular council meetings held during any period of 8 consecutive weeks, starting with the date that the first meeting is missed, unless,

- i. the absence is authorized by a resolution of council passed at any time;
 - a. Before the end of the last regular meeting of the council in the 8-week period, or
 - b. If there is no other regular meeting of the council during the 8-week period, before the end of the next regular meeting of the council.



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6 MEETINGS THROUGH ELECTRONIC COMMUNICATIONS

6.1 (i) Pursuant to the Municipal Government Act a meeting of Council or Committee may be conducted by means of electronic or other communication facilities if:

- (a) notice is given to the public of the meeting, including the way in which it is to be conducted;
- (b) the facilities enable the public to watch and/or listen to the meeting at the place specified in the notice and a designated officer is in attendance at that place; and
- (c) the facilities enable all the meetings participants to watch and/or hear each other.
- (d) the bylaw is a planning bylaw as described in Section 692 of the Act.

6.2 Councillors participating in a meeting held by an electronic or other communication facility are deemed to be present at the meeting.

6.3 A Council member may attend Regular or Special Council meetings by means of electronic communication a maximum of seven (7) times per calendar year, unless otherwise approved by Council.

6.4 A Member of Council may participate in a Council or Committee meeting through electronic or other communication facility if:

- i. The member is in a location outside of the Town of Stavelly for any reason;
- ii. The member is in a location within the Town of Stavelly but is unable to attend a meeting for medical reasons for himself or herself, or an immediate family member;
- iii. There is quorum of other Members of Council situated in the actual meeting place to ensure the meeting could continue if the communication facility failed or should the meeting go into closed session;
- iv. The CAO (or designate) is present at the Council meeting;
- v. If that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively;
- vi. The location is secure, appropriate for Council interaction and public viewing, and free from outside distractions.

6.5 When a vote is called, Council members attending the meeting by means of electronic communications shall be asked to state their vote only after all other Council members present at the meeting have cast their votes.

6.6 When a Council member attends a Closed session, they will be required to confirm that they have attended the Closed Session alone in keeping with the definition in this Bylaw of a Closed session, by making a Statement declaring that they are alone.

6.7 The meeting Chairman must be physically present at the meeting and cannot Chair the meeting through electronic or other communication facility.

6.8 The Chair shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic or other communication facility. The Chairperson must conduct a role call to confirm the identity of everyone in attendance prior to and upon adjournment.

6.9 The Chair has the sole authority to deny the use of the electronic meeting location if in his/her opinion the location is disruptive to the Council meeting, is in his/her opinion not secure, and is in his/her opinion located in any place deemed inappropriate.



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6.10 Any person who wants to utilize electronic means or communication facilities to attend Meeting or Public Hearing must:

- i. Notify the Mayor and CAO (or designate), that he or she intends to participate in the meeting through electronic means or communication facility;
- ii. Provide to the Mayor or CAO the reason that they cannot attend the meeting at the scheduled location;
- iii. Advise the CAO or their designate of the phone numbers or means by which they will be available throughout the meeting; and
- iv. Contact the Town Office a half (1/2) hour before the start of the meeting to receive the electronic or other communication facility meeting codes.

6.11 The types of electronic means include telephone with speaker and/or capability, personal computer, I Pad, tablet or other means of technology, using video conferencing software such as Microsoft Teams or Zoom.

6.12 In the event of a Public Hearing conducted by electronic means, or if that a Council meeting or Council Committee meeting must be conducted entirely through electronic means:

- i. Notice of the meeting, including the method in which the meeting can be listened to, will be made available to the public on the Town Website and at the Town Office.
- ii. The meeting facilities will enable the public to hear the meeting at a place specified in that notice and a designated officer will attend that place.

7 CONDUCT AT MEETINGS

7.1 **Public Conduct** – During any Council or Committee meeting members of the public will:

- i. Not approach or speak to the Member without permission of the Mayor or Chair,
- ii. Not speak on any matter for longer than 10 minutes unless permitted by the Mayor or Chair,
- iii. The Mayor or Chair, 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 that time and within the time limits specified by the presiding officer.
- iv. Maintain order and quiet,
- v. Not interrupt a speech or action of the Members or another person addressing the Members.

7.2 The Mayor or Chair may order a member of the public who creates a disturbance or acts improperly at a meeting to be expelled.

7.3 **Member Conduct** – During a Council or Committee meeting, members will adhere to the Council's or Committee Members Code of Conduct Policy and will not:

- i. Speak disrespectfully, use offensive words, or unparliamentarily language in Council
- ii. Address member without permission,
- iii. Carry on a private conversation
- iv. Break the rules of Council or Committees or disturb the proceedings,
- v. Leave their seat or make any noise or disturbance while a vote is being taken or the result declared,
- vi. Disobey the decision of the Mayor or Chair on any questions of order, practice or interpretation.



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8 AGENDA AND ORDER OF BUSINESS

8.1 The agenda for each Regular Council Meeting is established by the CAO.

8.2 The following is a list of suggested contents and Order of Business for a Regular Council Meeting agenda. It serves as a guide rather than a rigidly followed document, and as such, items not requiring attention at a meeting may not be included on the agenda:

1. Call to Order
2. Adoption of Agenda
3. Confirmation of Minutes
4. Public Hearings
5. Delegations
6. Bylaws
7. New Business
8. Reports
9. Correspondence
10. Financial
11. Confidential Items
12. Adjournment

8.3 All submissions for the Agenda of all Regular meetings of Council, as well as Public Hearings, Shall be received by the CAO no later than noon the Tuesday prior to the scheduled meeting.

8.4 Any other communication intended for Council will be forwarded to the CAO in writing and must:

- i. be legible, coherent, and respectful; and
- ii. be able to identify the writer and the writers contact information.

8.5 If the standards set out in 8.4 are met and the CAO determines the communication is within the governance authority of Council, the CAO will:

- i. if it is related to an item already on the agenda, deliver a copy of the communication or a summary of it to the Mayor and Councillors prior to or at the meetings at which the agenda is being considered; or
- ii. acquire all information necessary for the matter to be included on a future Council agenda for consideration by Council.

8.6 If the standards in section 8.4 are met and the CAO determines the communication is not within the governance authority of Council, the CAO will:

- i. refer the communication to the administration for a report or a direct response and provide a copy of the original correspondence and the referral to the Mayor and Councillors;
- ii. take any other appropriate action on the communication.

8.7 If the standards set out in section 5.4 are not met, the CAO may file the communication. Administration will respond to the person sending the communication to advise that person of the process to be followed and any action taken on the subject of the communication.

8.8 An individual or group may request to be included on an Agenda as a delegation. The request must be in writing and shall:

- i. Include a written summary of the information that will be presented to Council;
- ii. Be submitted to the CAO no later than noon the Tuesday prior to the Regular scheduled Council meeting (or seven days in advance of a Committee Meeting), with



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- the CAO having discretion to bring forward items submitted last that may be of an emergent nature.
- iii. The CAO will review the request in consultation with any affected Department and may:
 - iv. Review and provide a written response to the individual or group to satisfy the request for an appointment with Council. This process will be undertaken only with consent of the CAO and the individual or group requesting the appointment with Council.
 - v. Add the appointment to the next Regular Council Meeting Agenda; or
 - vi. Add the appointment to a future Regular Council Meeting Agenda if
 - vii. Requested by the individual or group making the request; or
 - viii. If the CAO requires more time to properly investigate and report on the matter.
 - ix. Presentation time will be no longer than ten (10) minutes, exclusive of the time required to answer the questions put forward by Council, unless extended by a majority vote of Council.
 - x. Delegations speaking to the subject will be restricted to the subject matter only.
 - xi. In questioning delegations, whether statutory or otherwise, Members of Council will ask only questions of clarification which are relevant to the subject of the presentations and will avoid repetition.
 - xii. Council may, at its next Regular Meeting following the Delegation presentation, make any decisions, if required, regarding the issue raised by the Delegation, unless there is unanimous support for Council decision at the regular meeting at which the Delegation presentation was made, and the issue discussed under New business.

8.9 The CAO shall place at the disposal of each member a copy of the agenda and all supporting materials not later than 12:00 noon three (3) days before the meeting.

8.10 Late submissions for the Agenda after the agenda has been established will require the justification or the urgent nature of the late submission and will require the Mayor's and CAO's approval; otherwise, the submission may be postponed to the Agenda of the next Regular Meeting.

8.11 Proposed late additions or deletions to the agenda will be provided in writing to the CAO prior to the meeting being called to order.

8.12 No late submission may be added to an Agenda after the adoption of the Agenda unless approved unanimously by resolution of Council.

8.13 Once the Council Agenda has been published, requests to add an item to the Agenda must be approved by Council.

- 8.14 If an emergent matter needs to be brought before Council at any meeting the item shall:
- i. be accompanied by a brief explanation from an Officer indicating the reasons for, and
 - ii. the degree of urgency of the item;
 - iii. be considered as an addendum to the Agenda.

9 NOTICE OF MEETINGS

9.1 For all meetings requiring notice, the notice must be:

- i. issued a minimum of 24 hours prior to the meeting date;
- ii. notice must be in writing specifying the time, date, location and purpose of the meeting;
- iii. email or text to each Council or Committee Member are considered acceptable forms of written notification; and
- iv. given any other notification as requested by Council or the Committee.



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9.2 Despite Section 7.1, the Mayor may call a Special Meeting of Council with less than 24 hours' notice to all Councillors and without notice to the public if at least two-thirds (2/3) of the whole Council agrees to this in writing before the beginning of the meeting.

10 MEETINGS OF COUNCIL

10.1 As soon after the scheduled hour of the Council or Committee meeting to commence there is quorum present, the Mayor, Deputy Mayor or Chair will call the meeting to order.

10.2 In case the Mayor, Deputy Mayor or Chair is not in attendance within fifteen minutes after the hour appointed for a Council meeting and a quorum is present, the CAO will call the meeting to order and a chairperson will be chosen by the Members present who will then preside over the meeting until the arrival of the Mayor, Deputy Mayor or Chair.

10.3 If there is no quorum present within half an hour after the time appointed for the meeting, the CAO will record the names of the Members who are present and the meetings will be absolutely adjourned until the next regularly scheduled meetings unless a special meeting has been duly called in the meantime.

10.4 The time and date of the regular meeting of Council and the meeting location may be changed by two-thirds (2/3) of all members of Council.

10.5 Regular meetings shall adjourn by 10:30 p.m., if in session at that hour, unless council passes a motion to extend the meeting by a two-thirds (2/3) vote.

11 CANCELLATION OF MEETINGS

11.1 A Regular Meeting may be cancelled or postponed to an alternate date:

- by a majority vote of Members at a previously held meeting.

12 COMMUNICATIONS

12.1 When a person wishes to have a letter or other communication considered by Council, it shall be directed to the CAO and shall:

- be legible and clearly set out the matter at issue and any request made of Council;
- be signed by at least one person who provides a printed name and mailing address;
- be on paper or in a printable form;
- for electronic communication; must contain the name of the writer and both the mailing and electronic address of the writer;
- not be libelous, impertinent or improper.

10.2 If the above requirements are met, the CAO must: include a copy of the communication or a summary of it on the next Agenda for information purposes;

- make reasonable efforts to respond to the person sending the communication to advise that person of any action taken on the subject of the communication;
- if applicable, refer the communication to staff for a report or a direct response, and inform the Council Members of the referral;
- if it relates to an item already on an Agenda, deliver a copy of the communication to Council Members with the Agenda or at the meeting;
- take any other appropriate action on the communication, including placing it on the Agenda for a Regular Meeting of Council.

10.3 Council may:

- refer any communication to the Staff or a Committee for a report or recommendation;
- give other instructions on the communication;



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- iii. consider motions on the substance of the communication; or
- iv. accept the correspondence as information.

13 DELEGATIONS

13.1 A member of the public may request in writing to be included on an Agenda as a Delegation.

The request must be submitted in writing and shall:

- i. include a summary of the information that will be presented to Council;
- ii. not exceed five typewritten pages;
- iii. complete name of the presenter(s) and contact information (mailing address, e-mail, telephone number) and the organization they are representing (if applicable);
- iv. be submitted to the CAO no later than 4:00pm on the Tuesday before the day on which the next Council meeting is being held, with the CAO having discretion to bring forward items submitted late that may be of an emergent nature.

13.2 Delegations are scheduled at the discretion of the CAO (or designate), subject to:

- i. the volume of material on any given Agenda,
- ii. the number of requests for a specific meeting date and urgency of request, and
- iii. subject matter.

13.3 No person representing an individual shall address Council for more than ten (10) minutes, exclusive of the time required to answer questions put to him /her by a Council Member, unless granted a time extension by the majority of Council.

13.4 No person representing a group shall address Council for more than fifteen (15) minutes, exclusive of the time required to answer questions put to him /her by a Council Member, unless granted a time extension by the majority of Council.

13.5 Information presented by the Delegation will be restricted to the topic noted in the written submission and recorded on the meeting Agenda.

13.6 Subsequent deputations from the same individual/group concerning a topic on which they have previously presented or spoken will not be permitted unless there is significant new information to be brought forward.

14 MOTIONS

14.1 The content of any Request for Decision submitted to Council or a committee for consideration may be discussed prior to putting forth a motion, as an informal process. The Administrative option presented to the Members does not constitute a motion unless a Member expressly moves an option as a motion. The information presented to the Members is intended to provide background and analyze possible solutions or responses to the issue. This process permits the Members to have the opportunity to engage in a full discussion and may then develop a consensus regarding the issue prior to putting for a motion.

14.2 After receiving a motion from a Member the Mayor or Chair states the motion and calls for discussion or debate. Every Member wishing to speak to a questions or motion must address the Mayor or Chair.

14.3 The Mayor or Chair has the authority to set a time limit and the number of times that a Member may speak on the same question or resolution having due regard to the importance of the matter.

Time limit will be ten minutes for delegations and members.

- i. All motions will be read by the Mayor, Chair, or designate before being voted on.
- ii. A motion submitted to the Members does not need a seconder.



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14.4 When a motion has been made and is being considered by the Members, no other motion may be made and accepted, except a motion to:

- i. refer the main question to some other person or group for consideration;
- ii. amend the main question;
- iii. table to main question;
- iv. postpone the main question to some future time;

14.5 Wherever practicable, Negative Motions to the Members will not be presented for consideration. A recommendation that is intended to not take action should be worded utilizing active language (ie. In the case of a request to not grant a request, word as "decline the request for ..."), otherwise, the recommendation should be to vote against an action.

14.5 After any question is finally put by the Mayor or Chair, no member will speak to the question, nor will any other motion be made until after the result of the vote has been declared. The decision of the Mayor or Chair as to whether the question has been finally put will be conclusive.

14.6 Voting on all matters must be conducted as follows, to ensure that the votes may easily be counted by the Mayor or Chair:

- i. Except for a meeting conducted through electronic or other communication facilities, Members must be in their designated seat at the meeting when the motion is considered.
- ii. The Mayor or Chair requests that a motion be put forward for a vote. The Member's name putting forward the motion must be clearly stated for recording purposes.
- iii. Members vote by a show of hands or other method agreed to by the Members
- iv. The Mayor or Chair clearly declares the result of the vote for recording purposes.
- v. A motion is carried when a majority of Members present at a meeting vote in favour of the motion, unless otherwise specified in this bylaw.

14.7 After the Mayor or Chair declares the result of the vote, Members may not change their vote for any reason.

- i. A question on the results of a vote may be resolved by the Mayor or Chair immediately calling for a revote on the motion.
- ii. A motion is lost when the vote does not receive the required number of votes or when the vote is tied.

15 BYLAWS

15.1 A proposed bylaw will be introduced at a Council meeting by a motion that the bylaw be read a first time.

15.2 After first reading has been given, subject to the requirements of the Municipal Government Act, any Councillor may move that the bylaw be read a second time.

15.3 Council may not give a bylaw more than two readings at a meeting unless unanimous consent is granted by the Council Members present at the meeting vote in favour of allowing a third reading at the meeting.

15.4 Any amendments to the bylaw which are carried prior to the vote on third reading will be considered to have been given first and second reading and will be incorporated into the proposed bylaw.

15.5 If a bylaw is defeated on the third reading the previous readings are rescinded.



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15.6 A bylaw is rescinded if the bylaw does not receive third reading within two years from the date of the first reading.

15.7 Council hereby authorizes the CAO or a designated officer to consolidate one or more of the bylaws of the municipality.

16 PUBLIC HEARING

16.1 Statutory Public Hearings will be held in conjunction with a Regular Council Meeting and scheduled within the agenda under "Presentations", however a special Council meeting for the purpose of holding a Public Hearing may be called.

16.2 A Statutory Public Hearing on any proposed bylaw or resolution must be held before:

- a) second reading of the bylaw, or
- b) Council votes on the resolution.

16.3 **Adjourn** used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting.

16.4 **Close** used in relation to a Public Hearing, means to terminate the Public Hearing.

16.5 The Chief Administrative Officer or designate shall ensure that notice of the Public Hearing is advertised for two (2) consecutive weeks in the local newspaper prior to the second reading of the Bylaw or resolution forming the basis of the Public Hearing.

16.6 The notice of Public Hearing must contain the following information:

- i. A statement of the general purpose of the Public Hearing;
- ii. The physical or web address where any document pertaining to the Public Hearing may be inspected;
- iii. The date, time and place where the Public Hearing will be held;
- iv. Electronic meeting access if the Public Hearing pertains to Planning and Development; The address to which any written submissions are to be sent.

16.7 Letters received in accordance with the Public Hearing procedure shall be provided to the Councillors in their Public Hearing agenda package.

16.8 At the commencement of a Public Hearing, the Mayor shall:

- i. State the matter to be considered at the hearing;
- ii. Confirm that the Public Hearing has been advertised in accordance with the Act,
- iii. Ask the CAO or designated officer if any letters in support or opposition have been received,
- iv. Request the CAO or designated officer to present a report on the issue at hand,
- v. Allow the applicant(s) and/or their representative(s) up to ten minutes to present their position, exclusive of the time required to answer question put forward by Council, unless granted a time extension by Council.

16.9 The Mayor will inquire if there are any person(s) or group(s) present who claim to be affected by the subject matter of the Public Hearing; if so, they shall be afforded an opportunity to speak to Council. Any person wishing to speak must clearly state their names for recording in the minutes.

16.10 The Mayor will allow an opportunity for all persons to respond to any new information that has arisen.



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16.11 If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on their behalf. The authorization must:

- i. Be in legible writing,
- ii. Name the individual authorized to speak,
- iii. Indicate the proposed bylaw to be spoken to, and
- iv. Be signed by the person giving the information.

16.12 The authorized speaker must state the name of the person that the speaker represents and present the written authorization to the CAO, or delegate.

16.13 No one person shall address Council for more than five (5) minutes, exclusive of the time required to answer questions put forward by Council, unless granted a time extension by Council.

16.14 No person representing a group shall address Council for more than ten (10) minutes, exclusive of the time required to answer questions put forward by Council, unless granted a time extension by Council.

16.15 The Mayor shall ascertain that there are no more written or oral submissions.

16.16 The Mayor shall ascertain if the Members are satisfied that they have obtained sufficient information.

16.17 The Mayor will ask the CAO or designated officer to make any closing comments if any.

16.18 If there is more than one public hearing on the agenda, the Mayor shall adjourn or close one Public Hearing before opening another Public Hearing.

16.19 If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter unless it re-opens the Public Hearing.

16.20 If a Public Hearing is closed, Council shall not receive any additional submission from the Public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.

16.21 Persons interested in speaking at a Public Hearing may register with the CAO prior to the Public Hearing. Names of the registered speakers for a Public Hearing will be released to the public with the Council agenda packages.

16.22 Persons interested in providing a written submission may provide the CAO with their submission prior to 4:00pm of the Tuesday of the week preceding the Public Hearing. These submissions will be released with Council agenda packages. Council will accept written information on the date of the Public Hearing.

16.23 Council may change the date, time and place of a Public Hearing by resolution. If any of the date, time or place is changed, the public hearing must be re-advertised, as per the provisions of the Act.

16.24 Council may cancel a Public Hearing by resolution.

16.25 The Mayor or Deputy Mayor shall chair all Public Hearings

16.26 The minutes of a Public Hearing shall record:

- i. The names of Administration and the applicant, or representatives of the applicant, who are present at the Public Hearing, and



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- ii. The names of members of the public who provided written and/or verbal submissions, along with a general indication of support, opposition, or neutrality, but not a summary of the presentation and/or a copy of any written materials provided.
- iii. The meeting minutes shall include a record of the names of all persons number of members of the public and media representatives who in attendance at a Public Hearing, as well as a record of the number of written and oral submissions. have spoken for or against the matter considered at a Public Hearing.

ELECTRONIC PARTICIPATION IN PUBLIC HEARINGS

16.27 Public hearings may be conducted in an in-person, hybrid, or fully electronic means, in accordance with this Bylaw and the Municipal Government Act.

16.28 Any member of the public who wishes to speak or make a presentation during a public hearing via electronic means must register in advance and submit their written position, including any presentation materials, no later than five (7) business days prior to the scheduled hearing date, to the CAO. At the discretion of Council and CAO the number and order of participants will be organized/supported/depending on the meeting and number of people who want to contribute.

16.29 The Chairperson shall remind all attendees participating electronically that they must be alone during the In-Camera portion of the meeting. If this is not possible in the circumstances, attendees are encouraged to use earphones.

16.30 Registration shall be completed through a method specified by the Town by calling, written letter or emailing, and shall include the participant's full name, contact information, and details of the item on which they wish to speak.

16.31 Members of the public who do not register or submit their position within the required time period may still provide input by submitting a written statement to the CAO prior to the meeting. The CAO, or designate, will read such statements into the record during the public hearing portion of the meeting, time permitting.

16.32 All registered participants will be provided with the necessary instructions and technical details to access and participate in the electronic meeting. The Town will make reasonable efforts to ensure that participants are able to join and participate through electronic means, including providing support or alternatives where necessary.

16.33 Participants must ensure their technology is functional and that they are in a location suitable for participation.

16.34 The Town will make reasonable arrangements, upon request, to support electronic participation by individuals who may not have the required technology or who experience barriers to access, including by facilitating participation from a municipal facility where possible.

16.35 The Chair retains the authority to mute or remove any public participant from the electronic platform if their participation is disruptive or inappropriate, consistent with procedures governing in-person public hearings.

17 COMMITTEES

17.1 Standing Committees of Council shall be established by Bylaw which will specify the terms of reference for the Committee, including matters to be dealt with by the Committee.

17.2 Special or Ad Hoc Committees shall be established by Bylaw which will specify the terms of reference, including matters to be dealt with by the committee, and a time frame for the duration of the Committee, if applicable.

17.3 Special and Ad Hoc Committees may be comprised entirely of Councillors or a combination of Councillors, staff and other Public Members-at-large.



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17.4 Special and Ad Hoc Committees may elect from its membership a chairperson to preside over the meetings and a secretary to record the minutes of the meeting.

17.5 It will be the duty of the chairperson of each Standing, Special or Ad Hoc Committee, or in case of their illness or absence from the town, it will be the duty of the CAO to summon a special meeting of any committee whenever requested in writing to do so by the majority of members of any such committee.

17.6 Any matter of meeting conduct of Special and Ad Hoc Committees must be in accordance with this Bylaw as well as the Town of Stavelly Code of Conduct Bylaw for Council Members.

18 ADJOURNMENT

18.1 A Regular Council Meeting shall adjourn no later than 10:30 pm. If in session at that time, Council may conclude the matter under discussion, and any unfinished business which appears on the Agenda shall be tabled until the next regular Meeting of Council, unless;

- i. otherwise directed by Council; or
- ii. by motion of a two—thirds(2/3) vote, taken before 10:30 pm (as business permits), that Council agree to an extension of the meeting beyond 10:30 pm.

18.2 A Member may make a motion to adjourn a Meeting at any time, except when:

- i. another Member has the floor;
- ii. a call for a vote has been made;
- iii. the Members are voting;
- iv. Council is a Closed meeting/In-Camera; or
- v. a previous motion to adjourn has been defeated and no other intervening proceedings have taken place.

18.3 A motion to adjourn shall be put forward without comment or debate.

18.4 When all items of an approved agenda have been dealt with, the Chairperson may adjourn the meeting without requiring a motion or vote by Council.

With the passing of this By-law, By-Law No. 880 is hereby repealed.

This Bylaw will come into full force and effect upon the date of its final reading and signing thereof.

Read a First time this 28th day of April, 2025.

Read a Second time this 28th day of April, 2025.

Unanimous consent given to present for third reading this 28th day of April, 2025.

Read a Third time this 28th day of April, 2025.

TOWN OF STAVELY

Mayor / Deputy Mayor

Chief Administrative Officer

