

# VILLAGE OF ACME BYLAW #2014-05

## **BYLAW #2014-05 BEING A BYLAW OF THE VILLAGE OF ACME, IN THE PROVINCE OF ALBERTA, TO REGULATE THE PROCEEDINGS OF COUNCIL MEETINGS.**

Pursuant to the provisions of the *Municipal Government Act*, Chapter M-26, of the Revised Statutes of Alberta 2000, and amendments thereto:

**WHEREAS** Section 7(a) of the *Municipal Government Act* allows a Council to pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS** Section 145(a) of the *Municipal Government Act* allows a Council to pass bylaws for the establishment and functions of Council committees and other bodies;

**AND WHEREAS** Section 145(b) of the *Municipal Government Act* allows a Council to pass bylaws for the procedure and conduct of Council, Council committees and other bodies established by Council;

**AND WHEREAS** Section 146(b) of the *Municipal Government Act* allows a Council to pass bylaws where Council committees may consist of a combination of Councillors and other persons;

**AND WHEREAS** Section 153 (e) of the *Municipal Government Act* states that a Councillor's duty is to keep in confidence matters discussed in private at a Council or Council Committee meeting until discussed at a meeting held in public;

**AND WHEREAS** Section 180 (1) of the *Municipal Government Act* requires Council to act only by resolution or bylaw;

**AND WHEREAS** Section 197 (1) of the *Municipal Government Act* states that a Council and Council Committees must conduct their meetings in public;

**AND WHEREAS** Section 197 (2) of the *Municipal Government Act* allows a Council and Council Committees to 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*;

**AND WHEREAS** Section 198 of the *Municipal Government Act* states that everyone has a right to be present at Council meetings and Council Committee meetings conducted in public unless the person chairing the meeting expels a person for improper conduct;

**NOW THEREFORE** The Council of the Village of Acme, duly assembled, **HEREBY ENACTS** the following rules for the order and conduct of all Council meetings.

### **1. INTERPRETATION**

- a) This bylaw may be cited as the *Council Procedural Bylaw*.
- b) **CAO** is the Village of Acme's Chief Administrative Officer.
- c) **Mayor** is the Village of Acme's Mayor (Chief Elected Official).
- d) **Committee** is a Standing Committee, Special Committee or Ad Hoc Committee

- established in accordance with Section 146 of the *Municipal Government Act*.
- e) **Council** is the elected Council for the Village of Acme in the Province of Alberta.
  - f) **In Camera** is a Council or committee meeting where the public is excluded.
  - g) **Organizational Meeting** is an annual meeting in which any necessary Oaths of Office are taken, appointments are made to municipal public positions (e.g., Mayor and Deputy Mayor) or municipal public bodies, remunerations are established for Council members, members at-large, and employees, and the regular Council meeting schedule for the following twelve months is established.
  - h) **Special Meeting** is a public meeting of all Council members scheduled outside of the Regular Council Meeting Schedule.
  - i) **Village** is the Village of Acme in the Province of Alberta.

## **2. AGENDAS FOR COUNCIL MEETINGS**

- a) The agenda for each regular and special meeting shall be prepared by the CAO in consultation with the Mayor and is submitted with copies of all pertinent correspondence, statements and reports to each member of Council, at least two full business days prior to each regular meeting, and as instructed for special meetings.
- b) Any member of Council or other person wishing to have an item of business placed on the agenda, shall make the submissions to the CAO not later than 4:00 p.m. four business days prior to the meeting.
- c) When a person wishes to appear before Council under the *Delegations* portion of the meeting, a written request must be submitted to the CAO no later than 4:00 p.m. four business days prior to the Council meeting. A written request to appear at a Council meeting shall be legible and contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter. Adequate information includes, but is not limited to, the following:
  - i) name, address and telephone number of the person wishing to make the presentation
  - ii) clearly identify the topic to be discussed
  - iii) clearly identify the request being made to Council, if applicable
  - iv) any background information to support the request, if applicable.

A presentation request shall not be confirmed as being on a meeting agenda until the agenda has been reviewed by the CAO and Mayor, or their designates.

- d) The order of business on the agenda shall be as follows:
  1. Adoption of the agenda
  2. Delegations
  3. Public Hearings
  4. Adoption of previous minutes
  5. Business
  6. Information Items
  7. Reports
  8. In Camera
  9. Adjourn

- e) This order of business shall apply for all regular Council meetings unless members of Council in attendance agree to any change, by a majority vote.
- f) If an urgent or emergent issue is to be raised, a statement of intention is to be given in the form of a *Notice of Motion*. It can be made by any Councillor at an appropriate time in the proceedings and is not debatable at that time. If unanimous consent is granted the issue can be placed on the meeting agenda. If unanimous consent is not granted, the matter will be dealt with at the next Council meeting.

### **3. MEETING PROCEEDINGS**

- a) In accordance with the *Municipal Government Act* and the *Council Procedural Bylaw*, Village of Acme Council Members meet in an official capacity in Regular Council Meetings. Dates, times and location of meetings are set by Council resolution at the Annual Organizational Meeting. Meeting dates, times and locations cannot change unless the change is made through a resolution of Council.
- b) The Council of the Village of Acme shall hold an Organizational Meeting annually pursuant to the *Municipal Government Act*.
- c) The first meeting following a general municipal election shall be an Organizational Meeting and shall include:
  - i) every member of Council taking the Oath of Office of Councillor;
  - ii) appointment of a Mayor from among the Councillors, with the appointment effective immediately, and expiring immediately prior to the following Organization Meeting or otherwise by resolution of Council, who must take an additional Oath of Office of Mayor;
  - iii) election of a Deputy Mayor who must take an additional Oath of Office of Deputy Mayor;
  - iv) appointment of Council members to Committees
  - v) adoption by resolution of Council's regular meeting schedule for the full period until and including the next annual organizational meeting
  - vi) any other business required by the *Municipal Government Act*.
- d) All appointments made at the initial Organizational Meeting shall be reviewed and modified as required at an organizational meeting in the fall of each year, or by Resolution of Council at a duly constituted Council Meeting.
- e) Regular meetings of Council shall adjourn not later than 11:00 p.m., unless members of Council in attendance agree to an extension of time, by a two-thirds majority vote.
- f) A quorum is a majority of Council members.
- g) Council members available via teleconference or video conference shall be considered part of the quorum. Council members participating via teleconference or video conference shall not participate in any In Camera meeting of Council.

- h) As soon after the hour of the meeting as there shall be a quorum present, the Mayor shall take the Chair and call the meeting to order.
- i) If there is no quorum present within half an hour after the time appointed for a regular meeting of Council, the CAO shall record the names of the members of Council who are present and the meeting shall be absolutely adjourned until the next regular meeting unless a special meeting has been duly called in the meantime. Notice of adjournment should be posted on the outside door of access to the building or room in which Council holds its regular meetings.
- j) The Mayor or presiding officer shall preserve order and decorum and shall decide questions of order subject to an appeal to Council by resolution. The decision of the presiding officer shall be final unless reversed or altered by a majority vote of members present.
- k) When the Mayor or presiding officer is called on to decide a point of order or practice, it shall be done without argument or comment and shall state the rule of authority applicable to the case.
- l) Every member wishing to speak to a question or motion shall address the Mayor or presiding officer.
- m) The Mayor or presiding officer shall have the authority to set a time limit and number of times that a member may speak on the same question or resolution having due regard to the importance of the matter.
- n) When a Council Member has been warned about breaches of order but continues to engage in them, the Presiding Officer may state their name and declare the offence. The Recording Secretary must note the offence in the minutes.
- o) If a Council Member who has been named apologizes and withdraws any objectionable statement, then the Council Member may remain and continue participating in the meeting and the Presiding Officer may direct that the notation of the offence be removed from the minutes.
- p) If the Council Member fails or refuses to apologize, then that Council Member must immediately leave the Council Chambers and Council must vote on a motion to expel that Council Member. A motion to expel must be decided without debate.
- q) If a Council Member who has been expelled pursuant to this Section, refuses to leave the Council Chambers, the Presiding Officer may request the Royal Canadian Mounted Police to remove the expelled Council member.
- r) A motion submitted to Council does not require a seconder.
- s) When a motion has been made and is being considered by the Council, no other motion may be made and accepted, except:
  - i) a motion to refer the main question to another person or group for consideration;
  - ii) a motion to amend the main question;



- iii) a motion to table the main question;
  - iv) a motion to postpone the main question to a future time;
  - v) a motion to adjourn the meeting, provided that a motion tabled shall not be debated except as to the time the matter shall again be considered.
- t) 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 Mayor or other presiding officer so directs.
- u) A bylaw shall not be given more than two readings at one meeting unless Council members in attendance agree unanimously that the bylaw may be presented for third reading at the same meeting at which it received the first two readings.
- v) Any request for a recorded vote shall be brought to the Mayor or presiding officer's attention prior to the actual call for the vote.
- w) After any question is finally put by the Mayor or other presiding officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or presiding officer as to whether the question has been finally put shall be conclusive.
- x) All meetings are recorded with minutes; without note or comment.
- y) The CAO may delegate any duties to a recording secretary but shall accept all responsibility for these duties.
- z) If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.
- aa) The CAO shall record in the minutes each time a member of Council excuses himself by reason of pecuniary interest.
- bb) Voting on all matters shall be done by raising of the hand in such a clear manner that the the presiding officer may easily count them.
- cc) Council shall hear all delegations who have brought their items of business onto the agenda in accordance with this bylaw's Section 2(c) in the order in which they are placed on the agenda or the order may be changed by a majority vote of Council members present. All rules of Council in this bylaw shall apply to each and every member of the delegation. Delegations shall be allowed five (5) minutes for their presentations. Council may, by majority vote, extend the time for an additional five (5) minutes.
- All Councillors shall encourage residents and/or delegations to appear before Council as a whole. Councillors shall not appeal on a resident's or delegation's behalf.
- dd) The presentation by a delegation may only be:
- i) received as information without debate
  - ii) referred without debate to a Standing Committee or the CAO for a report



- iii) debated if a resolution is passed by a 2/3 majority vote, to allow a motion to be made without notice.
- ee) Council may adjourn from time to time to a fixed future date any regular or special meeting of Council which has been duly convened but not terminated. The object of adjourning is to finish the business which the meeting was called to transact in the first place, but which has not been completed.
- ff) Recording devices and cameras of all kinds are prohibited in Council Chambers during all Council meetings.
- gg) Any matter of meeting conduct which is not provided for herein, shall be determined in accordance with Robert's Rules of Order.

#### **4. COMMITTEES OF COUNCIL**

- a) Council may establish any other Committee, Board or other body by bylaw, as deemed necessary. Council must establish Terms of reference for these bodies, to be included in the Village policy manual. These terms shall include:
  - i) its purpose and mandate
  - ii) the source of its authority and the nature of its responsibilities
  - iii) its membership, which shall include a minimum of one member of Council
  - iv) members' term of office
- b) All Committees, Boards or other bodies established pursuant to this bylaw must comply with this bylaw's procedures and the *Municipal Government Act*, as applicable.
- c) Members of Council who are appointed to any Committees, Boards or other bodies have the responsibility of keeping Council informed of any activities of the Committees, Boards or other bodies they are appointed to.

#### **5. TITLE OF CHIEF ELECTED OFFICIAL**

- a) In accordance with the *Municipal Government Act, Section 155*, the Chief Elected Official shall hold the title of Mayor.

#### **6. REPEAL**



- a) Bylaw #95-11 and any and all revisions to Bylaw #95-11 are hereby repealed.





**7. ENACTMENT**

This bylaw shall come into full force and effect on the day that it is given its third and final reading, passed by Council and signed in accordance with the *Municipal Government Act*.

**READ** a First time this 24 day of November,  
A.D. 2014

Deputy   
\_\_\_\_\_  
MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**READ** a Second time this 24 day of November,  
A.D. 2011

Deputy   
\_\_\_\_\_  
MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

Unanimous consent for third reading given  
this \_\_ day of December, A.D. 2014

\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**READ** a Third time and finally passed this  
\_\_ day of (month), A.D. 2014

  
\_\_\_\_\_  
MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

