

**BYLAW 19-027
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH THE PROCEDURES FOR THE CONDUCTION OF COUNCIL AND COMMITTEE MEETINGS AND TO ESTABLISH A COMMITTEE OF THE WHOLE COUNCIL.

WHEREAS under the authority and pursuant to the provisions of the *Municipal Government Act*, R.S.A. 2000, Chapter M 26, and amendments thereto, Council may pass a bylaw in relation to the establishment and functions of Council Committees, and the procedures and conduct of Council and Council Committees;

AND WHEREAS Lac La Biche County Council deems it appropriate to establish a Committee of the Whole Council;

AND WHEREAS Lac La Biche County Council deems it appropriate to establish procedures for the conduct of Council meetings and Committee of the Whole Council meetings.

NOW THEREFORE under the authority and pursuant to the provisions of the said *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

Title

- (1) This Bylaw is called "The Council Procedure Bylaw".

Definitions

- (2) The definition of any word or term used in this bylaw which is defined in the *Municipal Government Act* shall have the same definition of the word or term as specified in the *Municipal Government Act*;
- (a) "Act" means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and amendments thereto;
- (b) "Accredited Media" means an employee of a Licensed Broadcaster or a member of the Alberta Weekly Newspaper Association;
- (c) "Administration" means staff members of the County;
- (d) "Agenda" means items of business of a meeting and associated correspondence;
- (e) "CAO" means the Chief Administrative Officer;
- (f) "Chair" means the person who has been given authority to direct the conduct of a meeting;

- (g) "Committee of the Whole" means a standing committee of Council that has membership comprised of all Members of Council.
- (h) "Council" means the municipal Council of Lac La Biche County;
- (i) "County" means the municipal corporation of Lac La Biche County or the area contained within its boundaries;
- (j) "FOIP Act" means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25, and amendments thereto;
- (k) "Closed Session" means a meeting or a portion of the meeting held by Council that is closed to the public in accordance with applicable legislation;
- (l) "Member" means any member of Council or Council Committee;
- (m) "Minutes" means the formal record of decisions of a meeting;
- (n) "Organizational Meeting" means the annual Organizational Meeting of Council held pursuant to the *Act*;
- (o) "Peace Officer" has the same meaning as in the *Provincial Offences Procedure Act* and includes a member of the Royal Canadian Mounted Police, a Peace Officer, or a Community Peace Officer.

Application

- 3(1)** This bylaw shall govern organizational meetings, regular council meetings, special council meetings, committee of the whole meetings and meetings of other committees established by Council.
- (2)** When a matter arises related to the proceedings in a meeting which is not covered by a provision of this bylaw or the *Act*, the matter shall be decided by reference to Robert's Rules of Order.
- (3)** In the event of a conflict between the provisions of this bylaw and Robert's Rules of Order, the provisions of this bylaw shall apply.
- (4)** In the absence of any statutory obligation, any provision of this bylaw may be waived by unanimous resolution, if all members present vote in favour of dealing with the matter under consideration.
- (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 was passed.

Quorum

- 4(1) As soon as there is a quorum present after the hour fixed for the meeting, the Chair shall take the Chair and call the meeting to order.
- (2) No meeting shall be held without a quorum present.
- (3) Unless a quorum is present within thirty (30) minutes after the time appointed for the meeting, the meeting may, at the discretion of the Chair 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, or designate, shall record the names of the members present at the expiration of the thirty (30) minute 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 thirty (30) minutes is being allowed), adjourn, recess or take measures to obtain a quorum.
- (4) In the event that quorum is lost after the meeting is called to order, the meeting shall be suspended until quorum is obtained. If quorum is not obtained within thirty (30) minutes, the meeting shall stand adjourned.
- (5) Members shall notify in advance, either the Chair or Chief Administrative Officer, or designate, if the Member will be absent from a Council or Committee of the Whole Meeting.

Organizational Meeting

- 5(1) An organizational meeting of Council shall be held annually as required by the *Act*.
- (2) At the organizational meeting, Council shall establish, by resolution, for the forthcoming year:
 - (a) The selection of the Deputy Mayor;
 - (b) The selection of the Chair and Vice Chair of the Committee of the Whole, as deemed necessary by Council;
 - (c) The dates, times and locations for the regular Council meetings and Committee of the Whole meetings;
 - (d) The dates and times for Council's ad-hoc and standing committee meetings, if deemed necessary by Council;
 - (e) Membership on committees, boards, commissions, etc.;
 - (i) Notwithstanding 5(2)(e) Member appointments to the Subdivision and Development Appeal Board will be considered in accordance with the Subdivision and Development Appeal Board Bylaw.
 - (f) Any such other related business as required by the Act; and

- (g) Any such other related business as deemed necessary by Council.
- (3) Should the Organizational Meeting follow the general municipal election:
 - (a) Each Member shall take the oath of office, as prescribed by the Act, as the first order of business; and
 - (b) Until the Mayor has taken the oath of office, the Chief Administrative Officer shall Chair the meeting.

Regular Meetings

- 6(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 and in accordance with section 193 of the *Act*.
- (2) Notice of regularly scheduled Council meetings need not be given.
- (3) If Council changes the date, time or place of a regularly scheduled meeting, the County must give at least twenty four (24) hours' notice of the change to any Member not present at the meeting at which the change was made; and to the public.

Special Council Meetings

- 7(1) In accordance with section 194 of the *Act*, a special council meeting shall be scheduled by the Chief Administrative Officer when required to do so by the Mayor or a majority of Council.
- (2) Where a special meeting is required by a majority of Council, the Mayor shall call such a meeting within fourteen (14) days of the date on which the request was made.
- (3) No less than twenty four (24) hours' notice of a special meeting stating the time, date and place at which it is to be held and stating in general terms the nature of the business to be transacted at the meeting shall be provided to each Member and to the public.
- (4) A special meeting may be held with less than twenty four (24) hours' notice to all Members and without notice to the public if at least two thirds (2/3) of the whole Council agrees to this in writing before the beginning of the meeting.
- (5) No business other than that stated in the notice shall be conducted at any special meeting of Council unless all the Members are present at the meeting and Council agrees to deal with the matter in question.

Agendas/ Minutes

- 8(1)** Members may request discussion items be added to an upcoming agenda by forwarding the item(s) to the Chief Administrative Officer, or designate, prior to the review of the agenda, as outlined in section 8(2).
- (2)** The agenda and all related supporting documentation for each meeting shall be reviewed by the Chief Administrative Officer, or designate, and the Chair, or designate, by 10:30 a.m., five (5) days prior to the meeting. The Chief Administrative Officer and the Chair shall finalize the agenda based on this review.
- (3)** Complete agenda packages shall be distributed electronically to Members by 6:00 p.m., on the fifth day prior to the regular Council or Committee of the Whole meeting.
- (4)** The agenda shall follow the attached Schedule "A" for Regular Council and Committee of the Whole meetings.

 - (a) The Member Reports, Committee Reports, CAO Report and Correspondence sections shall each be included as part of an agenda as directed by Council.
 - (b) The purpose of the Member Reports is to provide each Member with the opportunity to bring forward any matter of general interest to the Council or the County as a whole. Member Reports may be either in writing, or verbally, or both and should summarize the Member's work on the Committees. Reports following conference attendance shall be in accordance with the Member Conference Attendance Policy, as amended from time to time.
 - (c) The purpose of the Committee Reports is to circulate the minutes and other relevant documents from those committees to which Council Members are appointed.
 - (d) The purpose of the CAO Report is to provide an opportunity for the Chief Administrative Officer to report on matters pertaining to the administration of the County and the status of actions directed by Council.
 - (e) The purpose of the Correspondence section is to circulate a list of correspondence sent or received by the County, to which Council was directly addressed or copied. Confidential or excepted correspondence under the *FOIP Act*, shall be excluded from this list.
- (5)** At the meeting, during the "Adoption of the Agenda", Members may:

 - (a) Add additional items to the agenda, by resolution, provided that the item is of sufficient urgency or of a time sensitive nature such that it is not possible to refer it to the next regular meeting and there is sufficient information available to make a decision on the matter.
 - (b) Identify those items on the agenda that are of particularly time sensitive nature or that require substantial debate to be moved to and discussed during the "Urgent Matters" portion of the agenda.

- (6) Where a Council Member wishes to present an item which does not meet the criteria under clause 8(5)(a) the Council Member may serve "Notice of Motion" of the matter using the format set out in attached Schedule "A". This matter and Notice of Motion shall then be placed on the agenda of the next Regular Council Meeting.
- (7) If a motion is not made at the meeting indicated in the Notice of Motion, it will appear on the agenda for, and may be made at any of, the next two regular meetings. After the third regular meeting, it will be removed from the agenda and may only be made by a new notice of motion.
- (8) Once the agenda has been adopted, matters may be added to the agenda by resolution with the support of two-thirds (2/3) of the Members present.
- (9) All items presented in the agenda shall be in either a "Briefing" format, with no recommendation, or in a "Request for Decision" format, including a recommendation.
- (10) Where, pursuant to clause 8(9), Administration has made a recommendation to Council regarding a matter, the recommendation shall take the form of a draft motion. A recommendation does not constitute a motion until a Council Member has expressly moved it.
- (11) The preparation and distribution of Minutes and will be the responsibility of the Chief Administrative Officer, or designate, and the following shall be recorded in the minutes:
 - As per Section 208 (1) (a), of the Act, the CAO must ensure that the minutes of each meeting:
 - (a) are recorded in the English language without note or comment,
 - (b) include the names of the Members present at the Council meeting,
 - (c) are given to Council for adoption at a subsequent Council meeting,
 - (d) are recorded in the manner and to the extent required under section 230(6) when a public hearing is held,
 - (e) identifies if a Member arrives late,
 - (f) identifies if a Member leaves before the meeting is adjourned or is temporarily absent from the meeting.
- (12) Any Member may make a motion to request that the Minutes be amended to correct any inaccuracy or omission.
- (13) The Chief Administrative Officer may make minor changes to the Minutes to correct errors in grammar, spelling, motion numbers, sentence structure and punctuation. No change is permitted that would alter or impact the actual decision made by Council.
- (14) Meeting minutes, once approved by Council, shall be made available to the public upon request and posted on the County website.

Public Input Session

- 9(1)** A public input session shall be scheduled during Regular Council Meetings and shall commence at the advertised time, or so soon thereafter the advertised time as reasonably possible.
- (2)** Public input sessions shall be held using the procedures attached as Schedule "C" to this bylaw.

Delegations

- 10(1)** Anyone wishing to be heard before Council or a Committee of the Whole will be allowed to do so upon provision of a written request for the same to the Chief Administrative Officer, or designate, at least six (6) days prior to the meeting which identifies the issue or topic to be addressed, unless otherwise invited by Council or the Committee of the Whole to attend.
- (2)** Delegation requests shall be reviewed by the Chief Administrative Officer, or designate, and the Chair, as outlined in section 8(2).
- (3)** Delegations using a PowerPoint slideshow or handouts during the presentation, are requested to provide to Legislative Services six days prior to the scheduled delegation to ensure the material is included in Council's agenda package.
- (4)** No delegation shall be scheduled for a period of more than thirty (30) minutes unless, in reviewing the agenda for the meeting, the Chair and the Chief Administrative Officer shall consider and may approve exceptional circumstances where a longer delegation period is warranted.
- (5)** Delegations shall not be scheduled for more than two (2) hours at a meeting.
- (6)** All delegations shall address and be directed by the Chair.
- (7)** During the delegation, the matter at hand may not be debated by Members, nor shall the Chair recognize any motions pertaining to the matter.
- (8)** Matters brought forward by a delegation shall be discussed, debated and decided upon during the "Disposition of Delegation Business" portion of the agenda, unless the matter appears elsewhere in the agenda.
- (9)** Any party wishing to attend Council or a Committee of the Whole as a delegation is restricted to one presentation on the same topic every six (6) months. Under exceptional circumstances, the Council or Committee of the Whole may vary this restriction in the event that new or compelling information is brought to light which would warrant allowing the party to be present as a delegation again within the six (6) month period. As well, this restriction shall not apply when the Council or Committee of the Whole specifically, by resolution, invites a party to attend a meeting as a delegation.

Public Hearings

- 11(1)** Public hearings shall be commenced during a Council meeting and shall start at the advertised time, or so soon thereafter the advertised time as reasonably possible.
- (2)** Public hearings shall be held using the procedures attached as Schedule “B” to this bylaw.

Role of the Public

- 12(1)** Everyone has a right to be present at Council Meetings and Council Committee Meetings conducted in public, as outlined in the Act.
- (2)** Individuals in attendance shall:
 - (a) not address the Council or Committee without permission;
 - (b) not interrupt any speech or action of any person addressing Council or a Committee, and
 - (c) not engage in any improper conduct as determined by the Chair.
- (3)** Members of the public are to refrain from using personal devices for recording purposes, unless they are considered Accredited Media.
 - (a) Recording Procedures shall be held using the procedure attached as Schedule “E”.
- (4)** The Chair may order a member of the public who disturbs or acts improperly at a meeting to be expelled. The Chair may request the assistance of Community Peace Officers, or Officers to remove the person.

Closed Session

- 13(1)** Council and Committees of the Whole 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 *FOIP Act*, R.S.A., 2000, F-25.
- (2)** When a meeting is closed to the public, the meeting may include any person or persons invited by Council or Committee of the Whole.
- (3)** The Minutes of the meeting must include the names of the individuals who are not Members but are in attendance during a closed session, and the reasons for allowing them to attend.
- (4)** When a meeting is closed to the public pursuant to section 13(1), no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting held in public.
- (5)** Notwithstanding Section 14, Members cannot participate remotely during a closed session meeting of Council or Committees of the Whole.

- (6) After the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.

Electronic Meetings

- 14(1) Council may conduct regular Council, special Council, and Committee of the Whole meetings by means of electronic or other communication facilities in accordance with section 199 of the Act.
- (2) A Member may participate in a regular Council, special Council, or Committee of the Whole meeting by means of electronic or other communication facilities if:
 - (a) The Member is unable to attend a meeting.
 - (b) The Member has provided reasonable notice in writing, the Chief Administrative Officer, or designate, prior to the meeting, that they intend to participate in the specified meeting by means of electronic or other communication facilities, and
 - (c) There is a quorum of other Members situated in the place of the meeting to ensure that the meeting may continue and decisions could be made if the communication facilities failed.
- (3) Members who participate in meetings by means of electronic or other communications will verbally provide their vote to the Chief Administrative Officer or designate. Voting by secret ballot will not be permitted by means of electronic or other communications.
- (4) The Chief Administrative Officer, or designate, must be present at the place of the meeting to accurately record the electronic vote of the Member in the meeting minutes.
- (5) A Member may vote by electronic or other communication facilities at a maximum of three (3) meetings in a calendar year.

Role of the Chair

- 15(1) The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on Points of Order, replying to Points of Procedure and deciding on all questions relating to the orderly procedure of the meeting, subject to an appeal by any Member from any ruling of the Chair.
- (2) The Chair shall make reasonable efforts, including the calling of a recess, to ensure all Members in attendance at a meeting are present while a vote is being taken, unless and Member is excused from voting in accordance with the *Municipal Government Act*.
- (3) When the Chair wishes to participate in the debate on a question or motion, they may do so. The Chair will take care to see that all Members are given the opportunity to speak to a question or motion.

- (4) If the Chair wishes to leave the chair for any reason, he or she must call on the Deputy Mayor to preside. Should the Deputy Mayor be absent, the Chair may appoint an Acting Chair to preside in the Chair's short absence.
- (5) Should the Mayor and Deputy Mayor be absent at the commencement of meeting, all those Members present shall appoint a Chair for that meeting, or until the Mayor or Deputy Mayor arrive.
- (6) The Chair may call a recess at any time during a meeting, as deemed necessary by the Chair. A Member may request that the Chair call a recess and should the Chair refuse, a privileged motion to call a recess may be presented.

Meeting Conduct

16(1) Members shall not:

- (a) Use offensive words or unparliamentary language in the meeting;
 - (b) Disobey the rules of the meeting or decision of the Chair or Members on questions of order or practice, or upon the interpretation of the rules of the meeting;
 - (c) Leave their seat or make any noise or disturbances while a vote is being taken and result is declared;
 - (d) Interrupt a Member while speaking, except to raise a Point of Order or Question of Privilege;
 - (e) Pass between a Member who is speaking and the Chair.
- (2) A Member who wishes to leave the meeting prior to the adjournment shall so advise the Chair and the time of departure shall be noted in the minutes.
- (3) Council Members are required to acknowledge formal titles of fellow Members.
- (4) Council Members must ensure that any personal devices (ex: Smartphones) do not cause a disturbance during the meeting. The Chair, or designate, retains the authority to take whatever actions they deem necessary to give effect.

Members Debating

- 17(1)** Members of Council shall be given the opportunity to provide opening comments on a topic prior to a motion being made.
- (2) Debate and opening comments shall be kept to a reasonable length as deemed appropriate by the Chair.

- (3)** Members wishing to speak on a motion/matter should indicate their intention by raising their hand and being recognized by the Chair and should not speak more than once until every Member has had the opportunity to speak except:

 - (a) In the explanation of a material part of the speech which may have been misunderstood; or
 - (b) In reply, to close debate, after everyone else wishing to speak has spoken, provided that the Member presented the motion to the meeting.
- (4)** Supplementary questions or a series of questions relating to the matter before the meeting may be raised by a Member, but each such question requires the consent of the Chair.
- (5)** Through the Chair, a Member may ask:

 - (a) Questions of another Member or Administration on a Point of Information relevant to the business at hand.
 - (b) 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 minutes or clause.
- (6)** All questions or debate shall be directed through the Chair.
- (7)** In consideration of the intended planning, collaboration and strategic nature of the Committee of the Whole Council, meeting procedures at the aforementioned Committee meetings are permitted to be more informal and discussion based, at the discretion of the Chair, provided that procedural fairness (i.e. being recognized by the Chair before speaking) is upheld.
- (8)** Should procedural fairness be ignored at a Committee of the Whole Council meeting, the Chair shall call the Member(s) on a Point of Order, or a Point of Order may be raised by other Members in attendance.

Questions of Privilege

- 18(1)** A Member who desires to address the meeting upon a matter which concerns the rights or privileges of the Member collectively, or of himself/herself as a Member thereof, shall be permitted to raise such Question of Privilege.
- (2)** A Question of Privilege shall take precedence over other matters and while the Chair is ruling on the Question of Privilege, no one shall be considered to be in possession of the floor.
- (3)** After a Member has stated the Points of Privilege, the Chair shall rule whether or not the matter raised is a Question of Privilege.
- (4)** Where the Chair has ruled that a matter is a Question of Privilege, the Member raising the same may speak on it but there shall be no debate on the matter unless a motion is put to Council or Committee of the Whole.

Points of Order

- 19(1) A Member who desires to call attention to a violation of the rules of procedure shall raise a Point of Order. The Member shall state the Point of Order with a concise explanation and shall attend the decision of the Chair 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.
- (2) A Member called to order by the Chair shall immediately vacate the floor until the Point of Order is dealt with, and shall not speak again without permission of the Chair unless to appeal the ruling of the Chair.

Appeal Ruling

- 20(1) The decision of the Chair on Points of Order or a Question of Privilege shall be final, subject to an immediate appeal by a Member at the meeting.
- (2) If the decision is appealed, the Chair shall give concise reasons for their ruling and the Members, without debate, shall decide the question. The ruling of the Members shall be final.

Motions of Council

- 21(1) Once a motion is presented and acknowledged, the motion belongs to the Council. No seconders are required for motions.
 - (a) Motions of Council will record the collective direction of Council.
- (2) Any Member may require the motion under discussion to be read at any time during the debate, except when a Member is speaking.
- (3) A motion relating to a matter not within the jurisdiction of the Council or Committee of the Whole shall not be in order.
- (4) Unless otherwise required under the *Municipal Government Act*, or this Bylaw, a simple majority vote shall be required.
- (5) In order of precedence, when a matter is under debate, no motion shall be received other than a motion to:
 - (a) Fix the Time for Adjournment;
 - (b) Adjourn;
 - (i) A Motion to Adjourn the meeting shall be in order except when a Member is in possession of the floor; or when it has been decided that the vote now be taken; or during the taking of a vote.

- (c) Recess;
- (d) Raise a Question of Privilege;
 - (i) A Member may raise a Question of Privilege to remedy any pressing situation.
- (e) Lay on the Table;
 - (i) A motion to Lay on the Table enables Council or Committee of the Whole 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 revived by a Motion to Take from the Table.
- (f) Call the Question (that the vote must now be taken);
 - (i) 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 two-thirds (2/3) vote of the Members present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.
- (g) Limit or Extend Limits of Debate;
 - (i) A Motion to Limit or Extend Limits of Debate is not debatable, must be passed by a two-thirds vote and may only be amended as to the limit to be placed on debate.
- (h) Postpone to a certain time or date;
 - (i) 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 immediate pending question. A Motion to Postpone to a Certain Time or Date is generally used if Council or Committee of the Whole would prefer to consider the main motion later in the same meeting or at another meeting.
- (i) Refer;
 - (i) 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 or Committee of the Whole to consider.
- (j) Amend;
 - (i) 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 Chair shall rule on disputes arising from amendment.

- (ii) 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.
- (iii) Nothing in this section shall prevent other proposed amendments being read for the information of the Members.

(k) Postpone indefinitely;

- (i) 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.

(6) Members may submit incidental motions, which can be made when no other business is pending:

(a) Motion to Take from the Table;

- (i) A Member may vote to take a motion from the table and a tabled motion is brought back with all of the motions connected with it, exactly as it was when laid on the table.
- (ii) A motion to take from the table is not debatable or amendable and requires a majority vote.
- (iii) If the Question is not taken from the Table prior to close of the next regular meeting, the Question dies.

(b) Motion to Rescind;

- (i) With previous notice, a Motion to Rescind a previous motion may be accepted by the Mayor; and, if passed by a majority vote of the Members present, the previous motion referred to would be declared null and void.
- (ii) Without previous notice, a Motion to Rescind a previous motion may be accepted by the Mayor; and, if passed by two-thirds (2/3) of those Members present, or a majority of the entire Council, the previous motion referred to would be declared null and void.
- (iii) If a Motion to Rescind relates to an action taken at a previous meeting, and the matter does not appear on the Agenda, Members may serve Notice of Motion to provide advance notice.

- (iv) A Motion to Rescind will not undo actions, which have already been taken as a result of the motion previously passed.
- (c) Division of the Question;
 - i) When the motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any Member, be taken separately.
- (d) Motion to Withdraw;
 - (i) Motion to Withdraw cannot be debated or amended. Once a motion is withdrawn, the effect is the same as if it had never been made.
- (e) Motion to Reconsider
 - (i) 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 Member who voted with the prevailing side may make a Motion to Reconsider and shall state the reason for making a Motion to Reconsider.
 - (ii) Debate on a Motion to Reconsider must be confined to reasons for or against reconsideration.
 - (iii) 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.
 - (iv) Reconsideration of the Question shall be open to debate, voted upon, and shall require the votes of a majority of Members present to carry it, unless otherwise required by this bylaw.

Voting - Question

- 22(1)** When the Chair, having ascertained that no further information is required, commences to take a vote, no Member shall speak to or present another motion until the vote has been taken on such motion or amendment.
- (2)** The Chair shall announce the result of the vote. This shall include whether the motion has been passed or lost and, if the result is not unanimous, the Chair shall announce which Members voted in the affirmative and which members voted in opposition to the motion.
- (3)** A Member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.

Voting – Pecuniary Interest

23(1) Members 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 the 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 Member left the room and the time the Member returned.

Requirement to Vote

24(1) Every Member present, including the Chair, shall vote on every matter, unless:

- (a) The Member is required to abstain from voting under this or any other bylaw or enactment; or
- (b) The Member is permitted to abstain from voting under this or any other bylaw or enactment.

(2) A Member 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 Member is excused from voting pursuant to this section.

(3) Votes shall be made by the raising of hands as the Chair calls for those in favour or against.

Recorded Vote

25(1) All votes are to be recorded votes.

Tie Vote

26(1) If there are an equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated.

Meeting Length

27(1) Each regular Council meeting and Committee of the Whole Council meeting shall have a time limit of six (6) hours.

(2) Notwithstanding clause 27(1), Council/Committee of the Whole Council may, by resolution, with the approval of two-thirds (2/3) of the Members in attendance, extend the meeting by a specified time period. Such a resolution must be passed prior to the end of the six (6) hour time limit. At the expiry of the meeting period or any extension approved, all remaining business will be referred to the next regular Council meeting or Committee of the Whole meeting, or may be referred to a special meeting of Council.

Recording Devices

- 28(1)** Administration and Accredited Media are permitted the use of audio and video recording devices at meetings of Council or Committee of the Whole unless otherwise prohibited by a resolution of Council or Committee of the Whole.

Adjournment

- 29(1)** Adjournment time is at the conclusion of the Agenda as adopted by Council or Committee of the Whole or when a Motion to Adjourn has been passed.

Appointment of Board/Committee Members

- 30(1)** Members shall be appointed to various Boards and Committees in accordance with the procedures outlined in attached Schedule "D".
- (2)** Prior to the conclusion of their term, if a Member at Large appointed to a Board or Committee chooses to resign from their appointment for any reason, he or she may do so by submitting a written resignation to the Chief Administrative Officer or designate.
- (3)** The Member resignation shall be deemed accepted by Council (the appointing body), once received by the Chief Administrative Officer, or designate.

Method of Giving Notice

- 31(1)** Notice of a Council or Council Committee meeting is deemed to have been given to a Member if the notice is delivered to the Member's home or place of business either:
- (a) personally;
 - (b) by telephone at the number specified by the Member, or
 - (c) by electronic mail.
 - (i) Notice by electronic email is deemed to have been received if the delivery status report declares the electronic mail as "delivered to mail server"
- (2)** Notice of a Council or Council Committee Meeting to the public is sufficient if the notice is posted in the lobby of County Council Chambers and on the Lac La Biche County website.

Rescinding of Previous Bylaws

- 32(1)** Bylaw 18-005 of Lac La Biche County is hereby rescinded.

Severability

33(1) Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

Come Into Effect

34(1) This bylaw shall come into effect upon passing of the third reading.

MOTION BY COUNCILLOR TKACHUK THAT BYLAW 19-027 BE GIVEN FIRST READING THIS 22ND DAY OF OCTOBER, 2019.

MOTION BY COUNCILLOR MOORE THAT BYLAW 19-027 BE GIVEN SECOND READING THIS 22ND DAY OF OCTOBER, 2019.

MOTION BY COUNCILLOR COTE THAT BYLAW 19-027 BE SUBMITTED FOR THIRD AND FINAL READING THIS THIS 22ND DAY OF OCTOBER, 2019.

MOTION BY COUNCILLOR JOHNSON THAT BYLAW 19-027 BE GIVEN THIRD AND FINAL READING THIS 22ND DAY OF OCTOBER, 2019.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

**BYLAW 19-027
Schedule 'A'**

**LAC LA BICHE COUNTY
REGULAR COUNCIL MEETING**

DATE: (Date)
TIME: (Time)
PLACE: (Room)
(BUILDING)

AGENDA

1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. ADOPTION OF MINUTES
4. UNFINISHED BUSINESS
5. URGENT MATTERS
6. PUBLIC INPUT SESSION/DELEGATIONS/PUBLIC HEARINGS
7. DISPOSITION OF DELEGATION BUSINESS
8. NEW BUSINESS
9. MEMBER REPORTS*
10. COMMITTEE REPORTS*
11. CAO REPORT*
12. CORRESPONDENCE*
13. NOTICES OF MOTION
14. CLOSED SESSION
15. BUSINESS ARISING OUT OF CLOSED SESSION
16. ADJOURNMENT

* as directed by Council

Note: Agenda numbering may change
Bylaw 19-027

**BYLAW 19-027
Schedule 'A'**

LAC LA BICHE COUNTY

NOTICE OF MOTION

NOTICE DATE:

DATE OF MEETING TO BE REFERRED TO:

ISSUE: (DESCRIPTIVE TILE OF ISSUE AT HAND)

WHEREAS:

WHEREAS:

WHEREAS:

NOW THEREFORE, BE IT RESOLVED (exact text of proposed motion)

Respectfully Submitted:
Council Member

BYLAW 19-027

Schedule 'B'

PUBLIC HEARING PROCEDURES

1. The Chair shall state the purpose of the public hearing (i.e. bylaw number and general description of the bylaw) and declare the hearing open. The Chair will outline the public hearing procedures for all those present. To assist the Chair in outlining the procedures, the Chief Administrative Officer, or designate, shall supply the Chair with a public hearing script that reflects the purpose of the hearing.
2. The Chief Administrative Officer, or designate, shall confirm that the public hearing has been advertised in accordance with the applicable legislation and present an overview regarding the resolution, bylaw or matter to be dealt with.
3. The Chair shall allow presentations from the public. Public presentations may be made verbally, in writing, or both, with copies of written submissions being filed with the Chief Administrative Officer, or designate.
4. Written submission to the Chief Administrative Officer, or designate, shall be distributed to Members, and read into record by the Chief Administrative Officer, or designate.
5. The Chair shall request those who wish to make a verbal presentation to identify themselves.
6. Presentations from the public shall be in the following order:
 - a. The Applicant;
 - b. Those in support of the proposed bylaw, resolution or matter to be dealt with. Each presenter will be given one opportunity to address Council. Written submissions in support shall be read into record;
 - c. Those opposed to the proposed bylaw, resolution or matter to be dealt with. Each presenter will be given one opportunity to address Council. Written submissions that are opposed shall be read into record;
 - d. The Applicant, to make closing comments.
7. Presentations shall be directed to the Chair and be limited to ten (10) minutes in duration unless there is consent by the Members to extend this limit.
8. The Minutes of a Public Hearing will reflect the name of the presenters, and will include a summary of the presentations.
9. Persons making presentations may be asked questions by Members for the purpose of clarifying the speaker's comments. Council will not debate the matter during the hearing. The decision(s) regarding whether or not to grant the bylaw(s) further readings or approve the resolution will be dealt with following the close of the public hearing, which may be later in the meeting or at a subsequent meeting.

10. Following the presentations, the Chief Administrative Officer, or designate, will respond to any questions from Members.
11. The Chair may recess the public hearing to take short break with the intent of returning to the public hearing later in the same meeting, or to postpone the public hearing to another Council meeting.
12. The Chair shall adjourn the public hearing.

BYLAW 19-027

Schedule 'C'

PUBLIC INPUT SESSION PROCEDURES

The purpose of the public input session is to provide Council with an opportunity to obtain public comment on matters relevant to Lac La Biche County. These matters should exclude those bylaws or resolutions that require Council to hold a public hearing in accordance with section 230 of the *Municipal Government Act*.

1. Public input sessions shall be scheduled for each regular meeting of Council. At the scheduled time, the Chair shall inquire if individuals are in attendance to address Council. If no one is present, Chair shall continue with the meeting agenda. If individuals are in attendance, the Chair shall read the public input procedures script supplied by the Chief Administrative Officer, or designate.
2. Persons or Groups interested in speaking at the Public Input Session may register with Administration before commencement of the meeting. The Chairperson shall call upon those speakers who have registered to speak on a first-come, first-served basis. Those speakers who have not registered will be permitted to speak once all registered speakers have had an opportunity to address Council. Those persons who do not identify themselves will not be given an opportunity to speak.
3. The Public Input Session shall be scheduled for a total of thirty (30) minutes, unless there is consent by the majority of Council to extend the allotted time. Prior to extending the allotted time, Council must give consideration to scheduled Public Hearings, if any.
4. Each presenter shall be limited to a ten (10) minute presentation, unless there is consent by the majority of Council to extend the presentation time. All written submissions shall be collected by Administration and retained for information purposes.
5. The meeting minutes shall reflect the presenter(s) name(s) and a general statement of the comments made during the Public Input Session.
6. If there are no public members in attendance at the time of the scheduled Public Input Session, the minutes shall reflect that no one was in attendance and Council may proceed with the agenda.

BYLAW 19-027

Schedule 'D'

APPOINTMENT OF MEMBERS TO SERVE ON COUNTY COMMITTEES AND BOARDS

Appointment of Members at Large

1. For the purposes of this Bylaw, all persons who submitted their name in writing to serve on a County Committee or Board as a member at large will be considered to be nominated to serve on the relevant committee or board, unless they are otherwise prohibited. Though nominated, no person shall be appointed to serve as a member at large unless Council passes a resolution confirming the appointment.
2. Where there are more nominees than there are positions for a committee or board, Council shall vote, using secret ballot, to determine the person or persons selected for the board or committee.
3. The Chief Administrative Officer and one other staff member shall review all ballots cast and determine the result, without referencing the number of votes cast for each nominee.
4. In the case of a tie, Council will cast a second ballot only considering the nominees involved in the tie vote. A tie breaking ballot is not required if appointing all nominees involved in the tie would not exceed the number of positions available. For example: If there were three positions available and three candidates were tied for the most votes, all three candidates would be selected. On the other hand, in the above example, if there were two people tied for third, a run-off ballot would be required as only three people could be appointed. In the run-off ballot, Council would only vote on which of the two nominees (the ones that were tied for third) would be appointed to the board or committee.
5. After the appointees have been established, Council shall pass a resolution confirming the appointment of the members for the specified term.
6. A resolution will be passed to destroy the ballots.
7. In voting, a Council Member may not vote for more nominees than the maximum number allowed for the position at hand. A Council Member, however, may vote for less than the maximum number of positions available. A ballot bearing more names than allowed shall be considered void and shall not be counted by the Chief Administrative Officer.
8. Should Council deem it appropriate, Council may, rather than proceeding with balloting or confirming the appointment of any member at large, table the appointment at hand. Council may choose to do this where further submission of applicants are desired for the board or committee position(s) at hand.

Appointment of Council Members to Boards/Committees

Schedule D shall be followed for appointment of Council Members to Boards/Committees, including the appointment of the Deputy Mayor, except for the following changes:

9. The Chairperson shall call three times for nominations for any board or committee appointment being considered by the Council at which point nominations cease.
10. After the third call, the Chairperson shall accept a motion that nominations cease. If this motion is passed, then nominations for the appointment in question are closed.
11. If more Council Members are nominated for a board or committee than the number of positions open, a vote shall be conducted via secret ballot, in accordance with the procedure outlined above.
12. If, however, the secret ballot results in a tie, each Council Member involved in the tie shall have an opportunity to speak to their nomination, after which time a second secret ballot shall be held.
13. If a tie persists then the names of the Council Members involved in the tie shall be written on blank pieces of paper, identical in size, shape and colour, and then the names shall be folded and placed in a receptacle. The Chief Administrative Officer shall draw a name from the receptacle and the Member whose name was drawn shall be appointed to the board or committee, or as Deputy Mayor as the case may be.

BYLAW 19-027

Schedule 'E'

ROLE OF THE PUBLIC AND RECORDING PROCEDURES

1. Everyone has a right to be present at Council meetings and Council Committee meetings that are conducted in public, unless in Closed Session circumstances.
2. Members of the public are to refrain from using personal devices for recording purposes.
3. Administration and Accredited Media are permitted the use of audio and video recording devices at meeting of Council, or Committee of the Whole, unless prohibited by a resolution.
4. Accredited Media means an employee of a Licensed Broadcaster, or a member of the Alberta Weekly Newspaper Association.