

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"
TOWN OF SEXSMITH
Municipal Government Act, RSA 2000 Chapter M-26
Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

Being a Bylaw in the Town of Sexsmith in the Province of Alberta to Regulate the Proceedings of Council Meetings.

Pursuant to the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, the Council of the Town of Sexsmith in Council duly assembled enacts as follows:

This Bylaw may be cited as the "Procedural Bylaw for Council Meetings".

Council hereby establishes the following rules and regulations to provide for the order and efficient conduct of council meetings.

1. Organizational Meeting

- (a) The Council will hold an Organizational Meeting annually not later than two weeks after the third Monday in October in accordance with Section 192 of the MGA.
- (b) Council, at the Organizational Meeting:
 - (i) Shall elect one member to serve as the Deputy Chief Elected Official.
 - (ii) May elect a person to preside at council meetings as Chairperson
 - (iii) May elect another person as Deputy Chairperson to preside at Council meetings in the absence of the Chairperson.
 - (iv) Shall determine the terms of the above, or Council may appoint as six-month rotating positions.
 - (v) Council shall elect members for a one-year period for all committees of Council.
 - (vi) Chief Elected Official or Chairperson shall correspond with Councillors with an invitation to declare which committees of Council they wish to sit on, along with a request to submit their hours of availability and rationale for their desire to be on the committees.
 - (vii) Chief Elected Official or Chairperson will use the criteria described in part 1. (b) (vi) when making the final committee member recommendations to Council.
 - (viii) Shall set the times, dates and places for regular meetings of Council.
 - (ix) Shall review and sign a copy of the code of conduct for elected officials.
 - (x) Shall review Council remuneration, travel and subsistence policies.
 - (xi) Shall appoint signing authorities and make any other necessary appointments.
 - (xii) Section 203 of the MGA allows council to by bylaw delegate any of its powers, duties or functions (subject to certain exceptions) to a council committee. The committee has only those powers, duties and functions that are assigned to it by Council in the bylaw in question. Unless specified by bylaw Council Committees shall advise CAO of any request to send out correspondence. The request will be examined by the CAO to determine if Council approval is required for such correspondence.
 - (xiii) Council committee expenditures may be made without a special resolution of Council from the approved budget for that committee up to \$250.00 for an individual transaction. Expenditures exceeding this amount must first be approved by resolution of Council.

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"
TOWN OF SEXSMITH
Municipal Government Act, RSA 2000 Chapter M-26
Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

2. Ex-Officio

The Chief Elected Official shall be recognized as an ex-officio Member of every Standing Committee and, as such, has the same rights as other Committee Members but is not obligated to attend meetings and is not counted in determining if a quorum is present. The Chief Elected Official may participate in the business of the Committee without restrictions and is not entitled to a vote.

3. Agendas for Council Meetings

- (a) The agenda for each regular and special meeting shall be prepared by the Chief Administrative Officer or designate and submitted together with copies of all pertinent correspondence, enactments and reports to each member of Council at least two (2) days prior to each regular meeting.
- (b) No item of business shall be considered by the Council if the item has not been placed on the agenda unless members of Council by a majority vote agree to the item being placed on the Agenda. The Chief Elected Official, any Councillor or the Chief Administrative Officer shall be given an opportunity to state why an item should receive consideration on the Agenda because of its emergent nature before the motion is put to a vote. Addition of an item of business will require this item to be added by a separate resolution of Council after the agenda has been adopted. Emergent item is defined as ***"a time sensitive matter that requires Council's or a Standing Committee's immediate and urgent consideration and where previous notice is not practical"***
- (c) Committee of the Whole Council meetings will be held once monthly if needed as set at the annual organizational meeting. These meetings will consist of delegations and upcoming regular council meeting business agenda items requiring in depth discussions. Potential Items for Future Agenda will also be discussed at Committee of Whole Meetings. A maximum of one delegation at a regular Council meeting will be considered if the matter is of an emergent nature requiring immediate attention. Otherwise, delegations will only be heard at the Committee of the Whole Council meetings. These meetings will be held solely to hear delegations and to allow for discussion on upcoming Council business agenda items with recommendations being brought back to Council.
 - i) Any person wishing to have an item of business placed on the agenda, shall make the submissions to the Chief Administrative Officer or designate not later than 4:00 p.m. on the Wednesday of the week prior to the meeting. The submission shall contain adequate information to the satisfaction of the Chief Administrative Officer or designate to enable Council to deal with the matter.

During the "Potential Items For Future Agenda" portion of the Committee of the Whole meeting any Councillor or the Chief Elected Official, may present to Council a future agenda item. The Council member would have 4 minutes to present the item to the rest of Council and 20 minutes of discussion. Council would determine by resolution whether the item will be added to a future agenda. If the item needs to be dealt with by a specific date this will included in the resolution. Otherwise, future agenda items will be added as time allows. It is encouraged that only one item be presented in a meeting by an each elected official in respect of other members of Council.

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"
TOWN OF SEXSMITH
Municipal Government Act, RSA 2000 Chapter M-26
Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

- (d) Full Council agenda will be posted on the Town website the morning of the date of the council meeting.

Any issue deemed by Council to require research and answers from the Chief Administrative Officer and staff must be so requested by resolution.

4. General Rules of Council

- (a) The Council shall hold as many meetings in each year as they consider necessary to adequately deal with the business of the municipality. Regular meetings shall commence at a time previously approved by Council and shall endure for a maximum 3.5 hour period. If a session is to endure longer than the 3.5 hour period, a majority vote of Council must pass to extend the time of adjournment.
- (b) If Council changes the date or place of their regularly scheduled meeting, a minimum of 24 hours' notice of the change shall be given to any Councillor that was not present at the meeting at which the change was made and to the public. Public notice shall be posted in the Town Office in accordance with Section 193 of the MGA.
- (c) The Chief Elected Official may call a special council meeting whenever the official considers it appropriate to do so. The Chief Elected Official must also call a special council meeting if the official receives a written request for the meeting, stating its purpose, from the majority of the Councillors. The Chief Elected Official calls a special council meeting by giving at least 24 hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held
- (d) Notwithstanding subsection (c) a special council meeting may be held with less than 24 hours' notice to the Councillors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting. Also, no matter other than that stated in the notice calling the special council meeting may be transacted at the meeting unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question in accordance with Section 194 of the MGA.
- (e) A regularly scheduled meeting of Council may only be cancelled by a resolution of Council at a regular council meeting or special council meeting where there is quorum in accordance with Section 180 and 181 of the MGA.
- (f) The Council shall hold their meetings openly and no person shall be excluded except for improper conduct in accordance with 198 of the Municipal Government Act, Chapter M-26.
- (g) Notwithstanding subsection (e), Council may by resolution: exclude any person or persons from the meeting if matters under discussion are as outlined in Section 197 of the Municipal Government Act, Chapter M-26. Council shall consider this meeting or portion thereof "closed to the public". During this time, Council will have no power to pass a Bylaw or resolution, apart from the resolution necessary to revert back to a meeting "open to the public". In accordance with Section 197 (4), 197(5) and 197(6) of the Municipal Government Act, Chapter M-26 the names of those present during a portion of the meeting "closed to the public" whom are not Councillors shall be recorded in the minutes and members of the public will be notified when the meeting

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"

TOWN OF SEXSMITH

Municipal Government Act, RSA 2000 Chapter M-26

Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

reverts back to a meeting "open to the public" and reasonable time will be provided for them to join the meeting before re-starting the meeting. Council will by resolution approve and identify the basis for entering the portion of the meeting "closed to the public" and identify the related FOIP section that applies.

- (h) As soon after the hour of the meeting as there shall be a quorum present, the Chairperson shall take the chair and call the meeting to order.
- (i) In case the Chairperson or Deputy Chairperson is not in attendance within fifteen (15) minutes after the hour appointed for the meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order, and a chairperson shall be chosen by the Councillors present. The Chairperson shall preside during the meeting or until the arrival of the Chairperson or the Deputy Chairperson.
- (j) If there is no quorum present within half an hour after the time appointed for a regular meeting of Council the Chief Administrative Officer 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 shall be posted on the outside door of access to the council chambers
- (k) The Chairperson or presiding official shall preserve order and decorum and shall decide questions of order subject to an appeal to the Council by resolution, and the decision of the presiding officer shall be final unless reversed or altered by a majority vote of member present.
- (l) When the Chairperson or presiding; official is called upon to decide a point of order or practice he shall do so without argument or comment and shall state the rule of authority applicable to the case.
- (m) Every member wishing to speak to a question or motion shall address himself/herself to the Chairperson or presiding official.
- (n) Each speaker who is a Council member shall be limited to 3 minutes per agenda item to speak and given a 2nd opportunity to speak for 2 minutes on the agenda item, in exception to the Council member that made the motion to whom the final word will be given and by whom any amendments to the original motion can be made. If the intent of the motion has changed, Council members will each be given the opportunity to speak one more time.
- (o) Each speaker who is a member of the public shall be limited in the Public Session portion of the meeting to 5 minutes per issue to present and fifteen (15) minutes for questions, with one question per Councillor. If time prevails after all Councillors have asked their questions, then they may ask more questions. Presentations can be extended by majority of Council. If Public Session is a part of the regular council meeting, Public Hearings will be treated in a similar fashion.
- (p) Council shall hear delegations that have brought their items of business onto the agenda in the order in which they are placed on the agenda at Committee of the Whole Council meetings held once monthly. The order may be changed by a majority vote of the member present. All rules of Council in this Bylaw shall apply to each and every member of the delegation. Delegations shall

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"

TOWN OF SEXSMITH

Municipal Government Act, RSA 2000 Chapter M-26

Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

have fifteen (15) minutes for presentation. With prior approval from the CAO they may extend their presentation time. Administration is to request all information ahead of time from the presenter. There shall be fifteen (15) minutes allotted for questions with one (1) question coming from each Councillor. A second question may be asked if time prevails.

- (q) A motion submitted to Council does not require a seconder.
- (r) When a motion has been made and is being considered by Council, no other motion may be made and accepted except:
 - (i) A motion to refer the main question to some other person or group for consideration;
 - (ii) A motion to amend the main question;
 - (iii) A motion to table the main question; provided that a motion to table shall not be debated except as to the time when the matter will be considered again when the meeting reconvenes.
 - (iv) A motion to postpone the main question to some future time;
 - (v) A motion to adjourn the meeting.
- (s) 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 Chairperson or presiding official so directs.
- (t) After any question is finally put by the Chairperson or other presiding official, no member shall speak to the question, nor shall any other motion be made until after the result of vote has been declared. The decision of the Chairperson or the presiding official as to whether the question has been finally put shall be conclusive.
- (u) 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. No one shall enter a session "closed to the public" after it has begun.
- (v) The Chief Administrative Officer shall record in the minutes each time a member of Council excuses themselves by reason of a pecuniary interest or conflict of interest.
- (w) 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 official.
- (x) 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.
- (y) Council shall not reconsider the same motion or reading of a bylaw that has been defeated for a period of one year from the date of such motion or defeat of the bylaw, except in accordance with

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"
TOWN OF SEXSMITH
Municipal Government Act, RSA 2000 Chapter M-26
Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

subsection (y) below. Any matter of meeting conduct which is not herein provided for shall be determined in accordance with "Roberts Rules of Order.

- (z) When Council wishes to reconsider a motion or reading of a Bylaw that has been defeated, then a Councillor shall bring the matter before Council by Notice of Motion which shall:
 - (i) Be given at a regular meeting preceding the meeting at which Council wishes to reconsider the matter; and
 - (ii) Such Notice of Motion shall be provided to Council in writing, via the agenda, stating the information or conditions pertinent to reconsidering the motion or reading; and
 - (iii) Be brought back only by a member who voted with the prevailing side—that is, voted in favor if the motion involved was adopted, or voted contrary if the motion was defeated; and
 - (iv) Be supported by a resolution of Council by a two thirds majority vote.
 - (v) If the Notice of Motion is passed by a two-thirds majority vote, the motion or reading may then be passed by a simple majority.
- (aa) The Chief Elected Official and or any Councillor will not use the title of Chief Elected Official or Councillor on any correspondence that is not initiated in conjunction with the Chief Administrative Officer or by resolution of Council.

5. Meeting Through Electronic Communications

- (a) Council members may attend a Council meeting by means of electronic communication. Acceptable alternatives include through the use of a telephone (with the speaker on), ensuring that dialogue is available for both parties, through the use of a personal computer ensuring that all Council members participating in the meeting are able to communicate effectively;
- (b) A Council member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, Council may also approve more time if required.
- (c) Notice must be given to administration by noon the day of the meeting in order to attend electronically.
- (d) with the exception of how you access the meeting, there shall be limited use of other electronic devices during the meeting if that device is assisting with the meeting as per the Cell Phone and Electronic Device policy.
- (e) A Council member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
- (f) The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic communications.
- (g) When a vote is called, Council members attending the meeting by means of electronic

BYLAW NO. 1082-2024, "PROCEDURAL BYLAW FOR COUNCIL MEETINGS"
TOWN OF SEXSMITH
Municipal Government Act, RSA 2000 Chapter M-26
Part 1, Section 3; Part 2; Part 5, Section 180, 181, 192, 193, 194, 197 and 198

communications shall be asked to state their vote only after all other Council members present at the meeting have cast their votes.

- (h) All Council members are required to attend Closed Sessions from time to time and will be required to complete an Undertaking regarding Closed Sessions stating that they will be alone and no one else will be present with them during the Closed Session in keeping with Section 153(e) of the Municipal Government Act, RSA 2000, Chapter M-26 which states "Councillors will keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public".
- (i) If only the public will be present at the Council Chambers in the Town's Administration Office and all Council members are participating by way of electronic communication, notice shall be posted in the Town's Administration Office, 24 hours prior to the meeting, indicating the manner in which the meeting will be conducted.

The requirements of this bylaw cannot supersede the requirement of the Municipal Government Act. Bylaws that require a public hearing cannot be reconsidered for second or third reading.


This Bylaw shall repeal Bylaw No. 1041-2021.

Read a first time this 3rd day of June, 2024.

Read a second time this 8th day of July, 2024.

Read a third time and finally passed this 8th day of July, 2024.


Kate Potter, Mayor


Rachel Wueschner
Chief Administrative Officer

