

**TOWN OF BEAVERLODGE  
BY-LAW #1001**

A BY-LAW TO PROVIDE FOR THE PROCEDURE OF COUNCIL MEETINGS AND CONDUCT OF  
COUNCIL FOR THE TOWN OF BEAVERLODGE ALBERTA

WHEREAS Council for the Town of Beaverlodge deems it necessary and advisable to establish a Procedural Bylaw;

NOW THEREFORE under the authority of the *Municipal Government Act*, the Council of the Town of Beaverlodge, in the Province of Alberta, enacts as follows:

**1. DEFINITIONS:**

For the purpose of this bylaw, the following terms mean:

- a. "Act" or "MGA" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto.
- b. "Council" is the Members of Council of the Town of Beaverlodge elected pursuant to the provisions of the Local Authorities Elections Act;
- c. "Council as a Whole" is a committee consisting of all Members of Council. A meeting of "Council as a Whole" may be held in Closed Session or in public session depending on the issue discussed;
- d. "Closed Session" is a Council or committee session which is held in private and may include any person or persons invited to attend by Council;
- e. "Point of Order" means the raising of a question by a member to call attention to any departure from the Procedure Bylaw;
- f. "Public Hearing" is a pre-advertised meeting of Council convened to hear matters pursuant to the Municipal Government Act, any other Act, or any other matter at the direction of Council and is separate from the Regular Meeting of Council.
- g. "Question of Privilege" means or refers to all matters affecting the rights and privileges of the Council collectively or the position and conduct of members in the representative character as elected representatives, and may include such matters as requesting to be excused due to illness or personal emergency or to immediately answer to a charge of misconduct made by another member;
- h. "Recess" is a short break in the meeting to allow Members of Council to attend to personal issues or get refreshments. A recess would not normally extend beyond 15 minutes.
- i. "Town" is the Town of Beaverlodge;

**2. MEETINGS OF COUNCIL:**

- a. The dates, times and place of 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.
- b. Where a Regular Meeting of Council falls on a statutory holiday, the meeting shall be held the following day which is not a statutory holiday, unless otherwise set by resolution of Council.
- c. Notice of Regular Meetings need not be given. However, the dates for Regular Meetings of Council shall be posted on the Town website.
- d. Special Meetings of Council shall be held in accordance with Section 194 of the Municipal Government Act.

- i. Notice of Special Meetings shall be advertised. Minimum notice requirements shall be provided by a poster located at the Town Office. Where possible notice shall be provided in the local paper and on the Town website.
- e. The Mayor shall preside over Regular and Special meetings of Council as the Chairperson. In the absence of the Mayor, the Deputy Mayor shall preside as Chairperson.
- f. The Chairperson shall call the meeting to order as soon after the hour fixed for the meeting as a Quorum of Councillors is formed.
  - i. If the Mayor and Deputy Mayor are not in attendance within 15 minutes after the hour fixed for the meeting, the Chief Administrative Officer shall call the meeting to order and a Chairperson shall be appointed by the Councillors present. The appointed Chairperson shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.
  - ii. If Quorum is not formed within 15 minutes after the time fixed for the meeting, the meeting may, at the discretion of the Chairperson, 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.
  - iii. The Chief Administrative Officer shall record the names of the Councillors present at the expiration of the 15-minute time limit and such record shall be appended to the next Agenda.
  - iv. The only action to be taken in the absence of Quorum is to fix the time to which to adjourn (if more than 15 minutes is being allowed), adjourn, recess or to take measures to obtain a Quorum.
  - v. 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 30 minutes, the meeting shall be adjourned.
- g. Regular Meetings of Council shall adjourn no later than three (3) hours after scheduled start time unless Council passes a motion by unanimous consent to extend the meeting. Such a motion must be passed prior to completion of the three (3) hour meeting time frame.
  - i. When a Meeting has been adjourned due to time, any items from that agenda that have not been discussed shall be deemed to be postponed to the next Regular Meeting or to a Special Meeting called by the Mayor to discuss those items.
- h. Council may meet in "Closed Session" if a matter to be discussed is within one of the exceptions to disclosure in Division 2 Part 1 of the Freedom of Information and Protection of Privacy Act.
- i. The only resolution that can be passed in a "Closed Session" meeting of Council is a resolution to revert to a public meeting.

### 3. CONDUCT OF MEETINGS:

- a. The Chairperson 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 all questions relating to the orderly procedure of the meeting, subject to an appeal by any Councillor from any ruling of the Chair.
  - i. Councillors shall not use offensive or un-parliamentary language in the meeting or against Council, any Councillor or any other person; disobey

- the rules of the meeting or decisions of the Chair; leave their seat or make noise or disturbances during debate and discussion or while a vote is being taken and the result is being declared; interrupt a Councillor during discussion except on a Point of Order.
- ii. The Councillor may resume his/her seat at the Council Table following an apology and/or withdrawal of objectionable statements.
  - iii. When the Chair has asked a Councillor to leave the meeting and the Councillor refuses, the Chair may declare the meeting adjourned.
- b. The Chairperson shall make reasonable efforts, including the calling of a recess, to ensure that all Councillors at a meeting are present while a vote is being taken, unless a Councillor is excused from voting in accordance with the Act or this Bylaw.
  - c. Members of Council and delegate to Council shall address the Chair and shall not speak until recognized by the Chair.
  - d. The Chair shall ensure that each Councillor is allowed equal opportunity to speak on each subject.
    - i. The Chair may limit discussion on any subject if, in the opinion of the Chair, all Councillors have had sufficient opportunity to speak to the subject.
  - e. If the Chair wishes to leave the chair for any reason, he or she must call on the Deputy Mayor to preside.
  - f. If a question relating to the procedures of Council is not answered by this Bylaw, the answer to the question is to be determined in accordance with "Robert's Rules of Order Newly Revised".

#### 4. **MOTIONS OF COUNCIL:**

- a. Resolutions of Council do not require a seconder.
- b. When a motion is before the meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no one objects, the Chairperson shall grant permission. However, if any objection is made it is necessary to obtain leave by Motion to Withdraw and this motion cannot be debated or amended. Once the motion is withdrawn, the effect is the same as if it had never been made.
- c. A Councillor may require the motion under discussion to be read at any time during the debate, except when another Councillor is speaking.
- d. The mover of a motion must be present when the vote on the motion is taken. Council members participating via teleconference are deemed to be present at the meeting.
- e. The following resolutions are not debatable by Council:
  - i. Recess;
  - ii. Question of Privilege;
  - iii. Point of Order;
  - iv. Limit Debate on the Matter before Council;
  - v. Division of a Question;
  - vi. Table a Matter;
- f. When a matter is under debate, no motion shall be received other than a motion to:
  - i. Fix the time for adjournment;

- ii. Amend;
  - 1. Only one Motion to Amend at a time shall be presented to the main motion. All amendments must relate to the matter being discussed in the main motion and shall not substantially alter the motion as to change the basic intent or meaning of the main motion. The Chairperson shall rule on disputes arising from amendments.
  - 2. The amendment shall be voted on and, if the amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
  - 3. Nothing in this Section shall prevent other proposed amendments from being read for the information of the Members of Council.
- iii. Call the Question (that the vote must now be taken);
- iv. Postpone to a certain time or date;
  - 1. 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 immediately pending question. A motion to Postpone to a Certain Time or Date is generally used if Council would prefer to consider the main motion later in the same meeting or at another meeting.
- v. Refer;
  - 1. A motion to Refer shall require directions 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 person so that the question may be carefully investigated and put into better condition for Council to consider.
- vi. Table;
  - 1. A motion to Table may be made when a Councillor wishes Council to decline to take a position on the main question. The motion, when passed, may be resurrected by a Motion to Raise from the Table.
- vii. Withdraw.
- g. A Motion to Lay on the Table enables Council 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 resurrected by a Motion to Take from the Table. If the Question is not taken from the Table prior to the close of the next regular Council meeting, the Question dies.
- h. A Motion to Postpone enables Council set the pending Question aside, with or without referring it to a committee or staff member for additional information. A Motion to Postpone may set the Question aside to be considered at a specific time and place or indefinitely.
- i. A Motion to Reconsider may be made 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.

- i. Any Councillor 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 Councillors present to carry it, unless otherwise required by this Bylaw.

5. **AGENDA:**

- a. The Chief Administrative Officer (CAO) shall prepare a statement of the order of business to be known as the "Agenda". The Agenda shall include all business to be brought before the Council at the meeting.
- b. All documents' notices of delegation intended to be submitted to the Council shall be received by the CAO no later than 1 p.m. the Monday prior to the regular meeting.
  - i. Where the Monday prior to the meeting falls on a Statutory Holiday, the documents shall be received on the next business day.
- c. The CAO shall prepare a paper copy of the Agenda with all supporting documents attached for each member of Council no later than 4:30 p.m. the Thursday prior to the regular meeting. The CAO shall also submit to each member of Council the Agenda package in an electronic format no later than 4:30 p.m. the Thursday prior to the regular meeting.
- d. Press packages shall be available prior to the meeting start time. The press package shall include all information being presented to Council with the exception of any item marked "draft", "Working Copy Only", or "Confidential".
- e. Where the deadlines of Items 6b and 6c are not met, the Agenda and supporting documents shall be deemed to be acceptable by Council when the Agenda is adopted at the regular meeting.
- f. The business of Council intended to be dealt with at a regular meeting shall be stated in the agenda in the following order:
  - i. Call to Order
  - ii. Adoption of Agenda
  - iii. Adoption of Minutes
  - iv. Public Hearings
  - v. Delegations
  - vi. Old Business
  - vii. New Business
  - viii. Correspondence
  - ix. Committee and Staff Reports
  - x. Closed Session
  - xi. Adjournment

- g. The business of Council intended to be dealt with at a special meeting shall be stated in the agenda in the following order:
  - i. Call to order
  - ii. Adoption of Agenda
  - iii. Public Hearings
  - iv. Delegations
  - v. Old Business
  - vi. New Business
  - vii. Correspondence
  - viii. Closed Session
  - ix. Adjournment
- h. The order of business established in Sections 6f and 6g shall apply unless altered by the Chairperson without objection by a member of Council, 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.
- i. The form and substance of the Agenda may be determined by a separate policy approved by a resolution of Council and reviewed and revised from time to time. The policy shall be supplemental to this Bylaw. If policy or procedure statements are in contradiction to this Bylaw, the Bylaw shall take precedence. Changes to the policy may be made by resolution of Council and do not require amendments to the Bylaw.
- j. A Councillor may make a motion introducing any new matter only if:
  - i. Notice is given at a previous regular council meeting; or
  - ii. A legible copy of the content of the notice is made available to the CAO in accordance with Section 5(b) of this Bylaw; or
  - iii. Council passes a Special Resolution dispensing with notice.
- k. A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made. A notice must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.

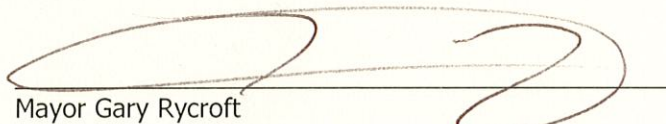
**6. VOTING:**

- a. All Members of Council present, including the Mayor, shall vote on every matter, unless:
  - i. The Councillor is required to abstain from voting under this or any other bylaw or enactment; or
  - ii. The Councillor is permitted to abstain from voting under this or any other bylaw or enactment.
- b. Councillors who have a reasonable belief that they have a pecuniary interest, as defined in the MGA) in any matter before Council, any committee of Council, or any board, commission, committee or agency to which they are appointed as a 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 discussion or voting on any question relating to the matter and shall remove

themselves from Council chambers until the matter concluded. The minutes shall indicate the declaration of disclosure, the time at which the Councillor left the room and the time the Councillor returned.

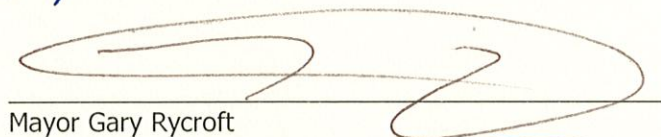
- c. A Councillor present at a meeting shall make a request for a recess if for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent, unless that Councillor excused from voting pursuant to this section.
  - d. Votes shall be made by raising of hands as the Chairperson calls for those in favour or against.
  - e. Every vote taken at a Meeting shall be recorded in the following manner:
    - i. By noting the number of votes in favour or against, including any absences or abstentions, or
    - ii. By noting that the motion was passed unanimously where all Councillors are present and there are no absences or abstentions.
  - f. Councillors participating via teleconferencing shall be considered to be in their designated Council seat and when the motion is put forth shall be recognized as for the motion by stating clearly "in favour" or "against" the motion.
  - g. At any time before Council takes a vote, a Member of Council may request that the vote be recorded. When a request for a Recorded Vote is made, the Recording Secretary shall record in the minutes the names of each Member of Council present and whether they voted for or against the matter.
  - h. When there are an equal number of votes for and against a resolution or Bylaw, the resolution or Bylaw is defeated.
7. This Bylaw hereby repeals Bylaw 914 and 914-1.

Read a first time this 10 day of May, 2021.

  
\_\_\_\_\_  
Mayor Gary Rycroft


  
\_\_\_\_\_  
Jeff Johnston, Chief Administrator Officer

Read a second time this 10 day of May, 2021.

  
\_\_\_\_\_  
Mayor Gary Rycroft


  
\_\_\_\_\_  
Jeff Johnston, Chief Administrator Officer

Read a third time and passed this 10 day of May, 2021.



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Mayor Gary Rycroft



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Jeff Johnston, Chief Administrator Officer

**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.**