



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN, IN THE PROVINCE OF ALBERTA, TO REGULATE COUNCIL MEETING PROCEDURES

BYLAW C1-16

NOW THEREFORE, the Council of the City of Fort Saskatchewan in the Province of Alberta, enacts as follows:

1. **SHORT TITLE**

1.1 This Bylaw is called the “Procedure Bylaw”.

2. **DEFINITIONS**

2.1 “Act” shall mean the *Municipal Government Act*.

2.2 “Acting Mayor” shall mean the member of Council who is appointed by resolution of Council from time to time to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor.

2.3 “Administration” shall mean the City Manager for the City of Fort Saskatchewan.

2.4 “Agenda” shall mean the list of items and order of business for any meeting.

2.5 “Bylaw” shall mean an enactment made by Council in accordance with the Act.

2.6 “Chair” shall mean the Mayor, Deputy Mayor, or other Member who has the authority to direct the conduct of a meeting.

2.7 “Challenge” shall mean an appeal of a ruling of the Chair.

2.8 “City” shall mean the City of Fort Saskatchewan.

2.9 “City Manager” shall mean the Chief Administrative Officer (CAO) pursuant to the Act.

2.10 “Committee of the Whole” shall mean a meeting of all Members in which formal decisions are not made and which can be held with or without the public and media present.

- 2.11 "Conflict of Interest" shall mean a Member:
- 2.11.1 who has a personal interest which would conflict with his or her obligation as a member of Council to fairly consider a matter before Council; or
 - 2.11.2 whose ethical integrity may be in doubt if that Member was to participate in the consideration of a matter before Council.
- 2.12 "Council" shall mean the municipal Council of the City of Fort Saskatchewan.
- 2.13 "Council Committee" shall mean any committee, board or other body established by Council by bylaw or resolution.
- 2.14 "Councillor" shall mean a Member of Council duly elected and continues to hold office.
- 2.15 "Councillor Inquiry" shall mean a request from a Member of Council to the City Manager for the future provision of information.
- 2.16 "Deputy Mayor" shall mean the Member who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor.
- 2.17 "Director, Legislative Services" shall mean the person appointed to the position by the City Manager.
- 2.18 "Electronic Communications" shall mean the alternate method Members may use to be deemed present at a Council meeting providing that method is compatible with the premises in which the actual meeting is taking place.
- 2.19 "Group" shall mean two or more persons gathered together by a common interest in any matter, one of whom shall be appointed as spokesperson to be solely responsible for presenting the points of view or positions of the persons he or she represents.
- 2.20 "In Camera" shall mean a Council meeting which is held in private under the provisions of the *Freedom of Information & Protection of Privacy Act* (FOIP), and may include others invited to attend by Council.
- 2.21 "Inaugural Meeting" shall mean the organizational meeting immediately following the general election.
- 2.22 "Mayor" shall mean the Chief Elected Official for the City and is a Member of Council.
- 2.23 "Member" shall mean a Member of Council.
- 2.24 "Minutes" shall mean the record of decisions of a meeting.
- 2.25 "Motion" shall mean an action that is brought forward for Council's vote.

- 2.26 “Non-Statutory Public Hearing” shall mean the portion of a Council meeting where the public may be invited to make submissions to Council, but which is not a statutory public hearing.
- 2.27 “Organizational Meeting” shall mean the meeting held as described in Section 7 and includes the Inaugural Meeting.
- 2.28 “Pecuniary Interest” shall mean a matter that could monetarily affect a Member or a Member’s family, in accordance with the Act.
- 2.29 “Person” shall mean an individual, partnership, association, body corporate, trustee, executor, administrator, or legal representative.
- 2.30 “Point of Information” shall mean a question made by a Member to obtain information on the procedures of a Council meeting.
- 2.31 “Point of Interest” shall mean a request by a Member to share a comment, information, or commendation about an individual, group, organization or event.
- 2.32 “Point of Order” shall mean a request that the Chair enforce the rules of procedure.
- 2.33 “Point of Privilege” shall mean a request by a Member that is not related to the business on the floor and enables a member to interrupt business on the floor to state an urgent request relating to the comfort, dignity, safety, or reputation of the organization or any individual Member.
- 2.34 “Postpone” shall mean to delay the consideration of any matter to a specific time.
- 2.35 “Prevailing” shall mean the Members voting in favour of a motion.
- 2.36 “Public Hearing” shall mean the portion of a Council meeting held for statutory public hearings.
- 2.37 “Quorum” shall mean the minimum number of Members that must be present at a meeting for business to be legally transacted.
- 2.38 “Recess” shall mean an intermission or break within a meeting at the call of the Chair, that does not end the meeting, and after which proceedings are immediately resumed at the point where they were interrupted.
- 2.39 “Refer” shall mean to delay the consideration of any matter so additional information can be obtained by Administration or other body as directed by Council.
- 2.40 “Reconsider” shall mean to bring forward for consideration by Members a motion which has already been passed in the same meeting. A motion to reconsider may be made at the same meeting, or at a subsequent meeting following provisions of Section 22.9.1(iii) of this Bylaw.

- 2.41 "Rescind" shall mean to revoke or repeal a motion which had previously been passed by Council.
- 2.42 "Resolution" shall mean a motion that has been passed by Council.
- 2.43 "Table" shall mean to delay consideration of any matter for an unspecified time until a motion is made by Council to lift it from the table.
- 2.44 "Two-Thirds Vote" shall mean a vote by at least two-thirds of Members present at the meeting, and entitled to vote on the motion.

3. **APPLICATION**

- 3.1 This Bylaw shall govern the proceedings of all Council meetings, unless other provisions have been approved by Council.
- 3.2 When any matter relating to the procedures for Council meetings are not answered by this Bylaw, the most recent revision of Robert's Rules of Order shall apply.
- 3.3 In the event of conflict between the provisions of this Bylaw and Robert's Rules of Order, the provisions of this Bylaw shall apply.
- 3.4 In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council, if two-thirds of all Members present vote in favour of dealing with the matter under consideration.
- 3.5 A resolution waiving any portion of this Bylaw as provided for in Section 3.4 shall only be in effect for the meeting during which it is passed.
- 3.6 In the absence or inability of the Mayor and Deputy Mayor to carry out their duties, Council shall appoint another Member by resolution as Acting Mayor.

4. **QUORUM**

- 4.1 A quorum of Council is a majority of the Members.
- 4.2 As soon as there is a quorum of Council and after at scheduled time of the meeting, the Chair shall call the meeting to order.
- 4.3 If quorum is not present within 30 minutes after the scheduled time for the meeting, the City Manager shall record the names of the Members present and the meeting shall adjourn to the next regular meeting, or scheduled special meeting. Agenda items not addressed shall be included on the agenda for the next meeting of Council.
- 4.4 Minutes shall reflect that the meeting was called to order and adjourned due to lack of quorum.

- 4.5 In the event that quorum is lost once the meeting has been 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.

5. **REGULAR COUNCIL MEETING**

- 5.1 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 required.
- 5.2 Notice of regular meetings of Council is not required.
- 5.3 If Council changes the date, time or place of a regularly scheduled meeting, the City Manager shall give at least 24 hours' notice of the change, in accordance with Section 5.4:
 - 5.3.1 to any Member not present at the meeting at which the change was made, and
 - 5.3.2 to the public.
- 5.4 Notification of a change in time, date or location of any meeting of Council, or the establishment of a special meeting of Council shall be provided:
 - to a Member by:
 - 5.4.1 e-mail; and/or
 - 5.4.2 telephone.
 - to the public by:
 - 5.4.3 posting a notice on the City's website; and/or
 - 5.4.4 newspaper advertisement.

6. **SPECIAL MEETINGS**

- 6.1 The Mayor may call a special meeting of Council at any time, and must do so if a majority of Members so request in writing, including a statement of purpose for the meeting.
- 6.2 A special meeting requested by Members must be held within 14 days after the request is received.

- 6.3 No less than 24 hours' notice of a special meeting shall be provided to each Member and to the public, stating the time, date, and place at which the meeting is to be held, as well as the general nature of business to be transacted. Notification to the Members and the public shall be in accordance with Section 5.4.
- 6.4 Notwithstanding Section 6.3, the Mayor may call a special meeting without 24 hours' notice, if at least two-thirds of the Members provide written consent, before the meeting begins.
- 6.5 No business other than those items stated in the notice shall be conducted at any special meeting of Council, unless all Members are present and provide unanimous consent to add other items of business to the agenda.

7. **ORGANIZATIONAL MEETING**

- 7.1 An organizational meeting of Council shall be held annually, as required by the Act.
- 7.2 The agenda for the organizational meeting shall include:
 - 7.2.1 the administration of the oath and introduction of new Members of Council for the Inaugural Meeting only;
 - 7.2.2 selection of the Deputy Mayor rotation;
 - 7.2.3 the establishment of the regular meeting dates for Council;
 - 7.2.4 the establishment of Council appointments to Boards, Committees and Commissions; and
 - 7.2.5 other business as required by the Act.

8. **IN-CAMERA SESSIONS**

- 8.1 Matters to be discussed at an in-camera meeting or portion of a meeting, must follow the requirements of the Act, as well as the FOIP Act.
- 8.2 Council has no power at an in-camera session to make decisions or pass motions, apart from the motion to revert back to an open meeting.

9. **MEETINGS THROUGH ELECTRONIC COMMUNICATIONS**

- 9.1 In accordance with the Act, a meeting may be conducted by electronic or other communication methods if:
 - 9.1.1 notice of the meeting is provided to the public in accordance with Section 5.4, including the method used for electronic communication; and
 - 9.1.2 the facilities enable the public and meeting participants to watch and hear the contents of the meeting at the place specified in the notice.

- 9.2 Members participating in a meeting using an alternate means of electronic communication are deemed to be present at the meeting.
- 9.3 Members are permitted to attend Council meetings via electronic communications a maximum of two times per calendar year, unless Council approves otherwise.

10. **AGENDA**

- 10.1 The agenda for each Council meeting is established by the City Manager in consultation with the Mayor and Director, Legislative Services.
- 10.2 Agendas shall be delivered to Members by the Director, Legislative Services at least five days before each meeting.
- 10.3 The Director, Legislative Services shall make copies of the agenda available to the public after distribution to Members.
- 10.4 The order of business for each meeting shall be determined by the Chair.
- 10.5 The addition or deletion of agenda items at a Council meeting requires a motion by Council.

11. **MINUTES OF COUNCIL MEETINGS**

- 11.1 The preparation and distribution of Council meeting minutes shall be the responsibility of the Director, Legislative Services.
- 11.2 The written record of all Council meetings shall include:
 - 11.2.1 the names of Members present or absent from the meeting;
 - 11.2.2 a brief description of the subject matter;
 - 11.2.3 the names of public members who speak to an item;
 - 11.2.4 the names of Members voting for or against a motion, and those who are absent for the vote;
 - 11.2.5 any Member abstentions as per the Act, and the reason for the abstention; and
 - 11.2.6 the signatures of the Chair and Director, Legislative Services.

12. **COMMUNICATIONS TO COUNCIL**

- 12.1 Any communications intended for Council shall be forwarded to the Director, Legislative Services in writing and must:
 - 12.1.1 be legible, coherent, and respectful; and
 - 12.1.2 be able to identify the writer and the writer's contact information.
- 12.2 If the standards set out in Section 12.1 are met and the City Manager determines the communication is within the governance authority of Council, the City Manager shall:
 - 12.2.1 if it relates to an item already on the agenda, deliver a copy of the communication or a summary of it to Council prior to or at the meeting at which the agenda is being considered; or
 - 12.2.2 acquire all information necessary for the matter to be included on a future Council agenda for consideration.
- 12.3 If the standards set out in Section 12.1 are met and the City Manager determines the communication is not within the governance authority of Council, the City Manager shall:
 - 12.3.1 refer the communication to Administration for a report or a direct response and provide a copy of the original correspondence and the referral to Council; and
 - 12.3.2 take any other appropriate action on the communication.
- 12.4 If a Member objects to the process determined by the City Manager, a Member may introduce a notice of motion requesting the item be included for consideration on a Council agenda.
- 12.5 If the standards set out in Section 12.1 are not met, the City Manager may file the communication.
- 12.6 The Director, Legislative Services shall respond to the person sending the communication and advise that person of the process to be followed and any action taken on the subject of the communication.
- 12.7 During a Council meeting, the Chair shall invite members of the public to speak to any matter that appears on that meeting's agenda. The speaker shall be granted a maximum of five minutes to speak to the item, followed by clarifying questions of Council. Dialogue that pertains to a public hearing shall only be heard during the public hearing portion of the Council meeting.

13. **ELECTRONIC VOTING**

13.1 Electronic voting technology displaying the result of the vote on motions shall be used during Council meetings. When the electronic voting technology is in operation:

13.1.1 all Members shall vote using the electronic voting technology, unless excused from voting; and

13.1.2 all vote results shall be recorded and publicly displayed.

13.2 When electronic voting technology is unavailable, Council shall vote on motions by raising their hands upon the call of the Chair for all those in favour or opposed.

13.3 The Chair shall announce the result of all votes at a meeting by stating whether the motion was carried or defeated.

14. **CHAIR**

14.1 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 all questions relating to the orderly procedure of the meeting. Any Member may appeal the decision of the Chair on a point of order or privilege, as noted in the "Appeal Ruling" Section 21 of this Bylaw.

14.2 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 a Member abstains from voting, in accordance with the Act or this Bylaw.

14.3 The Chair shall ensure that each Member who wishes to speak on a debatable motion is granted the opportunity to do so, and determines the speaking order when two or more Members wish to speak.

14.4 The Chair may briefly comment on any matter before Council without relinquishing the chair, however must relinquish the chair if the Chair wishes to enter into debate on the matter.

14.5 The Chair may make a motion on any matter on the agenda, however before doing so shall relinquish the chair to the Deputy Mayor until the vote on the motion has been taken.

15. **RULES GOVERNING DEBATE AT COUNCIL MEETINGS**

15.1 A motion shall be made by a Member before it can be debated.

15.2 All discussion at a Council meeting shall be directed through the Chair.

15.3 A Member may only speak once on any motion and once on any amendment to a motion, until each Member wishing to speak has had an opportunity to do so.

15.4 Notwithstanding Section 15.3:

15.4.1 a Member may ask clarifying questions of Administration or other Members on any motion or amendment to a motion;

15.4.2 a Member may speak to respond to questions or provide clarification to other Members; and

15.4.3 a Member who has made a motion shall have the opportunity to speak to close the debate.

16. **PROHIBITIONS**

16.1 Members shall:

16.1.1 be respectful of others in the meeting;

16.1.2 obey the rules of the meeting, decision of the Chair or Members on questions of order or practice, or upon interpretation of this Bylaw;

16.1.3 remain in their seat and refrain from creating a disturbance while a vote is being taken, and until such time as the result is declared; and

16.1.4 not interrupt a Member while speaking, except to raise a point of order or question of privilege;

16.2 Members who persists in a breach of Section 16.1 after having been called to order by the Chair, may at the discretion of the Chair, be ordered to leave the meeting and Council Chambers for the duration of the meeting.

16.3 At the discretion of the Chair, a Member may resume their seat following an apology.

16.4 A Member who wishes to leave the meeting prior to adjournment shall advise the Chair, and the time of departure shall be recorded in the minutes.

16.5 Members of the public:

16.5.1 shall use the podium to address Council when wishing to speak, following permission of the Chair;

16.5.2 shall not cause a disturbance, interrupt a speaker, or interfere with the actions of Council, or they may be expelled from the Council Chambers; and

16.5.3 shall leave Council Chambers upon the order of the Chair.

17. **POINT OF INFORMATION**

17.1 A point of information may be made when raised by any Member who wishes to obtain information on the procedures of Council to assist a Member to:

17.1.1 make an appropriate motion;

17.1.2 raise a point of order;

17.1.3 understand a procedure; or

17.1.4 understand the effect of a motion.

18. **POINT OF INTEREST**

18.1 A point of interest may be made by any Member who wishes to share a comment, information, or commendation about an individual, group, organization or event but which is not recorded in the minutes of that meeting.

19. **POINT OF PRIVILEGE**

19.1 A point of privilege may be made by any Member who wishes to note a matter concerning the rights or privileges for any Member.

19.2 A point of privilege shall take precedence over other matters, and while the Chair is ruling on the point of privilege, no other Member shall be considered to be in possession of the floor.

20. **POINT OF ORDER**

20.1 A Member who wishes to challenge the rules of procedure shall:

20.1.1 raise a point of order to the Chair; and

20.1.2 upon the Chair's acknowledgement, provide an explanation for the point of order.

20.2 The Chair shall rule on the point of order.

20.3 The Chair's ruling shall not be put to a vote, unless it is appealed by a Member, as noted in the "Appeal Ruling" Section 21 of this Bylaw.

20.4 The Member in possession of the floor when the point of order is raised shall have the right to the floor once debate resumes.

21. **APPEAL RULING**

- 21.1 The decision of the Chair shall be final, subject to an immediate appeal by a Member.
- 21.2 If a Member puts forward a motion to appeal the decision of the Chair:
 - 21.2.1 the Chair shall give reasons for the ruling;
 - 21.2.2 Members shall, without debate, vote on the motion; and
 - 21.2.3 the ruling of Council shall be final.
- 21.3 The Chair may seek advice from the Director, Legislative Services on points of order or privilege, or to determine whether a matter is within jurisdiction of the Council.

22. **MOTIONS**

- 22.1 Any Member may make a motion on any matter on the agenda. If the Chair wishes to make a motion, the chair shall be relinquished to the Deputy Mayor or Acting Mayor until a vote on the motion has been taken. A Member may read the motion or indicate "as presented within the agenda".
- 22.2 A motion shall be made by a Member before it can be debated.
- 22.3 Council shall consider only one motion at a time.
- 22.4 When a motion is before the Council and the mover wishes to withdraw, modify, or substitute a different motion in its place:
 - 22.4.1 and no debate has occurred, the Chair may grant permission with the consensus of Council;
 - 22.4.2 if an objection is made, the mover shall be required to make a motion to withdraw, which cannot be debated or amended, and requires a majority vote of Council; and
 - 22.4.3 once the motion is withdrawn, the effect is the same as if the motion had never been made.
- 22.5 The following motions are not debatable:
 - 22.5.1 a motion to table or to lift from the table;
 - 22.5.2 a motion to withdraw; and
 - 22.5.3 a motion to appeal a decision of the Chair.

22.6 When a motion has been made and is being considered, no Member may make another motion except:

22.6.1 to amend a motion;

22.6.2 to postpone consideration of a motion;

22.6.3 to refer a motion;

22.6.4 to table a motion; or

22.6.5 for a Member to withdraw their motion.

22.7 **Motion to Amend:**

22.7.1 A motion to amend may be made by any Member, including the Member who moved the original motion.

22.7.2 The Chair shall allow only:

i) one amendment to the main motion; and

ii) one amendment to the amendment

to be considered at a time.

22.7.3 Council must vote:

i) on an amendment to the amendment, if any, before voting on the amendment; and

ii) on any amendment before voting on the main motion.

22.7.4 When an amendment is on the floor, Council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.

22.7.5 Once any amendments to the main motion have been voted on, the Chair shall call for a vote on the main motion, incorporating the amendments that have been passed by Council.

22.7.6 A "friendly amendment":

i) shall not extend beyond the scope of the original motion;

ii) shall only apply if unanimous consent of Members to accept the friendly amendment is received; or

iii) if unanimous consent is not granted, the friendly amendment shall be voted on and requires a majority vote to pass.

22.8 Motion to Postpone:

22.8.1 A motion to postpone:

- i) may be made by any Member to enable Members to deal with other more pressing matters;
- ii) may be made to a specific time and/or date, and used if Council would prefer to consider the motion at a later time (either at the same meeting or at another meeting);
- iii) is debatable, and requires a majority vote to pass; and
- iv) includes the motion being postponed and any amendments, and takes precedence over any other motion connected with the motion being postponed.

22.8.2 If a motion to postpone is defeated, it may only be made again after Council has addressed another matter of business.

22.8.3 If a motion has been postponed to a specific time and/or date, the motion is automatically placed on an agenda at that time for consideration.

22.8.4 A postponed motion is brought back with all motions connected with it, exactly as it was when postponed.

22.9 Motion to Reconsider:

22.9.1 A motion to reconsider:

- i) shall be moved by a Member of the prevailing side, and the Member shall state the reason for making a motion to reconsider;
- ii) shall be made at the same meeting or during any continuation of the meeting, at which it was decided;
- iii) if made at a subsequent meeting:
 - 1. shall be preceded by a notice of motion; and
 - 2. shall wait six months from the date the motion to be reconsidered was passed, unless a general election has been held, or unless otherwise determined by Council.
- iv) is debatable and shall require a majority vote to pass;
- v) if adopted by a majority vote, it shall become the next item of business; and
- vi) the motion shall be on the floor, as made by the original mover.

22.9.2 If the original mover is not present at the meeting, another Member may move the motion.

22.9.3 Motions or actions which cannot be reconsidered include:

- i) a motion to suspend the rules;
- ii) a motion to table, if adopted;
- iii) a motion to lift from the table, if adopted; or
- iv) an action that has previously been reconsidered.

22.10 Motion to Refer:

22.10.1 A motion to refer:

- i) may be made by any Member, for a Council Committee or Administration to investigate and report;
- ii) is debatable and requires a majority vote to pass;
- iii) does not allow any further amendment to the main motion until the motion to refer has been addressed by Council;
- iv) shall include instructions indicating what the receiving body is to do and the date by which Council requires a response; and
- v) may be amended only as to the body to which the motion is referred and the instructions on the referral.

22.10.2 When a response to a referral is before Council, the motion under consideration shall be the motion which was referred, including any amendments made prior to the referral.

22.11 Motion to Rescind:

22.11.1 A motion to rescind may be made by any Member at any time subsequent to the meeting at which the original motion was passed.

22.11.2 A motion to rescind is debatable, and requires:

- i) a two-thirds vote to pass with no notice; or
- ii) a majority vote to pass if notice has been given.

22.11.3 A motion to rescind cannot be made when the vote would cause an irrevocable action, i.e., for a contractual liability or obligation.

22.12 Splitting a Motion:

- 22.12.1 A Member may request that a motion be split into separate parts. The separate parts may be reworded so that the integrity of each part is maintained, but shall not change the intent of each part.
- 22.12.2 When a motion is split into parts, the same mover would be applicable for each part.

22.13 Motion to Table:

- 22.13.1 A motion to table:
 - i) may be made by any Member;
 - ii) may be used to enable Council to address other more pressing matters on the agenda, or when Council wishes to set aside discussion on a matter at that time;
 - iii) is not debatable or amendable, and takes precedence over all other motions associated with the motion being tabled, which are also tabled;
 - iv) requires a majority vote to pass; and
 - v) may be lifted from the table at any time by a majority vote of Council.
- 22.13.2 When a motion is lifted from the table, it is brought back with all amendments connected with it, exactly as it was when laid on the table.
- 22.13.3 If a motion to lift from the table is not brought back prior to the next general election, the motion is deemed to be rescinded.

23. NOTICE OF MOTION

- 23.1 Notice of motion shall be used when a Member wishes to bring a matter forward to a future meeting for discussion, providing sufficient notice for consideration of the subject.
- 23.2 In accordance with Section 23.1, a notice of motion shall be received by the Director, Legislative Services prior to the close of the meeting.
- 23.3 The Member shall read the notice of motion, which shall be recorded in the minutes and shall form part of the agenda at the following meeting, or to an alternate date.
- 23.4 A Member who submits a written notice of motion, is not required to be present during the reading of the notice of motion.

24. **VOTING - PECUNIARY INTEREST (CONFLICT)**

24.1 Members who believe that they have a pecuniary interest in any matter before Council, or any Committee or Board to which they are appointed as a representative of Council, shall:

24.1.1 declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter;

24.1.2 abstain from discussions or voting on any question relating to the matter; and

24.1.3 remove themselves from the room until the matter is concluded.

24.2 The minutes shall indicate the Member's declaration, the nature of the pecuniary interest, the time at which the Member left the room, and the time which the Member returned.

25. **REQUIREMENT TO VOTE**

25.1 Every Member present, including the Mayor, shall vote on every matter, unless:

25.1.1 the Member is required to abstain from voting under this or any other bylaw or enactment; or

25.1.2 the Member is permitted to abstain from voting under this or any other bylaw or enactment.

25.2 Any Member present at a meeting may request leave of the Chair to grant a recess, if they will be away from Council Chambers when a vote is imminent, unless that Member is excused from voting pursuant to this section.

26. **TIE VOTE**

26.1 If there are an equal number of votes for and against a motion, the motion is defeated.

27. **ADJOURNMENT TIME**

27.1 A meeting of Council shall be adjourned:

27.1.1 at the conclusion of the Council agenda; or

27.1.2 at 10:00 p.m. if the Council meeting is in session at that hour.

27.2 Notwithstanding the provisions of Section 27.1.2, Council may with a majority vote, agree to an extension of time beyond 10:00 p.m.

27.3 Unless there has been a motion passed for a time extension, all matters of business which appear on the agenda and have not been addressed, shall be included as Unfinished Business on the agenda for the next regular meeting of Council.

28. **BYLAWS**

- 28.1 The City Manager shall include the number, short title and brief description of any bylaw that appears on a Council agenda.
- 28.2 The following shall apply to the passage of all bylaws:
 - 28.2.1 every proposed bylaw must have three distinct and separate readings, and shall specifying the bylaw number and purpose;
 - 28.2.2 after each reading of a bylaw, Members may debate the substance of the bylaw and shall propose and consider amendments;
 - 28.2.3 any proposed amendments shall be put to a vote and if carried, shall be considered as being incorporated into the bylaw;
 - 28.2.4 when a bylaw is subject to a statutory public hearing, the date and time of the public hearing shall be established prior to second reading; and
 - 28.2.5 a bylaw shall be passed when a majority of the Members vote in favour of third reading.
- 28.3 Granting three readings of a bylaw at the same meeting shall not be permitted, unless Members in attendance provide unanimous consent to proceed with third and final reading.
- 28.4 Once a bylaw has been given three readings, it shall be signed by the Mayor and Director, Legislative Services, and impressed with the corporate seal. The bylaw is considered an enactment of the City, and effective immediately, unless otherwise noted by the bylaw or any applicable provincial legislation.
- 28.5 Previous readings of a proposed bylaw are repealed if the proposed bylaw:
 - 28.5.1 does not receive third reading within two years of first reading; or
 - 28.5.2 is defeated on second or third reading.

29. **STATUTORY PUBLIC HEARINGS**

- 29.1 The conduct of any statutory public hearing shall be governed by this Bylaw.
- 29.2 Public hearings shall be held in conjunction with a Council meeting, and every effort shall be given to commence the public hearing as close as possible to the advertised time.
- 29.3 Council may change the date, time, and place of a public hearing by resolution. If any of the date, time, or place is changed, the public hearing must be re-advertised.

- 29.4 Wherever possible, it is recommended that anyone interested in speaking at a public hearing should register with the Director, Legislative Services prior to the public hearing.
- 29.5 The Chair shall open the public hearing and outline the procedures to be followed.
- 29.6 Administration shall introduce the item and briefly state the intended purpose.
- 29.7 The Chair shall request those who wish to speak on the matter to state their name prior to their presentation. The Chair shall then open the floor to public presentations.
- 29.8 The Chair shall call upon those who have registered to speak first, followed by others in attendance at the meeting who wish to speak to the item. Anyone who does not identify themselves shall not be given the opportunity to speak.
- 29.9 Presentations by the public may be made verbally, in writing, or both. Written submissions shall be collected by the Director, Legislative Services and retained as part of the agenda.
- 29.10 Verbal presentations shall be limited to five minutes, unless there is consent by a majority of Council to extend the allotted time.
- 29.11 When there are no further requests for presentation, the Chair shall close the public hearing.
- 29.12 After the close of the public hearing, Administration shall be available for clarifying questions by the Members.
- 29.13 Members may debate matters which have arisen at the public hearing, and may:
 - 29.13.1 pass a motion or bylaw; or
 - 29.13.2 make any necessary amendments to the motion or bylaw, and pass it without further advertisement or hearing.
- 29.14 When a public hearing on a proposed motion or bylaw is held, a Member:
 - 29.14.1 shall abstain from voting on the motion or bylaw if the Member was absent for the entire public hearing, or
 - 29.14.2 may abstain from voting on the motion or bylaw if the Member was absent for a portion of the public hearing.

30. **NON-STATUTORY PUBLIC HEARINGS**

- 30.1 Council may determine when to hold a non-statutory public hearing. Unless otherwise directed by Council, notification shall be in accordance with Section 5.4.
- 30.2 The procedures for the conduct of a non-statutory public hearing shall be the same as those for a statutory public hearing.

31. **COUNCILLOR INQUIRIES**

31.1 Any Member may make a councillor inquiry through the Chair to the City Manager at any regular Council meeting. The inquiry may be verbal or in writing.

31.1.1 The City Manager may verbally answer a councillor inquiry at the Council meeting at which it is made or advise that a response shall be provided to all Members in writing subsequent to the Council meeting.

31.1.2 If the City Manager believes responding to the inquiry shall require substantial financial or other resources, Council may direct that the inquiry be abandoned.

31.2 Councillor inquiries can be made outside of a Council meeting and shall be directed to the City Manager for response. The City Manager may seek a decision of Council if the financial or other resources required to answer the inquiry are substantial.

31.2.1 The City Manager may determine if the information acquired in response to a councillor inquiry is of benefit to all Members, and may direct the Director, Legislative Services to distribute the information to all Members.

31.3 The Member who requested a councillor inquiry may request that inquiry be abandoned.

32. **PRIOR BYLAWS**

32.1 This Bylaw supersedes and takes precedence over all previously passed bylaws which refer to meeting procedures, as well as any previously passed resolutions which may be in conflict with this Bylaw.

33. **INTERPRETATION**

33.1 References to provisions of statutes, rules or regulations shall be deemed to include references to such provisions as amended, modified or re-enacted from time to time.

33.2 Nothing in this Bylaw relieves any person from compliance with any other bylaw or applicable federal or provincial law, regulation or enactment.

34. **SEVERABILITY**

34.1 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.

35. **MEMBER AND GENDER REFERENCES**

35.1 All references in this Bylaw shall be read with such changes in number and gender as may be appropriate according to whether the references are to a male or female person, or a corporation or partnership.

36. **EFFECTIVE DATE**

36.1 This Bylaw comes into effect upon the third and final reading.

37. **REPEAL OF BYLAWS**

37.1 Upon third reading of Bylaw C1-16, Bylaw C7-98 and any amendments thereto are hereby repealed.

Read a first time this 12th day of January, 2016.

Read a second time this 12th day of January, 2016.

Read a third time and passed this day of, 2016.

MAYOR

DIRECTOR, LEGISLATIVE SERVICES

Date Signed: _____