

**SMOKY LAKE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1131-05**

BEING A BYLAW OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA TO DEAL WITH PROCEDURE AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF SMOKY LAKE COUNTY.

WHEREAS, Sections 180 to 203 inclusive of the *Municipal Government Act*, and amendments thereto, deal with meetings of Council.

NOW THEREFORE, the Municipal Council of Smoky Lake County, duly assembled, enacts as follows:

1. TITLE:

- 1.1 This Bylaw shall be known as the “**The Meeting Procedures and Transacting of Business Bylaw**”.

2. DEFINITIONS:

- 2.1 “**Act**” means the *Municipal Government Act*.
- 2.2 “**Agenda**” means a list of items and orders of business for any meeting of council prepared pursuant to Sections 193 to 197 inclusive of the *Municipal Government Act*.
- 2.3 “**Briefing Session**” informal communications and reporting between Management and Council, open to the public.
- 2.4 “**Bylaw**” means a Bylaw of the County.
- 2.5 “**Chairperson**” is the person presiding at meetings, and, when in attendance at a Council meeting, shall mean the Reeve.
- 2.6 “**Clear Days**” as set out in the *Interpretation Act*, as amended, means in calculating the number of days, that the days on which the events happen shall be excluded.
- 2.7 “**Chief Administrative Officer**” is the person appointed by Council as the Chief Administrative Officer pursuant to Sections 207- 210 of the *Municipal Government Act*.
- 2.8 “**Committee of the Whole**” is a committee meeting consisting of all Members of Council which meets on specific issues.
- 2.9 “**Council**” means the Reeve and Councillors of the County for the time being elected pursuant to the provisions of the *Local Authorities Election Act* 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*.
- 2.10 “**Council Meeting**” means an Organizational Meeting, Regular Meeting, and Special Meeting.
- 2.11 “**Council Priorities**” is a provision in the Agenda for emergent issues to be raised by a Councillor or Councillors for consideration by Council.
- 2.12 “**Councillor**” is a member of Council and includes the Reeve. The functions are contained in *Schedule “C”*.
- 2.13 “**County**” means the Corporation Smoky Lake County and, where the context so requires, means the area included within the boundaries of the County.

- 2.14 **“Deputy Reeve”** is the Councillor who is appointed pursuant to the provisions of Section 152 of the *Municipal Government Act* to act as Reeve in the absence or incapacity of the Reeve.
- 2.15 **“Executive Session”** is a meeting consisting of Council which is closed to the public.
- 2.16 **“Group”** means two (2) or more persons gathered together by a common interest in any matter, one of whom may be appointed as spokesperson to be solely responsible for presenting the points of view or positions of the persons he or she represents.
- 2.17 **“Meeting”** means a Council Meeting and/or a meeting of a committee established by Council.
- 2.18 **“Member-at-Large”** means a member of the public appointed by Council to a Committee of Council.
- 2.19 **“Organizational Meeting”** is a meeting of Council held in accordance with Section 192 of the *Municipal Government Act*.
- 2.20 **“Person”** shall include an individual, partnership, association, body corporate, trustee, executor, administrator or legal representative.
- 2.21 **“Public Hearing”** is a duly advertised meeting of Council convened to hear matters pursuant to:
- 2.21.1 the *Municipal Government Act*.
- 2.21.2 any other Act.
- 2.21.3 any other matter at the direction of Council and is separate from the Regular Meeting of Council; but may be held during a Regular Meeting of Council.
- 2.22 **“Public Question and Answer Period”** means a portion of a monthly meeting which is held for the purpose of allowing members of the public to express to Council their opinions or concerns on matters of public interest except those matters specifically excluded from discussion under this Bylaw.
- 2.23 **“Reeve”** is the Chief Elected Official of the County.
The functions of the Reeve are contained in **Schedule “D”**.
- 2.24 **“Regular Meeting”** is a meeting of Council held in accordance with Section 193 of the *Municipal Government Act*.
- 2.25 **“Special Meeting”** is a meeting of Council held in accordance with Section 194 of the *Municipal Government Act* .

3. APPLICATION:

- 3.1 This Bylaw shall govern Organizational Meetings, Regular Meetings and Special Meetings, and Committees established by Council and shall be binding upon all Committee members whether Councillors or Members-at-Large.
- 3.2 When any matter relating to the meeting proceedings is not addressed in this Bylaw, **Robert’s Rules of Order**, if applicable, shall apply.

- 3.3 In the event of conflict between the provisions of this Bylaw and Robert's Rules of Order, the provisions of this bylaw shall apply.
- 3.4 In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council, if two-thirds of all members of Council present vote in favour of dealing with the matter under consideration.
- 3.5 A resolution waiving any provision of this Bylaw as provided for in section 3.4 shall only be effective for the meeting during which it is passed.

4. QUORUM:

- 4.1 "Quorum" means the majority:
 - 4.11 of the valid, subsisting members of Council, or
 - 4.12 in the case of the Committee, Board, Commission, or other organized and recognized groups, unless the Bylaw or resolution establishing such a body specifies a different quorum, the majority of the members thereof
- 4.2 As soon as there is a Quorum of Councillors after the hour fixed for the meeting, the Reeve shall take the Chair and call the meeting to order.
- 4.3 Unless Quorum is present within fifteen minutes after the time Appointed, the meeting may, at the discretion of the Chairperson, stand adjourned until the next regular meeting date or until a Special Meeting is called to deal with the matters intended to be dealt with at the adjourned meeting. The Chief Administrative Officer shall record the names of the Councillors present at the expiration of the fifteen minutes time limit and such record shall be appended to the next Agenda. The only action that can legally be taken in the absence of Quorum is to fix the time to which to adjourn (if more than fifteen minutes is being allowed), adjourn, recess or to take measures to obtain Quorum.
- 4.4 In the event that Quorum is lost after the time is called to order, the meeting shall be suspended until Quorum is obtained. If Quorum is not obtained within fifteen minutes, the meeting shall stand adjourned.
- 4.5 In the case the Reeve or Deputy Reeve is not in attendance within fifteen minutes after the hour appointed for a meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a Chairperson shall be chosen by the Councillors present who shall preside during the meeting until the arrival of the Reeve or Deputy Reeve.

5. REGULAR MEETING:

- 5.1 The regular meetings of Council shall be established by resolution at the annual Organizational Meeting, or at a Regular Meeting of Council following the Organizational Meeting, as may be appropriate.
- 5.2 Notice of regularly scheduled meetings need not be given.
- 5.3 If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change:

- 5.3.1 to any Councillor not present at the meeting at which the change was made, and
- 5.3.2 to the public by advertising on bulletin board in the County Office.
- 5.4 The following applies to the preparation of the regular meeting Agenda:
 - 5.4.1 Items initiated by Councillors are submitted to the Chief Administrative Officer in accordance with **Policy 01-26**.
 - 5.4.2 Items initiated by or referred to the Administration shall be delivered to the Chief Administrative Officer in accordance with **Policy 01-26**.
 - 5.4.3 An Agenda listing the order of business for the use of Councillors shall be prepared by the Chief Administrative Officer as per **Policy 01-26**.
 - 5.4.4 The Agenda preparation, reviews, distribution and meeting follow-up will be coordinated through the Chief Administrative Officer in accordance with timing policies and resolutions approved by Council.
 - 5.4.5 Additions of items to the Agenda after the Agenda has been set shall require the approval of the Reeve and the Chief Administrative Officer.

6. SPECIAL MEETINGS:

- 6.1 A Special Meeting shall be scheduled by the Chief Administrative Officer when required to do so by the Reeve or a majority of Councillors of Council.
- 6.2 Where a Special Meeting is required by a majority of Council, the Reeve shall call such a meeting within 14 days of the date on which the request was made.
- 6.3 The chief elected official calls a special council meeting by giving at least twenty-four (24) hours' notice in writing to each councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held.
- 6.4 A Special Meeting may be held with less than the twenty-four (24) hours' notice to all Councillors and without notice to the public if at least two-third (2/3) of the whole Council agrees to this in writing before the beginning of the meeting.
- 6.5 No business other than that stated in the notice shall be conducted at any Special Meeting of Council unless all the members of Council are present, in which case, by unanimous consent, any other business may be transacted.

7. ORGANIZATIONAL MEETING:

- 7.1 An Organizational Meeting of Council shall be held annually as required by the *Municipal Government Act*.

- 7.2 The Agenda for the Organizational Meeting shall be restricted to:
- 7.2.1 The administration of the oath and the introduction of new Councillors should the meeting follow the general municipal election.
 - 7.2.2 Selection of the Reeve by election as set out in Schedule "B".
 - 7.2.3 Selection of the Deputy Reeve by election as set out in Schedule "B".
 - 7.2.4 The establishment of the regular meeting dates for Council and its Standing Committees.
 - 7.2.5 Establishment of Council committees and boards.
 - 7.2.6 Establishment of membership on committees and boards.
 - 7.2.7 Any such other related business as is required by the *Municipal Government Act*.

8. MINUTES:

- 8.1 The preparation and distribution of minutes of Council meetings shall be the responsibility of the Chief Administrative Officer.
- 8.2 Immediately after the Reeve or other presiding officer shall have taken his seat, the minutes of the preceding meeting shall be read by each Council member in order that any errors or omissions may be corrected by the Council; the minutes may be adopted by a majority vote.

9. EXECUTIVE SESSION:

Council and Council Committees may close all or part of the 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*:

- 9.1 When a Meeting is closed to the Public, the Meeting may include any person or persons invited to attend by Council.
- 9.2 A subdivision authority, development authority or subdivision & development appeal board established under Part 17 of the *Municipal Government Act*, may deliberate and make its decisions in a meeting closed to the public.
- 9.3 When a meeting is closed to the public pursuant to Section 9.1, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a Meeting held in public.

10. PUBLIC QUESTION AND ANSWER PERIOD:

- 10.1 A Council Public Question and Answer Period shall be held during a Regular Council Meeting at 11:30 a.m. to 12:00 noon.
- 10.2 The Public Question and Answer Period is intended primarily to provide residents of Smoky Lake County with the opportunity to raise with Council any questions and to follow-up on any issue they consider to be important.

- 10.3** The Chairperson shall acknowledge persons who wish to speak, encouraging the public to feel comfortable, and shall promote respect for all questions raised and for all persons directly and indirectly implicated by the questions. All persons are requested to identify themselves.
- 10.4** Persons normally will confirm their questions to less than 5 minutes. Another 5 minutes may be accorded to questions of clarification and to answers from councilors at the discretion of the Chairperson.
- 10.5** Supplementary questions from the public may be raised at the discretion of the Chairperson when new information emerges, new developments occur with respect to the original matter, if the extended time does not prejudice the rights of other members of the public to raise their question(s), and if time permits.
- 10.6** The following matters shall not be discussed at a Public Question and Answer Period:
- 10.6.1** Matters of a confidential nature as described in Section 9 of the Bylaw.
- 10.7** Unless specifically determined otherwise, Council commits to providing written response to questions not immediately answered to the satisfaction of the questioner during the Public Question and Answer Period, within 21 days of the date of the question, with copies to all Councillors.
- 10.8** The matter questioned and the name of the questioner shall form part of the minutes of the regular Council meeting.
- 10.9** Issues raised during the Public Question and Answer Period will be handled the following way:
- 10.9.1** Council will not present motions relative to any question or issue raised by the public during the Public Question and Answer Period, unless Council unanimously consents to such action.
- 10.9.2** Motions, may then, at the discretion of Council, address these issues later in the agenda of the concurrent Council meeting or at a future meeting of Council.

11. DELEGATIONS / GROUPS:

- 11.1** Requests from persons or groups who wish to make a representation to Council shall be made to the Chief Administrative Officer at least 7 working days prior to a regular Council meeting, including the purpose of the request, the proposed presentation in writing, action requested of Council if any, and an estimate of the time required. The Chief Administrative Officer will determine the time allocated.
- 11.2** The allocation of Council's time to delegations is primarily intended to enable proposals for development to be put forward, to advocate policy action by Council or to make the case for the interests of business or non-governmental organizations.
- 11.3** Matters raised by delegations shall be considered at Council's discretion, at a subsequent meeting of Council, in order to enable research and to check evidence provided by delegations, unless the unanimous will of Council deems otherwise.

11.4 The following matters shall not be discussed during a presentation and discussion of issues brought forward by a delegation:

11.4.1 Matters of a confidential nature as described in Section 9 of the Bylaw.

12. PUBLIC HEARINGS:

12.1 A Public Hearing may be held during the regular County Council meetings.

12.2 The Chairperson shall declare the Public Hearing in session and shall outline Public Hearing Procedures, as per **Policy 01-06**.

13. CHAIRPERSON:

13.1 The Chairperson shall preside over the conduct of the meetings, including the preserving of good order and decorum, ruling on Points of Order, replying to Points of Procedure and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any Councillor from any ruling of the Chair.

13.2 The Chairperson shall make reasonable efforts, including the calling of a recess, to ensure all Councillors in attendance at a meeting are present when a vote is being taken, unless a Councillor is excused from voting in accordance with the Act or this Bylaw.

13.3 When the Chairperson wishes to participate in the debate on the question or motion properly before the meeting, the chairperson shall vacate the Chair and request another Councillor to assume the Chair.

13.4 The Chairperson may invite persons forward from the audience to speak with unanimous agreement of Council, if it is deemed to serve the best interests of the issue being discussed and the public interest.

14. COUNCILLOR DEBATING:

14.1 Councillors wishing to speak on a matter before the meeting should indicate their intentions by raising their hand and being recognized by the Chair and should not speak more than once until every Councillor has had the opportunity to speak except:

14.1.1 In the explanation of a material part of the speech which may have been misunderstood, or

14.1.2 In reply, to close debate, after everyone else wishing to speak has spoken, provided that the Councillor presented the motion to the meeting.

14.2 Supplementary questions or a series of questions relating to the matter before the meeting may be raised by a Councillor, but each such question requires the consent of the Chair.

14.3 Through the Chairperson, a Councillor may ask:

14.3.1 Questions to another Councillor or of staff on a Point of Information relevant to the business at hand.

14.3.2 Questions to obtain information relating to the minutes presented to the meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.

14.4 All questions or debate shall be directed through the Chair.

15. PROHIBITIONS:

15.1 Councillors shall not:

15.1.1 Use offensive words or unparliamentary language in the meeting.

15.1.2 Disobey the rules of the meeting or decision of the Chairperson or of Councillors on questions of order or practice, or upon the interpretation of the rules of the meeting.

15.1.3 Leave their seat or make any noise or disturbances while a vote is being taken and the result is being declared.

15.1.4 Interrupt a Councillor while speaking, except to raise a Point of Order or Question of Privilege.

15.1.5 Pass between a Councillor who is speaking and the Chair.

15.2 A Councillor who persists in a breach of this section, after having been called to order by the Chairperson, may, at the discretion of the Chair, be ordered to leave Council Chambers for the duration of the meeting. The Chair may take whatever actions he deems necessary to give effect to his order.

15.3 At the discretion of the Chair, a Councillor may resume their seat following an apology.

15.4 A Councillor who wishes to leave the meeting prior to adjournment shall so advise the Chairperson and the time of departure shall be noted in the minutes.

16. QUESTION OF PRIVILEGE:

16.1 A Councillor who desires to address the meeting upon a matter which concerns the rights or privileges of the Councillors collectively, or of himself/herself as a Councillor thereof, shall be permitted to raise such Question of Privilege.

16.2 A Question of Privilege shall take precedence over all matters, and while the Chairperson is ruling on the Question of Privilege, no one shall be considered to be in possession of the floor.

17. POINTS OF ORDER:

17.1 A Councillor who desires to call attention to a violation of the rules of procedure shall ask leave of the Chairperson to raise a Point of Order. When leave is granted, the Councillor shall state the Point of Order with a concise explanation and shall attend the decision of the Chairperson upon the Point of Order. The speaker in possession of the floor when the Point of Order was raised shall have the right to the floor when debate resumes.

- 17.2 A Councillor called to order by the Chairperson shall immediately vacate the floor until the Point of Order is dealt with, and shall not speak again without the permission of the Chairperson unless to appeal the ruling of the Chair.

18. APPEALS TO RULINGS BY THE CHAIR:

- 18.1 The decision of the Chairperson shall be final, subject to an immediate appeal by a Councillor of the meeting.
- 18.2 If the decision is appealed, the Chairperson shall give concise reasons for his ruling and the Councillors, without debate, shall decide the question. The majority ruling of the Councillors shall be final.

19. MOTIONS:

- 19.1 When a motion is before the meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no one objects, the Chairperson shall grant permission; however, if any objection is made, it is necessary to obtain leave by Motion to Withdraw and this motion cannot be debated or amended. Once a motion is withdrawn, the effect is the same as if it had never been made.
- 19.2 Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.
- 19.3 The mover of a motion must be present when the vote on the motion is taken.
- 19.4 When a matter is under debate, no motion shall be received other than a Motion to:
- 19.4.1 **Fix the Time for Adjournment.**
 - 19.4.2 **Adjourn.**
 - 19.4.3 **Withdraw.**
 - 19.4.4 **Lay on the Table.**
 - 19.4.5 **Call the Question (that the vote must now be taken).**
 - 19.4.6 **Postpone to a certain time or date.**
 - 19.4.7 **Refer.**
 - 19.4.8 **Amend.**
 - 19.4.9 **Postpone indefinitely.**
- 19.5 A Motion relating to a matter not within the jurisdiction of the Council shall not be in order.
- 19.6 A Motion to Lay on the Table enables Council to lay the pending Question aside temporarily when something else of immediate urgency has arisen. The motion is not debatable or amendable and, when passed, the Question may only be resurrected by a Motion to Take from the Table. If the Question is not taken from the Table prior to the close of the next regular Council meeting, the Question dies.

- 19.7 A **Motion to Refer** shall require direction as to the Person or Group to which it is being referred and is debatable. A **Motion to Refer** is generally used to send a pending question to a committee, department or selected persons so that the question may be carefully investigated and put into better condition for Council to consider.
- 19.8 A **Motion to Postpone to a Certain Time or Date** is debatable. Debate on the motion must be confined to its merits only, and cannot go into the main question except as necessary for debate of the immediately pending question. A **Motion to Postpone to a Certain Time or Date** is generally used if Council would prefer to consider the main motion later in the same meeting or at another meeting.
- 19.9 A **Motion to Postpone Indefinitely** must include a reason for postponement and is debatable. Debate can go into the main question. A **Motion to Postpone Indefinitely** is generally used as a method to dispose of a question without bringing it to a direct vote.
- 19.10 **Motion to Amend:**
- 19.10.1 Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chairperson shall rule on disputes arising from amendment.
- 19.10.2 The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
- 19.10.3 Nothing in this section shall prevent other proposed amendments being read for the information of the Councillors.
- 19.10.4 When a motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any Councillor, be taken separately.
- 19.11 **A Motion to Reconsider:**
- 19.11.1 After a motion has been voted upon, and before moving to the next item on the Agenda or at any time before the Chair declares the meeting adjourned, any Councillor who voted with the prevailing side may make a **Motion to Reconsider** and shall state the reason for making a **Motion to Reconsider**.
- 19.11.2 Debate on a **Motion to Reconsider** must be confined to reasons for or against reconsideration.
- 19.11.3 If a **Motion to Reconsider** is carried the Question on which the vote is to be reconsidered becomes the next order of business in the exact position it occupied the moment before it was voted on originally.

19.11.4 Reconsideration of the Question shall be open to debate, voted upon, and shall require the votes of a majority of Councillors present to carry it, unless otherwise required by this Bylaw.

19.12 Motion to Rescind:

19.12.1 A **Motion to Rescind** a previous motion may be accepted by the Chair; and, if passed by a majority vote of the Councillors present, the previous motion referred to would be declared null and void.

19.12.2 If a **Motion to Rescind** relates to an action taken at a previous meeting, and the matter does not appear on the Agenda, a Notice of Motion shall precede the **Motion to Rescind**.

19.12.3 A **Motion to Rescind** will not undo actions which have already been taken as a result of the motion previously passed.

20. NOTICE OF MOTION:

20.1 **Notice of Motion** must be used to introduce a new matter for consideration by Council which does not appear on the Agenda.

20.2 A Councillor may present and describe a Notice of Motion for consideration at the next meeting or other meeting date as specified by the mover.

20.3 A Notice of Motion may be received by the Chief Administrative Officer prior to the closing of the meeting. In the event, the Councillor 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 Councillor.

20.4 A Councillor who hands a written Notice of Motion to the Chief Administrative Officer to be read at any regular meeting need not necessarily be present during the reading of the Notice.

21. VOTING – QUESTION:

21.1 When a Motion that a Vote be Taken (Question) is presented, it shall be put to a vote without debate and, if carried by a majority vote of Councillors present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.

21.2 When the Chairperson, having ascertained that no further information is required, commences to take a vote, no Councillor shall speak to or present another motion until the vote has been taken on such motion or amendment.

21.3 A Councillor who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.

22. VOTING – PECUNIARY INTEREST (CONFLICT):

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

23. REQUIREMENT TO VOTE:

23.1 Every Councillor present, including the Reeve, shall vote on every matter, unless:

23.1.1 The Councillor is required to abstain from voting under this or any other bylaw or enactment, or

23.1.2 The Councillor is permitted to abstain from voting under this or any other bylaw or enactment.

23.2 A Councillor present at a meeting shall make a request for a recess if for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent, unless that Councillor is excused from voting pursuant to this section.

23.3 Votes shall be made in the raising of hands as the Chairperson calls for those in favour or against.

24. RECORDED VOTE:

24.1 Before a vote is taken by Council, a Councillor may request that the vote be recorded.

24.1.1 When a vote is recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for and against the proposal and of those who are absent for or abstaining from the vote.

25. TIE VOTE:

25.1 If there is an equal number of votes for and against a resolution or Bylaw, the resolution or Bylaw is defeated.

26. ADJOURNMENT:

26.1 A Motion to Adjourn the meeting shall be in order except:

26.1.1 When a Councillor is in possession of the floor, or

26.1.2 When it has been decided that the vote now be taken; or

26.1.3 During the taking of a vote.

27. ADJOURNMENT TIME:

27.1 Adjournment time is at the conclusion of the Agenda as adopted by Council or when a Motion to Adjourn has been passed.

28. BYLAWS:

28.1 When a bylaw is presented to a meeting for enactment, the Chief Administrative Officer shall cause the number, short title and brief description of the Bylaw to appear on the Agenda.

28.2 The following shall apply to the passage of all bylaws:

28.2.1 A bylaw shall be introduced for First Reading by a Motion that it be read a first time specifying the number of the bylaw.

28.2.2 After the Motion for First Reading of the bylaw has been presented, Councillors may debate the substance of the bylaw and propose and consider amendments to the bylaw.

28.2.3 Any proposed amendments shall be put to a vote if required, and if carried, shall be considered as having been incorporated into the bylaw at First Reading.

28.2.4 When all amendments have been accepted or rejected, the Chairperson shall call the Question on the Motion for First Reading of the bylaw.

28.2.5 When a bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established before second reading.

28.2.6 All aspects of the passage of a bylaw at First Reading shall apply to second and third readings of any bylaw.

28.3 Three Readings:

28.3.1 A bylaw shall not be given more than two readings at one meeting unless the Councillors present at the meeting unanimously agree that the bylaw may be presented for third reading at the same meeting at which it received two readings.

28.3.2 A bylaw shall be passed when a majority of the Councillors present vote in favour of third reading, provided that any applicable Provincial Statute does not require a greater majority.

28.4 When a bylaw has been given three readings and is signed in accordance with the Act, it is considered an enactment of the County and is effective immediately, unless the bylaw or an applicable provincial statute provides otherwise.

28.5 The previous readings of a proposed Bylaw are rescinded if the proposed bylaw:

28.5.1 Does not receive third reading within 2 years of First Reading; or

28.5.2 Is defeated on second or third reading.

28.6 After passage, a bylaw shall be signed by the Reeve or Reeve's designate and by the Chief Administrative Officer and shall be impressed with the corporate seal of the County.

28.7 Clerical, typographical and grammatical errors in bylaws may be corrected by the Chief Administrative Officer.

28.8 The Chief Administrative Officer may consolidate a bylaw by incorporating all amendments to it into one bylaw.

28.9 A copy of any bylaw, resolution or record certified by the Chief Administrative Officer as a true copy of the original is prima facie proof of the bylaw, resolution or record.

29. EFFECTIVE DATE:

29.1 This Bylaw comes into effect upon the final passing and proper signature thereof.

30. REPEAL OF BYLAW 1079-00:

30.1 Bylaw 1079-00 is hereby repealed.


READ a First Time this 20 day of October, AD 2005.

READ a Second Time this 25 day of May, AD 2006.

READ a Third and Final Time this 25 day of May, AD 2006 and finally passed by Council.



REEVE

SEAL


CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"**INDEX****PROCEDURES AND TRANSACTING OF BUSINESS**

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SCHEDULE "B"**ORGANIZATIONAL MEETING ELECTION PROCEDURES****1. Election of Reeve and Deputy Reeve**

These procedures shall be used for the election of Reeve and Deputy Reeve of County Council.

2. Election Procedures

- a. Prior to nominations being received, each member of Council shall be given the opportunity to speak, indicating his/her intent for seeking nomination for the position of Reeve and Deputy Reeve or other general comments.
- b. Nominations for Reeve and Deputy Reeve shall be received by the Chief Administrative Officer. Seconders to nominations are not required.
- c. The Chief Administrative Officer shall call three times for nominations for Reeve. Following the third call, a Motion is required to approve that nominations cease.
- d. The Reeve shall call three times for nominations for Deputy Reeve. Following the third call, a Motion is required to approve that nominations cease.
- e. If only one nomination is received for the position for Reeve that nominee shall be declared elected by acclamation by Chief Administrative Officer; and if only one nomination is received for the position for Deputy Reeve that nominee shall be declared elected by acclamation by Reeve.
- f. When there is more than one nomination for Reeve and Deputy Reeve, the Chief Administrative Officer shall appoint two election officers whose duty will be to distribute and tabulate ballots for voting purposes.
- g. Should the candidates wish to address Council, they shall be given the opportunity to do so following the close of nominations.
- h. At the conclusion of the candidates' addresses, members of Council who have not been nominated for the position shall be given the opportunity to question the candidates.
- i. All balloting shall be conducted by secret ballot.
- j. Each member of Council shall mark an "X" on the ballot opposite the name of the person for whom the Councillor is voting. Alternatively, the Chief Administrative Officer may require that each Councillor shall write the name of the person for whom the Councillor is voting on a blank sheet of paper of equal size and of the same colour and texture.
- k. All ballots shall be counted and tabulated by the two election officer's appointed by the Chief Administrative Officer.

- l. If, on any ballot, a member of Council receives a clear majority of votes from those Councillors of Council present, there shall be no further votes taken.
- m. Any member of Council who does not wish to be considered for the position of Reeve or Deputy Reeve may, at any time prior to voting, withdraw his or her name.
- n. On each ballot, each member of Council may cast a vote for any Councillor nominated, except those Councillors:
 - i. who have withdraw their names from being considered for the position.
 - ii. who have been dropped from consideration as a result of receiving the lowest number of votes on the third or any subsequent ballot.
- o. If, on the first ballot, no Councillor receives a clear majority of votes, a second ballot shall be taken.
- p. Prior to the second ballot being taken, each Councillor still in the balloting shall be given the opportunity to speak.
- q. If, on the second ballot, no Councillor receives a clear majority of votes, a third ballot shall be taken.
- r. Following the third and each subsequent ballot, a Council member who receives the least number of votes shall be dropped from the ballot; PROVIDED THAT, in no event shall more than two persons be dropped from the ballot at the same time.
- s. If a tie vote occurs when there are only two Councillors remaining on the ballot, one further ballot shall be taken. Prior to this vote being taken, each candidate shall be given the opportunity to speak.
- t. When there are two Councillors remaining on the ballot and a tie vote is not broken by a subsequent ballot, the election shall be determined and the time broken as outlined in Clause (u) below.
- u. If it appears on the calculation of the votes that two or more candidates for any office have received the same number of votes, and if it is necessary for determining which candidate is elected, the Chief Administrative Officer shall, *following the provisions of Section 99 of the Local Authorities Election Act*, write the names of those candidates separately on blank sheets of paper of equal size and of the same colour and texture, and after folding the sheets of paper in a uniform manner and so that the names are concealed, shall deposit them in a receptacle and direct some person to withdraw one of the sheets and the Chief Administrative Officer shall declare the candidate whose name appears on the withdrawn sheet to have one more vote than the other candidate. **NOTE:** Prior to effecting

Section 99 of the *Local Authorities Election Act* for determining the election and breaking a tie vote by the drawing of names, the two candidates remaining on the ballot may choose the option of conferring to mutually decide and declare who is elected.

- v. Any address to Council by a candidate for the position of Reeve and Deputy Reeve or by a Councillor remaining a candidate for the position of Reeve and Deputy Reeve shall be limited to 10 minutes unless there is consent by Council to extend the allotted time.

3. Clarification of Procedures

- a. In order to declare a Councillor elected, that person must receive a clear majority of votes from the Councillors present. A clear majority is when the sum of votes from one Councillor is more than the sum of votes for all other Councillors competing for the same position.
- b. In the event that a situation occurs where three or more Councillors remain in the balloting and no Councillor receives a clear majority of ballots and the lowest two are ties, or all Councillors are tied in ballots, then the following shall occur pursuant to the process as defined in the *Local Authorities Election Act*.
 - i. In the event of all tied, all names would be placed in a receptacle and drawn. The last name drawn will be dropped from the balloting.
 - ii. In the case of the two lowest out of three tied, then the names of the two lowest will be placed in a receptacle and the first drawn shall continue in the balloting.

SCHEDULE "C"

FUNCTIONS OF ELECTED OFFICIALS

The following functions do not supersede the *Municipal Government Act* or any other Act of the legislature of Alberta.

- a. Provide leadership – set the course – determine the civic priorities.
- b. Understand the legislation and follow it.
- c. Establish the policies and bylaws necessary to put Council decisions into action and to guide the activities and actions of staff.
- d. Determine which services will be offered to the residents.
- f. Determine the level of service to be provided.
- g. Determine how such services will be delivered.
- h. Uphold the laws pertaining to a municipal Council and its administration.
- i. Ensure that Council decisions are being properly discharged.
- j. Determine the appropriate level of authority to be delegated to the CAO and senior staff and adhere to it.
- k. Solicit and reflect the perceived will of the public in decisions; meet with local groups as appropriate.
- l. Work with others within the community (and the surrounding area) in a partnership mode.
- m. Resolve conflict between factions in the community; seek consensus.
- n. Support professional development.
- o. Review the organization model of governance and ensure that it meets the needs and style of Council.
- p. Stay informed; keep up-to-date.
- q. Choose between alternates; reconcile conflict.

SCHEDULE "D"**FUNCTIONS OF THE REEVE**

The following functions do not supersede the *Municipal Government Act* or any other Act of the legislature of Alberta.

- a. Recognized publicly as the first among equals on Council and as the chief elected leader of the community.
- b.. Expected to be the chief spokesperson on Council issues to the community.
- c. Generally acts as the key link between Council and administration.
- d. Chairperson of regular and special Council meetings; may delegate that role in other circumstances; e.g., special meetings, committees, etc.
- e. Consensus-seeker on behalf of all members of Council; ensures that a compromise solution is identified even if not agreed to.
- f. Acts in an "ex officio" capacity to boards and committees as designated.
- g. Performs a ceremonial role at various functions and special occasions, e.g., parade, store openings, banquets, anniversaries, etc.
- h. Recognized as the key linkage and spokesperson to other levels of government unless otherwise delegated.
- i. Recipient of telephone and letter complaints from the public
- j. May act from time to time as a confidant and advisor to other members of Council vis-à-vis personal issues.