

**ALBERTA BEACH
BYLAW NO. 280-20
COUNCIL PROCEDURE BYLAW**

Being a Bylaw of Alberta Beach to regulate the proceedings and the conduct of business at the Alberta Beach Council and Committee Meetings.

WHEREAS, the Council of Alberta Beach feels it is expedient to make rules and regulations for calling meetings, governing its proceedings and the conduct of its members;

NOW THEREFORE, the Council of Alberta Beach in the Province of Alberta, duly assembled enacts as follows:

1. **TITLE:**

This Bylaw may be cited as the "Council Procedure Bylaw".

2. **DEFINITIONS:**

In this bylaw:

- a) "Act" means the "Municipal Government Act", RCA 2000, Chapter M-26, amendments and regulations thereto;
- b) "Acting Mayor" shall mean the member selected by Council to preside at a meeting of Council in the absence of both the Mayor and the Deputy-Mayor;
- c) "Agenda" means the agenda for a regular or special meeting of Council prepared pursuant to the "Agenda" Section of this bylaw;
- d) "Bylaw" means a bylaw of Alberta Beach;
- e) "CAO" means Chief Administrative Officer or designate, for the municipality;
- f) "Committee" means a body of members delegated to consider, investigate, take action on or report on some legislative matters;
- g) "Council" means the Mayor and Councillors of Alberta Beach for the time being elected pursuant to the provisions of the *Local Authorities Election Act* and *Municipal Government Act* whose term is unexpired, who have not resigned and who continue to be eligible to hold office under the terms of the related provincial legislation;
- h) "Deputy Mayor" means the member of Council who is elected by Council at the Organizational meeting to hold that position;
- i) "Delegation" means any person that has permission of Council to appear before Council or a committee of Council to provide pertinent information and views about the subject before Council or Council committee;
- j) "Disruption" means any act meant to impede the proceedings of a meeting whether the source be Council members, delegates or public at large;
- k) "Mayor" means the member of Council who is elected by Council at the Organizational meeting to hold that position and serves as chairperson of Council meetings;
- l) "Member" means a member of Council, duly elected and continuing to hold office or a person at large appointed by Council to a committee of Council;
- m) "Municipality" means the Municipality of Alberta Beach, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality;
- n) "Point of Order" means a demand that the Chair enforce the rules of procedure;
- o) "Postpone" means to delay the consideration of any matter either to definite time when further information is to be obtained or indefinitely;
- p) "Presiding Officer" means the member selected to serve as chairperson of that particular committee or Council; Mayor.
- q) "Quorum" means the majority of the valid members of all the Councillors that comprise the Council;
- r) "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;
- s) "Village" means the Village of Alberta Beach;

3. **APPLICATION OF BYLAW:**

- a) This bylaw applies to all members of Council, staff, visitors and delegates attending a Council meeting. This Bylaw applies to:
 1. All Regular and Special Council meetings.
 2. The conduct of the meetings of all Committees of Council.

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4. ORGANIZATION MEETING OF COUNCIL:

- a) The Organization meeting of Council shall be held annually in October, the time and place of which shall be set by the CAO in accordance with Section 192 of the Act.
- b) Every member of Council, the Mayor and Deputy Mayor shall make and subscribe to the Official Oath prescribed by the Oaths of Office Act before entering upon the duties of Council and shall deposit the Oath with the CAO.
- c) Unless Council shall, by a unanimous vote taken at a previous Council meeting, determine that a subsequent meeting of Council shall be held at a different place, all Council meetings including the Annual Organizational Council meeting shall be held at the Council Chambers, at the municipal office in Alberta Beach. If it is decided to hold any Council meeting at a location other than the Council Chambers, the CAO shall affix a notice of such change of location to the agenda for the meeting when the same is delivered to the members of Council and the public.
- d) The CAO shall call the meeting to order.
- e) The CAO shall call for nominations for the position of Mayor and the Council shall vote to appoint a Mayor.
- f) The Mayor shall call for nominations for the position of Deputy Mayor and the Council shall vote to appoint a Deputy Mayor.
- g) The following shall also be ratified at the annual Organization meeting:
 1. Address of Municipal Office
 2. Regular Council Meeting Date & Time
 3. Signing Authorities
 4. Banking Authority
 5. Auditor Appointment
 6. Solicitor Appointments
 7. Designated Officer Appointments
 8. Assessor Appointment as Designated Officer
 9. Assessment Review Board
 10. Assessment Review Board Clerks as Designated Officers
 11. Development Authority as Designated Officer
 12. Subdivision Authority as Designated Officer
 13. Subdivision & Development Appeal Board Members
 14. Subdivision & Development Appeal Board Clerks as Designated Officers
 15. Municipal Planning Commission Members
 16. Bylaw Enforcement Officers as Designated Officer
 17. FOIP Coordinator
 18. Round Table Meeting Date & Time
 19. Council Committee Appointments
 20. Adjournment

5. REGULAR COUNCIL MEETING AGENDA AND ORDER OF BUSINESS:

- a) Prior to each meeting, the CAO shall prepare a statement of the order of business to be known as the "Agenda" of all matters to be brought before Council. Any member of Council, Village official or any other person wishing to have an item of business placed on the agenda shall make the submission to the CAO no later than 4:00 p.m. on the Thursday of the week prior to the meeting. The submission shall contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter.
- b) The agenda for each regular and special meeting shall be prepared by the CAO and submitted, together with copies of all pertinent correspondence, statements and reports, to each member of Council at least 48 hours prior to said meeting. The agenda package will also be sent electronically to each member of Council.
- c) Agenda packages shall be posted on the village website a minimum of 24 hours prior to the Council meeting.
- d) No item of business shall be considered by the Council if the item has not been placed on the agenda, unless members of Council present agree to the item being added to the agenda.
- e) Where the deadlines in section 5.a & b are not met, the agenda and support materials shall be deemed to be acceptable when the agenda is adopted at the meeting.
- f) The business intended to be dealt with at a Regular Council meeting shall be stated in the agenda in the following order where applicable:

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1. Call to Order
 2. Agenda Additions
 3. Adoption of Agenda
 4. Confidential – Closed Meeting Session
 5. Adoption of Previous Minutes
 6. Delegations
 7. Public Hearings
 8. Municipal Planning Commission
 9. Old Business & CAO Report Action List
 10. Financial Reports
 11. Bylaws and Policies
 12. Council, Committee & Staff Reports
 13. Correspondence – Information Items
 14. Correspondence – Action Items
 15. New Business
 16. Question Period
 17. Adjournment
- g) The order of business at a meeting is the order of the items on the agenda except:
1. When the same subject matter appears in more than one place on the agenda and Council decides, by motion, to deal with all items related to the matter at the same time;
 2. Council decides not to deal with an item on the agenda and no motion is made about it;
 3. When altered by the presiding officer with no objection from members, or otherwise determined by a majority vote of the members present. The vote, upon a matter of priority of business shall be decided without debate.
6. **GENERAL RULES OF COUNCIL AND COUNCIL MEETINGS:**
- a) The day and time on which the regular meeting of Council should commence, and the location, shall be set by a resolution of Council at the Organization Meeting.
 - b) If Standing Committees of Council are established, they may be established by bylaw, and any such bylaw shall state how the Standing Committees shall function. The Standing Committee may be established by motion of Council, and in this case a Terms of Reference must be established to outline the functions of the Standing Committee.
 - c) The Mayor or Presiding Officer shall call the meeting to order at the hour as stated on the agenda of the meeting as long as there shall be a quorum present.
 - d) In a case where the neither the Mayor nor Deputy Mayor are in attendance within fifteen (15) minutes after the hour appointed for a meeting, and a quorum is present, the CAO shall call the meeting to order and an Acting Mayor shall be chosen by the Councillors present. The Acting Mayor shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.
 - e) 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.
 - f) If a meeting begins with quorum, but a member is unable to continue, or in some other manner leaves the meeting and quorum is lost, the incident shall be duly recorded and the meeting shall absolutely adjourn until the next regular meeting unless a special meeting has been duly called in the meantime.
 - g) The Mayor or Presiding Officer shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council by resolution. Decision of the Presiding Officer shall be final unless reversed or altered by a majority vote of members present.
 - h) If a disruption occurs, and order is lost the Mayor or Presiding Officer shall request the offender(s) leave the Council Chambers at once. If the offender(s) refuses, a recess shall be called and the appropriate law enforcement agency contacted for assistance.
 - i) When a Mayor or Presiding Officer is called on to decide a point of order, he/she shall do so without argument or comment and shall state the rule of authority applicable to the case.
 - j) Every member wishing to speak to a question or motion shall address himself or herself to the Mayor or Presiding Officer and wait to be called upon.

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- k) The Mayor or Presiding Officer shall have 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.
- l) A motion submitted to Council does not require a seconder.
- m) When a motion has been made and is being considered by the Council, no other motion may be made and accepted, except:
 - 1. A motion to refer the main question to some other person or group for consideration;
 - 2. A motion to amend the main question;
 - 3. A motion to table the main question;
 - 4. A motion to postpone the main question to some future time;
 - 5. A motion to adjourn the meeting provided that a motion to table shall not be debated except as to the time when the matter will again be considered.
- n) Where a question under consideration contains distinct propositions, the vote upon such proposition shall be taken separately when any member so requests or when the Mayor or other Presiding Officer so directs.
- o) After any question is finally put by the Mayor or 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 the Presiding Officer as to whether the question has been finally put shall be conclusive.
- p) Voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the Presiding Officer;
- q) Members of the public who constitute the gallery in the Council Chambers during a Council meeting may not address Council without permission of the Council, shall maintain order and quiet, and shall not applaud or otherwise interrupt any speech or action of members of Council.
- r) Council shall hear all delegations who have brought their items of business onto the agenda in the order in which they are placed on the agenda. The order may be changed by a majority vote of members present. All rules of Council in this Bylaw shall apply to each and every member of the delegation. Delegations shall have fifteen (15) minutes for presentation.
- s) All Members shall vote on all motions brought forward in meetings unless a conflict of interest or pecuniary interest has been declared prior to the motion.
- t) If any member of the Council shall call for a recorded vote, the names of those who vote for and those who vote against the motion shall be entered in the minutes. A request for a recorded vote must precede the voting on a motion.
- u) Council and Council committees may close all or part of a meeting to the public if a matter to be discussed is one of the exemptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*. When the Mayor or Presiding Officer declares an item "Closed Session", the reason shall be stated and recorded in the minutes, and all attendees except those specifically designated to be in attendance, shall clear the Council Chambers. A sign indicating "Closed Session" shall be posted on the exterior of the chamber doors and shall remain in place until the item(s) have been dealt with and the session is moved back into the public realm.
- v) Any matter of meeting conduct which is not herein provided for shall be determined in accordance with "Roberts Rules of Order" Newly Revised in Brief - 3rd Edition.
- w) Councillors shall submit written reports for committee meetings attended and reported on at the regular council meetings.
- x) The Mayor or Presiding Officer shall have authority to set a time limit and/or set the number of questions to be heard from the public during the Question Period.

7. CONFIDENTIAL – CLOSED SESSION OF A REGULAR OR SPECIAL COUNCIL MEETING:

- a) When a Council meeting agenda includes a confidential "Closed Session", Council may begin the meeting earlier than the regular meeting time to deal with that item and in this case the agenda must clearly state the time the meeting begins and the time the meeting is anticipated to open to the public. Council shall not resume the meeting until the regular Council meeting time or until the public is given time to return to the meeting.
- b) No recording shall be permitted during the closed session of the Council meetings.
- c) No record, electronic or otherwise will be kept of the discussion at the "Closed Session" of the Council meeting.

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- d) Any motion required from a discussion held at the "Closed Session" of the Council meetings shall only be made when the meeting is open to the public.
 - e) Council may from time to time during the meeting move into "Closed Session" when it becomes necessary as outlined in 6.v above.
- 8. POSTPONEMENT OF A REGULAR COUNCIL MEETING:**
- a) The Mayor may, whenever he or she considers it expedient to do so, and upon giving each member of Council at least two day's written notice, postpone any Regular Meeting of Council.
 - b) Each notice postponing a Regular Council meeting shall give the reasons and name the time and day and place the postponed regular meeting shall be held.
 - c) Any delegation named in the agenda as planning to appear before Council at the postponed regular meeting shall be given notice of the postponed regular meeting, and the new time and day the postponed regular meeting shall be held.
 - d) Public notice of the postponed meeting will be given by posting the notice on the municipal office and website. The notice shall then be posted on facebook, email list and the municipal office electronic sign as time allows.
 - e) All proceedings at the postponed regular meeting shall be considered in the same manner as if it had been the regular meeting.
- 9. SPECIAL COUNCIL MEETINGS:**
- a) The Mayor may call a Special Council meeting in accordance with Section 194 of the Act.
- 10. ELECTRONIC COUNCIL MEETINGS:**
- a) Section 199 of the Act allows Council meetings or Council Committee meetings to be conducted through electronic means.
 - b) During a State of Public Health Emergency, Council may hold any Council meeting or Council Committee meeting electronically.
 - c) The Mayor may, whenever he or she considers it expedient to do so, and upon giving each member of Council at least two day's written notice may determine a need for the meeting to be held electronically.
 - d) Public notice of Council meetings held electronically will be posted on the village website and the municipal electronic sign.
 - e) Agenda packages for Council meetings held electronically will be posted on the village website with a link for the public to participate in the meeting.
- 11. ELECTRONIC DEVICES AND CELL PHONES:**
- a) Councillors, delegates and the public in attendance may use an electronic device (laptop or tablet) in the Council meetings.
 - b) Cell phones shall be permitted in the Council meetings.
 - c) Cell phones shall be muted during the Council meetings to avoid creating a disturbance during the meeting.
 - d) Councillors, delegates and the public will not be permitted to record or broadcast (video or audio) Council meetings unless permission is granted by a majority of Council.
 - e) The recording secretary shall be permitted to record Council meetings for the purpose of completing the Council meeting minutes and once the minutes have been approved will destroy the recording.
- 12. RECORDING OF MINUTES**
- a) The CAO may delegate any duties to a recording secretary but shall accept all responsibilities of the duties.
 - b) If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be recorded in the minutes.
 - c) The minutes will be prepared within three (3) days of the Council meeting and the CAO shall distribute the unapproved minutes to each member of Council and shall post a draft copy on the village website.
 - d) Where a substantial error has been reported in the draft minutes, they shall be immediately removed from the website until the corrected minutes can be posted.
 - e) The draft minutes posted on the village website will be replaced with the approved minutes within 3 days of the Council meeting they are ratified at.

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13. BYLAWS:

- a) Where a bylaw is presented to Council for enactment, the CAO shall cause the number and the short title of the bylaw to appear on the Agenda in the appropriate place.
- b) Every bylaw shall have three readings.
- c) After a member has made the motion for the first reading of the bylaw Council may:
 - 1. debate the substance of the bylaw; and
 - 2. propose and consider amendments to the bylaw.
- d) Unless the members present at a meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.
- e) Where required by provincial statute, a bylaw shall be advertised or submitted to the electorate for voting as set out in the relevant statutes.

14. ROUND TABLE MEETINGS:

- a) Council may hold informal planning meetings called Round Table meetings from time to time for the purpose of the planning business of Council.
- b) The day and time of the Council Round Table meetings shall be set by a resolution of Council at the Organization Meeting.
- c) Council Round Table meetings will be held informal and no minutes will be prepared of the meeting.
- d) The CAO will prepare an agenda and attach corresponding information as necessary, and the agenda will be distributed to the members at the meeting, or prior to the meeting when available.
- e) Council Round Table meetings will be held open to the public and the agenda will be made available to the public at the meeting.

15. SEVERABILITY:

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

16. BYLAWS REPEALED:

Alberta Beach Bylaw No. 186-03 is hereby repealed.

17. EFFECTIVE DATE OF BYLAW:

This Bylaw comes into full force and effect upon third and final reading and signing of this bylaw.

Read a first time this 15th day of December, 2020.

Read a second time this 15th day of December, 2020.

Given unanimous consent to proceed to third reading, this 15th day of December, 2020.

Read a third time and final time this 15th day of December, 2020.

Signed by the Mayor and Chief Administrative Officer this 16th day of December, 2020.


Jim Benedict, Mayor


Kathy Skwarchuk, Chief Administrative Officer