



**BYLAW NO. 785-2018
THE PROCEDURE BYLAW
FOR THE TOWN OF BASHAW**

BEING A BYLAW OF THE TOWN OF BASHAW IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF COUNCIL MEETINGS, AND THE COMMITTEES THEREOF, AND TO DEFINE CERTAIN OF THE DUTIES OF THE COUNCIL AND THE COMMITTEES

WHEREAS, the Municipal Government Act R.S.A. 2000 Chapter M-26 as amended or repealed and replaced from time to time, provides that the Council should establish rules and provisions to regulate the conduct of business in Council Meetings, to control and maintain order in Council Meetings, to provide for committees, the enactment of Municipal Legislation, and presentations, public forum, and other interactions of the public with Council;

NOW THEREFORE The Council of the Town of Bashaw in the Province of Alberta, duly assembled enacts as follows:

1. THE BYLAW may be cited as the Council Procedure Bylaw or the Procedural Bylaw.

2. DEFINITIONS

Acting Chief Elected Official	the Councillor presiding at a Meeting in the absence or incapacity of both Chief Elected Official and the Deputy Chief Elected Official; also known as the Presiding Officer
Agenda	the Agenda for a Regular or Special Meeting of Council prepared in accordance to this Bylaw Section 6
Business	the list of items on the Agenda presented to Council for the first time and requiring direction, decision or resolution
Business from Minutes	may be returned to Council as updated information or for further consideration of Council
CAO	the Chief Administrative Officer, Administrator and whatever subsequent title may be conferred on that Officer by Council or statute; or their designate
Chairperson	the person who has been given authority to direct the conduct of a Meeting including the appointed head of a Committee or the Administrator
Chief Elected Official (CEO)	the Chief Elected Official or Mayor of the Town (CEO), as elected under separate ballot, and delegated with the duties set down in the Municipal Government Act and within this Bylaw
Committee of the Whole	a procedural device that permits Council greater freedom of debate for a specific purpose
Council	the Chief Elected Official and Councillors
Council Appointments	A list of Council Boards and other Committees is part of this Bylaw and is attached as Schedule B.
Councillor	a Member of Council, duly elected and continuing to hold office
Deputy CEO	Deputy Chief Elected Official or Deputy Mayor of the Town, appointed by Council, as provided for in the Municipal Government Act and within this Bylaw
In Camera	Council retreats to private discussion through a Motion to discuss <i>confidential matters</i> of land, legal, labour, or other sensitive materials. The Motion to move In Camera and Out of Camera is required to begin and close the In-Camera session. Only the Council Members in attendance during the In-Camera session may be advised of or discuss the subject matter of In Camera.
Municipal Government Act	the legislation that governs the activities of municipal government - <i>Municipal Government Act</i> , R.S.A. 2000 Chapter M-26, as amended or repealed and replaced from time to time and herein referred to as the "Act" or "MGA".

Organizational Meeting	as described in Section 4
Point of Order	a demand that the Chairperson enforce the rules of procedure and calling to attention any departure from the Procedural Bylaw
Privilege (Point Of) refers	to all matters affecting the rights and immunities of the Council collectively or the position and conduct of Members of the Council in their respective character as elected representatives
Privilege (Question Of)	is the raising of a question which concerns a Member of Council, or the Council collectively, when a Member believes that another Member has spoken disrespectfully towards him or the Council, or when he believes his comments have been misunderstood or misinterpreted by another Member or Members
Postpone	means to delay the consideration of any matter either to a definite time, when further information can be obtained, or indefinitely
Public Hearing Meeting	a Council Meeting held for Statutory Hearings
Quorum	the majority of all the Members that comprise of the Council as described in the Municipal Government Act (Three Members required)
Table	a Motion to delay consideration of any matter in order to deal with more pressing matters or due to lack of time available; which does not set a specific time to resume consideration of the matter

3. APPLICATION

- 1) This Bylaw applies to:
 - a) all Regular and Special Meetings of Council and appointments

4. ORGANIZATIONAL MEETING

- 1) An Organizational Meeting of Council shall be held annually pursuant to the Municipal Government Act
- 2) The proceedings of the Organizational Meeting after a municipal election being limited to:
 - a) the Chief Administrative Officer shall fix the time and place for the Organizational Meeting and post the Agenda
 - b) the Chief Administrative Officer shall Call the Organizational Meeting to Order
 - c) the Returning Officer must report on the election results
 - d) the Chief Administrative Officer introduces the Council Members to the gallery
 - e) the Chief Elected Official elected under separate ballot is sworn in by the Chief Administrative Officer and takes the position of Chairperson
 - f) the appointment of Deputy Chief Elected Official
 - i. the length of term and the procedure for rotating Council Members to this position shall be determined and set down by resolution
 - ii. the Chief Elected Official shall administer the oath to the Deputy Chief Elected Official
 - g) the Chief Elected Official shall administer the official oath to every other Member of Council
 - h) continue to Section 4.7
- 3) The proceedings of the three other Organizational Meetings not following an election and held during the four year term of Council being limited to:
 - a) the Organizational Meeting shall be held the first Meeting of Council in October
 - b) the Chief Elected Official shall Call the Organizational Meeting to Order
 - c) the appointment of Deputy Chief Elected Official following the procedure set down in Section 4.2.f.i
 - d) the Chief Elected Official shall administer the oath to the Deputy Chief Elected Official
 - e) continue with Section 4.7
- 4) Council shall establish the day, time and place of the Regular Meetings of Council by resolution
- 5) Council shall establish Council Per Diem Rate by resolution
- 6) Council shall approve the Signing Authority for the Town of Bashaw by resolution
- 7) The Procedural Bylaw shall be brought forward as an Agenda item for all Organizational Meetings
 - a) Council Members to review Bylaw and recommend any amendments; any amendments will be brought forward at the next Regular Meeting of Council for Third Reading of the Procedural Bylaw
 - b) Council shall appoint Councillors to Committees, Commissions, Boards and other bodies as listed on "Schedule A" attached to this Bylaw.
 - c) Review the Council Code of Conduct Bylaw.
- 8) Any other business as is required by the Municipal Government Act.

5. MEETINGS OF COUNCIL

- 1) The time, date and place for all Meetings of Council is determined at the annual Organizational Meeting
 - a) should any Regular Council Meetings fall on a statutory holiday, the Meeting shall be rescheduled or cancelled by resolution of Council
 - b) Council may by resolution cancel or postpone any Meeting including those Regular Meetings scheduled in the months of July, August and December.
- 2) Meetings are limited to four hours duration unless a Motion is passed for a time extension.

- 3) As soon after the time of the Meeting that a quorum is present, the Chief Elected Official may take the Chair and Call the Meeting to Order.
- 4) In the case where the Chief Elected Official is absent, the Deputy Chief Elected Official shall take the Chair and Call the Meeting to Order.
- 5) In the case where the Chief Elected Official and Deputy Chief Elected Official are not in attendance for a 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 to preside during the Meeting
- 6) If there is no quorum present after fifteen minutes beyond the time scheduled 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 scheduled Regular Meeting unless a Special Meeting has been duly called. The Agenda will be carried forward intact to the next Meeting.

6. AGENDA FOR COUNCIL MEETINGS

- 1) The Administrator shall prepare the Agenda, attach all relevant documentation, and send out this Agenda Package to each Member of Council via email the Tuesday noon; before the regularly scheduled Meeting for which it was prepared, whenever possible.
- 2) Printed copies of the aforementioned Agenda Package will be bound and made available to Members of Council Tuesday noon; before the regularly scheduled Meeting for which it was prepared, whenever possible; In Camera material shall be provided in this printed and bound Agenda Package available to Council only.
- 3) The Agenda Package is distributed to Members of Council in advance to allow sufficient time to prepare for the Meeting and ask any questions of the Administrator as may be required before the Meeting.
- 4) The Agenda shall be posted on the government bulletin board in the lobby of the Town Office and printed hardcopies of the Agenda only shall be made available for the public in attendance at a Council Meeting.
- 5) Any person, wishing to have an item of business considered for the Agenda or to make a presentation/delegation to Council, shall make their written submission to the Administrator not later than 12:00 noon on the Friday prior to the Meeting; the submission shall contain adequate information to the satisfaction of the Administrator.
- 6) No item of business shall be considered or raised by Council if the item has not been placed on the Agenda prior to mail out unless the matter is determined by all of Council to be of an emergent nature.
- 7) The order of business shall be written and followed accordingly:
 - a) CALL TO ORDER
 - b) PUBLIC HEARING
 - c) ADDITIONS/AGENDA APPROVAL
 - d) MINUTES
 - e) DELEGATIONS
 - f) BYLAWS
 - g) NEW/UNFINISHED BUSINESS
 - h) COMMITTEE AND STAFF REPORTS
 - i) CORRESPONDENCE
 - j) IN CAMERA
 - k) NEXT MEETING
 - l) ADJOURNMENT

7. GENERAL ORDER OF COUNCIL

- 1) The Chairperson of a Meeting shall
 - a) preserve order and decorum of the Meeting
 - b) decide points of order without debate or comment other than to state the rule governing
 - c) ascertain that all Members wishing to speak to a question or Motion are allowed
 - d) shall rule when a Motion is out of order
 - e) shall Call a Councillor to Order
- 2) A Motion submitted to Council does not require a seconder
- 3) When a Motion has been made and is being considered by the Council, no other Motion may be made and accepted, except
 - a) A Motion to refer the main question to some other person or group for consideration
 - b) A Motion to amend the main question
 - c) A Motion to table the main question
 - d) A Motion to postpone the main question to some future time
 - e) A Motion to adjourn the Meeting
- 4) 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 so directs.
- 5) Voting on all matters shall be done by the raising of the hand in such a clear manner that hands may be easily counted by the Chairperson and Recording Secretary; all attending Members must vote on each Motion unless pecuniary interest is declared as described in the Municipal Government Act.
- 6) After any question is finally put by the Chairperson, no Member shall speak to the question, nor shall any other Motion be made until after the result of the vote has been declared. The decision of the Chairperson as to whether the question has been finally put shall be conclusive.
- 7) 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
- 8) Attendees of any Public Meeting of Council shall abide by the following:
 - a) no one shall be permitted to applaud or otherwise interrupt any speech or action of the Member(s) of Council or any Delegate addressing Council;

- b) the Delegate, duly noted on the Agenda, shall not address Council until the Chairperson has specifically requested they step forward and introduce themselves to the other Members of Council;
- c) the Chairperson shall maintain order at the table and quiet from the gallery at all times; shall enforce Council's ruling that "NO electronic or ringing devices are allowed in Council Chambers".
- 9) 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.
- 10) When any matter relating to the proceedings of Council is not addressed in this Bylaw, reference shall be made in accordance with the Municipal Government Act; and then, Roberts Rules of Order.
- 11) In the event of conflict between the provisions of this Bylaw and Roberts Rules of Order, the provisions of this Bylaw shall apply.

The Following Section to be removed, it is addressed within the Code of Conduct bylaw.

8. GENERAL

- 1) Should any provision of the Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.
- 2) This Bylaw shall come into force upon receipt of its Third and Final Reading.
- 3) Bylaw 776-2017 is hereby repealed.

READ A FIRST TIME IN COUNCIL THIS 15 DAY OF November, A.D. 2018.

READ A SECOND TIME IN COUNCIL THIS ___ DAY OF _____, A.D. 2018.

READ A THIRD TIME IN COUNCIL AND PASSED UNANIMOUSLY THIS ___ DAY OF _____ A.D. 2018.

CHIEF ELECTED OFFICIAL

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

COUNCIL APPOINTMENTS

- 1) Council Members shall determine which Committees, Boards, etc. shall stand.
- 2) In accordance to the Municipal Government Act, Section 154(2), the Chief Elected Official is a Member of all Council Committees and all bodies to which Council has the right to appoint Members; therefore, the Chief Elected Official is not required to be formally appointed.
- 3) Council Members shall put their name forward for appointment to the Committees for a one year term at each annual Organizational Meeting.
- 4) If more Council Members put their names forward than is required for an appointment then the Council Members will decide who steps down; failing that, the Chief Elected Official will make the final decision.
- 5) If no Council Members put their name forward for any given Committee, the Chief Elected Official shall appoint a Council Member to fill that position.
- 6) Council Members shall not represent their Committee(s) in Council Chambers.
- 7) Council Members are responsible for providing a verbal summary of their Committee activities at the next Regular Meeting of Council.
- 8) Ad-Hoc Committees exist for one specific purpose and to deal with that matter expediently and then return with recommendations to Council for their consideration and decision making. This Committee will not have spending or decision-making authority nor direct staff or include staff in recommendations to Council. This Committee will cease upon completion of the one assigned task.
- 9) For the purposes of developing a Bylaw, the Council Members shall approve the subject matter of a proposed Bylaw and, either by the Committee of the Whole or an Ad-Hoc Committee of Council Members assigned to the task, develop and prepare a rough draft of the proposed Bylaw for the Administrator to include in the Agenda Package for Council consideration and decision.
- 10) Council Members and Members at Large shall be remunerated as set out in the Per Diem Policy.

COMMITTEES, BOARDS, COMMISSIONS, AUTHORITIES

- 1) Bashaw Ag Society – One Council Member
- 2) Disaster Services – All Members of Council and Chief Administrative Officer
- 3) Fire Department – One Council Member
- 4) Regional Emergency Management Services – One Council Member
- 5) Bashaw Municipal Library – One Council Member
- 6) Parkland Regional Library – Member at Large
- 7) Camrose Area Lodge Authority – One Council Member
- 8) Bashaw and District Support Services – One Council Member
- 9) Bashaw Youth Foundation – One Council Member
- 10) Bashaw Airport Commission – One Council Member
- 11) Bashaw Area Recreation Board – One Council Member
- 12) Bashaw Bus Society – One Council Member
- 13) Highway 12/21 Regional Water – Two Council Members and All Other Council Members as Alternates
- 14) Bashaw Community Centre Board – One Council Member

OTHER APPOINTMENTS (A Motion of Council specifically appointing the delegate is required)

- 1) Local and Composite Assessment Review Board(s) – Citizen at Large
- 2) Subdivision Authority, in accordance to current MGA
- 3) Director of Emergency Management – Town Staff Member
- 4) Deputy Director of Emergency Management – Delegate
- 5) Bashaw Municipal Library Board member – as per Library Act