

**BYLAW NO. 792-21
TOWN OF ONOWAY**

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

WHEREAS, the Council of the Town of Onoway 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 the Town of Onoway in the Province of Alberta, duly assembled enacts as follows:

TITLE: The Bylaw may be cited as the Council Procedure Bylaw.

DEFINITIONS:

1. In this bylaw:
 - a) "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;
 - b) "Agenda" means the agenda for a regular or special meeting of Council prepared pursuant to the "Agenda" Section of this bylaw;
 - c) "Bylaw" means a bylaw of the Town of Onoway;
 - d) "CAO" means Chief Administrative Officer or Municipal Manager, or delegate, for the municipality;
 - e) "Committee" means a body of members delegated to consider, investigate, take action on or report on some legislative matters;
 - f) "Council" means the Mayor and Councillors of the Town of Onoway 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;
 - g) "Deputy Mayor" means the member who is elected by Council at the Organizational meeting to hold that position;
 - h) "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;

- i) "Disruption" means any act meant to impede the proceedings of a meeting whether the source be council members, delegates or public at large;
- j) "Mayor" means the member of council who is elected pursuant to the provisions of the Local Authorities Election Act and Municipal Government Act whose term is unexpired, who has not resigned and who continues to be eligible to hold office under the terms of the related provincial legislation, who serves as chairman of council meetings;
- k) "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;
- l) "Municipality" means the Municipality of Onoway, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality;
- m) "point of order" means a demand that the Chair enforce the rules of procedure;
- n) "point of privilege" means a request made to the Chair or Council on any matter related to the rights and privileges of Council or individual councilors and includes the: organization or existence of council, comfort or members or conduct of employees or members of the public in attendance at the meeting;
- 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 chairman of that particular committee or council; mayor.
- q) "Quorum" means the majority of the valid members of all the councilors 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) "Town" means the Town of Onoway;

APPLICABILITY:

1. This bylaw applies to all members attending meetings of council, or committees established by council.

SEVERBILITY:

1. 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.

AGENDA AND ORDER OF BUSINESS:

1. 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, Town 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 noon (12:00 p.m.) on the Monday 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.
2. 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 by 4:30 p.m. on the Friday of the week prior to the meeting.
3. 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 placed on the agenda. The Mayor, any Councillor or the CAO shall be given an opportunity to state why an item shall receive consideration on the agenda because of its emergent nature before the motion is put to a vote.
4. Where the deadlines in section 1 & 2 are not met, the agenda and support materials shall be deemed to be acceptable when the agenda is adopted at the meeting.
5. The business intended to be dealt with shall be stated in the agenda in the following order where applicable:
 1. Call to Order
 2. Adoption of agenda
 3. Adoption of previous minutes
 4. Appointments/Public Hearings
 5. Financial Reports
 6. Policies & Bylaws
 7. Action Items
 8. Council, Committee & Staff Reports
 9. Information Items
 10. Closed Session
 11. Adjournment
 12. Upcoming Events

6. The order of business at a meeting is the order of the items on the agenda except:
 - a) When the same subject matter appears in more than one place on the agenda and council decides, by motion, to deal with all items related to the matter at the same time;
 - b) Council decides not to deal with an item on the agenda and no motion is made about it;
 - c) When altered by the presiding officer with no objection from members, or otherwise determined by a majority vote of the members present, and the vote, upon a matter of priority of business shall be decided without debate.

GENERAL RULES OF COUNCIL

1. 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 Organizational Meeting.
2. 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.
3. 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.
4. 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 or Municipal Manager 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.
5. If there is no quorum present within half an hour after the time appointed for a regular meeting of Council, the CAO or Municipal Manager 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.
6. 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.
7. 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.

8. If order is lost and a disruption occurs, the Mayor or Presiding Officer shall request the offender(s) leave the council chambers at once. If the offender(s) refuse, a recess shall be called and the appropriate law enforcement agency contacted for assistance.
9. When a Mayor or Presiding Officer is called on to decide a point of order or practice, he/she shall do so without argument or comment and shall state the rule of authority applicable to the case.
10. Every member wishing to speak to a question or motion shall address himself/herself to the Mayor or Presiding Officer.
11. 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.
12. A motion submitted to Council does not require a seconder.
13. Negative motions may not be accepted by the Presiding Officer nor considered by members.
14. 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.
15. 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.
16. 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 the Presiding Officer as to whether the question has been finally put shall be conclusive.
17. 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;
18. 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.

19. 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 or 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.
20. 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.
21. 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.
22. Council may adjourn from time to time to a fixed future date any regular or special meeting of Council that has been duly convened but not terminated. The object of adjourning is to finish the business that the meeting was called to transact in the first place but which has not been completed.
23. 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.
24. Any matter of meeting conduct which is not herein provided for shall be determined in accordance with "Roberts Rules of Order";

RECORDING OF MINUTES:

1. The CAO may delegate any duties to a recording secretary but shall accept all responsibilities of the duties.
2. 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.

AUDIO/VIDEO RECORDINGS OF MEETINGS:

1. All meetings of Council shall be audio and/or video recorded, except for those portions of a meeting which transpire during closed session. These recordings shall be posted to the website and retained in the municipal record.

BYLAWS:

1. 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.
2. Every bylaw shall have three readings.
3. After a member has made the motion for the first reading of the bylaw Council may:
 - a) debate the substance of the bylaw; and
 - b) propose and consider amendments to the bylaw.
4. 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.
5. Where required by provincial statute, a bylaw shall be advertised or submitted to the electorate for voting as set out in the relevant statutes.

The Town of Onoway Bylaw No. 763-19 is hereby repealed.

This Bylaw comes into full force and effect upon third and final reading.

Read a first time this 2nd day of December, 2021.

Read a second time this 2nd day of December, 2021.

Given unanimous consent to proceed to third reading, this 2nd day of December, 2021.

Read a third time and final time this 2nd day of December, 2021.

Signed by Mayor Lenard Kwasny

**Signed by Chief Administrative Officer
Wendy Wildman**