

**TOWN OF CALMAR
BYLAW 2018-22**

**Being a Bylaw of the Town of Calmar, in the Province of Alberta, to
Regulate the Procedure of Council**

WHEREAS, pursuant to Section 145 of the Municipal Government Act, Chapter M-26, RSA 2000, and amendments thereto, Council may pass a Bylaw to regulate the affairs of Council;

NOW THEREFORE, the Council of the Town of Calmar, in the Province of Alberta, duly assembled, enacts as follows;

Part I. TITLE AND PURPOSE

1. This Bylaw may be cited as the Council Procedural Bylaw.
2. The purpose of this Bylaw is to establish rules and regulations for the order and conduct in which the business of all Council meetings shall be transacted.

Part II. DEFINITIONS, APPLICATION AND INTERPRETATION

3. In this Bylaw,
 - a. "Chief Administrative Officer" means the Chief Administrative Officer of the Town of Calmar or his/her delegate;
 - b. "Council" means the Council of the Town of Calmar;
 - c. "Deputy Mayor" means the Member appointed pursuant to Section 7 of the Bylaw;
 - d. "Mayor" means the Chief Elected Official or Presiding Officer of the Town of Calmar;
 - e. "Member" means a member of Council of the Town of Calmar;
 - f. "MGA" means the Municipal Government Act, RSA 2000, c.M-26;
 - g. "Presiding Officer" means the person who has been given authority to direct the proceedings of a meeting;

Application

4. This Bylaw shall apply to all meetings of Council.

Interpretation

5. Any matter of meeting conduct which is not herein provided for, shall be determined in accordance with the Municipal Government Act, and then "Robert's Rules of Order", in that order.

Part III. ORGANIZATION OF COUNCIL

Organizational Meeting

6. Council shall hold an Organizational Meeting each year at any time within two (2) weeks of the third Monday in October.



7. At the Organizational Meeting, Council shall establish by resolution for the term of office:
 - a. the roster for each Member to act as Deputy Mayor on a rotating basis and a schedule for this position to cover the term of office;
 - b. the dates, time of commencement and adjournment and place of the regular Council meetings and Council Committee meetings;
 - c. the Council Committee appointments and the rotating schedule for committee membership; and
 - d. any other business described in the notice of the meeting.

Inaugural Meeting

8. The Organizational Meeting immediately following a general municipal election shall be called the inaugural meeting.
9. The Mayor and each Member shall take the prescribed oath of office as the first order of business at the inaugural meeting.
10. Until the Mayor has taken the oath of office, the Chief Administrative Officer shall chair the inaugural meeting.

Quorum

11. Quorum of Council is 3 Members present who are eligible to vote.

Lack of Quorum

12. 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 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.

Absence of the Mayor and Deputy Mayor

13. In case the Mayor or Deputy Mayor is not in attendance within 15 minutes after the hour appointed for a meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a chairman shall be chosen by Members present, who shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor, who may assume chair at his/her discretion, if all present are unanimous in continuing.

Part IV. DUTIES OF OFFICIALS

Duties of the Mayor

14. The Mayor at his/her discretion may allow the Deputy Mayor to preside over the meeting in his/her presence.

15. As soon after the hour of the meeting as there is a quorum present, the Mayor shall take the chair and call the meeting to order.
16. The Mayor or Presiding Officer shall:
 - a. preserve order and decorum; and
 - b. decide questions of order, subject to an appeal to the Council by resolution. The decision of the Mayor shall be final unless reversed or altered by a majority vote of Members present.

Duties of the Deputy Mayor

17. The Deputy Mayor shall act as the Mayor:
 - a. when the Mayor is unable to perform his/her duties;
 - b. if the office of Mayor is vacant.

Duties of the Chief Administrative Officer

18. The Chief Administrative Officer shall, subject to the Act:
 - a. provide Council with information and advice with respect to the operation of the Town;
 - b. when requested, provide information and advice to the Mayor and Council on procedural matters in Council; and
 - c. keep on file copies of Bylaws which have been read a third time and passed.

Part V. AGENDAS FOR COUNCIL MEETINGS

19. The agenda for each Regular and Special Meeting shall be approved by the Chief Administrative Officer and submitted together with copies of all pertinent correspondence, statements and reports to each Member of Council at least three days prior to each Regular Meeting.
20. Any Member of Council, Town Official or any other person wishing to have an item of business placed on the agenda, shall make their written submission to the Chief Administrative Officer not later than 10:00 am on the Thursday of the week prior to the meeting. The submissions shall contain adequate information to the satisfaction of the Chief Administrative Officer to enable Council to deal with the matter.
21. Council reports must be submitted in writing at each Regular Council Meeting.
22. When a communication intended for Council is received by the Chief Administrative Officer, he/she shall place it on the agenda of Council unless the Chief Administrative Officer considers the matter libellous, or administrative in nature, in which case the Chief Administrative Officer shall advise the originator that the communication is not being sent to Council.

23. The order of business on the agenda shall be as follows:
- a. Call to Order
 - b. Adoption of Agenda
 - c. Public Hearings
 - d. Delegations
 - e. Adoption of Minutes
 - f. Unfinished Business
 - g. Bylaws
 - h. New Business
 - i. Financial Information
 - j. Department Reports
 - k. Council Reports
 - l. Correspondence
 - m. Clarification of Agenda Business
 - n. In Camera
 - o. Adjournment
24. No item of business shall be considered by the Council if the item has not been placed on the agenda unless the Members of Council present, by a two-thirds majority vote, agree to the item being placed on the agenda. The Mayor, Members of Council and 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 vote.
25. On Friday afternoon preceding a Regular Council Meeting the agenda shall be posted (Town Office doors) for public viewing.

Part VI. GENERAL RULES OF COUNCIL

26. Upon the Meeting being called to order, motion shall be presented to adopt all or part of the circulated agenda for the meeting. Upon adoption of the meeting's agenda, the Mayor shall call for a motion adopting the minutes of the preceding meeting or meetings as circulated or as ready, which motion shall be voted on, either by consent or amendment of any errors or omissions contained.
27. All reports made by a Council Member shall be placed on file and outlined in the minutes only if presented in a written format, otherwise recorded in the minutes only as "oral report presented".
28. Regular Meetings of Council shall adjourn no later than 10:00 p.m. unless Members of Council present, by a four-fifths majority vote, agree to an extension of time.
29. When the Mayor or Presiding Officer is called on to decide a point of order or practice, the Mayor or Presiding Officer shall do so without argument or comment and shall state the rule of authority applicable to the case.
30. Every Member wishing to speak to a question or motion shall address the Mayor or Presiding Officer. The Address to the Presiding Officer shall be "Your Worship".



31. No person shall be permitted to speak unless, and until, that person has been recognized by the Presiding Officer and then only so long as all remarks are addressed to the Presiding Officer. The Mayor or Presiding Officer will address other Council Members in a formal and respectful manner.
32. The Mayor or Presiding Officer shall have authority to set a time limit and the number of times that a Member may speak on the same question or resolution having due regard to the importance of the matter.
33. After a motion is read by the Mayor or Presiding Officer it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment with the permission of the mover.
34. When a motion is regularly before the meeting it may be:
 - a. carried
 - b. debated
 - c. amended
 - d. defeated
 - e. withdrawn, ie: withdrawn at the request of the maker with the permission of all Members of Council present.
 - f. laid on the table, ie: laying a pending question aside temporarily
 - g. referred, ie: turning the question over to a committee or administration for study; or
 - h. postponed, ie: postpone indefinitely or to a certain time, a means of avoiding a direct vote until a later time.
35. No motion shall be offered that is substantially the same as one on which the judgement of the meeting has already been expressed during the same meeting. Where a question under consideration contains distinct propositions, each proposition shall be made as a separate motion when any Member so requests, or the Presiding Officer so directs. If the vote is taken on each proposition it then becomes unnecessary to vote on the question which was separated.
36. A motion to refer, until it is decided, shall preclude all amendments to the main question. The motion is debatable.
37. When speaking to a motion a Member shall, before entering upon the substance of his remarks, state whether he/she is for or against the motion.

Amendments

38. Every amendment must be relevant to the question on which it is proposed. Any amendment offered which raises a new question can only be considered as a new distinct motion after notice.
39. An amendment proposing a direct negative is out of order.
40. All amendments shall be put in the reverse order to that in which they are moved; and every amendment shall be decided upon or withdrawn before the main question is put to vote. Only one amendment to the main motion at one time shall be allowed, and only one amendment shall be allowed to an amendment at one time.



41. No Member may move to amend his/her own motion.
42. A sub amendment (amendment to the amendment) shall not enlarge the scope of the amendment but should deal with matters not covered by the amendment.
43. All motions shall be stated by the Presiding Officer or Chief Administrative Officer before being debated or voted on.

Voting

44. After any question is finally put by the Mayor or other Presiding Officer, 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 Mayor or the Presiding Officer as to whether the question has been finally put shall be conclusive.
45. 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 Officer.
46. After the Presiding Officer has counted the vote, the Presiding Officer shall declare whether it was "carried" or "defeated".
47. Except where provided for in this Bylaw or by the applicable legislation, a majority vote of the Members present who are eligible to vote, shall decide a question or motion before Council.

Adjournment

48. 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.

Bylaws

49. The question that "Bylaw # be read a first time", shall be decided without amendment or debate, but not motions for subsequent reading.
50. Every bylaw shall be read a third time before it is signed by the Mayor, and Chief Administrative Officer.

General Discussion Meetings

51. The business of standing and special committees including Council Committee Meetings shall be conducted in accordance with the rules governing procedure in the Council, except that:
 - a. no motion need be recorded;
 - b. no Member shall be as to the number of times allowed to speak to the question under construction; and
 - c. no Member may move the previous question.

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Part VII. PETITIONS AND DELEGATIONS

52. When a person wishes to appear before the Council to present a petition or speak on behalf of a delegation, he/she shall send a request in writing in accordance with Section 22 of this Bylaw. Such appearances before the Council shall be limited to ten (10) minutes unless the Council, by a majority vote, agrees to extend the time.
53. Council shall hear all delegations who have brought their items of business on to the agenda in accordance with Part VI in the order in which they are placed on the agenda or the order may be changed by a majority vote of Members present. All rules of Council in this Bylaw shall apply to each and every Member of the delegation.

Part VIII. COMMISSIONS, COMMITTEES AND BOARDS

54. The following Council committees are hereby established:
- a. Finance Committee
 - b. Bylaw & Policy Review Committee
 - c. Subdivision Review Committee
55. These Committees shall be comprised of all Members of Council. The Chairperson shall be the Mayor unless the Members present by four-fifths majority vote agree to any change.
56. The Mayor shall appoint representatives and alternates to the following Commissions, Committees and Boards at the Organizational meeting each year, in a fair and equitable manner with consultation from the Members:
- a. Municipal Planning Commission
 - b. Capital Regional Southwest Water Services Commission
 - c. Local Assessment Review Board
 - d. Composite Assessment Review Board
 - e. Disaster Services Agency/Committee
 - f. Calmar FCSS Board
 - g. Leduc and District Regional Waste Management Authority
 - h. Capital Region Waste Minimization Committee
 - i. Leduc FCSS Advisory Board
 - j. Leduc County Emergency Advisory Committee
 - k. Calmar Library Board
 - l. Leduc Regional Housing Foundation
 - m. Economic Development Calmar Board
 - n. Calmar and District Recreation Board
 - o. Subdivision & Development Appeal Board
 - p. Calmar Crime Prevention Group
 - q. Inter-Municipal Planning Committee
 - r. Public Media Relations
 - s. Public Communications Committee
 - t. Leduc Nisku Economic Development Association
 - u. Communities In Bloom
 - v. OH&S Safety Liaison
 - w. Yellowhead Regional Library Board
 - x. 39/20 Alliance Board

- y. Senior Citizens Advisory
 - z. HEMP Alliance Board
 - aa. Such other Commissions, Committees and Boards as Council may deem appropriate or necessary from time to time.
57. A Special Committee may be appointed at any time by the Council or by the Mayor acting upon the instructions of the Council, providing that a motion has been adopted specifying the matters to be dealt with by the Committee.
58. It shall be the duty of the Chairman of each standing or special committee, or in case of his/her illness or absence for the Town, it shall be the duty of the Legislative Assistant to summon Members for meetings and for special meetings when necessary or whenever requested in writing to do so by a majority of Members of any such committee. The Mayor shall be advised in a similar manner as other Members when any meetings are called.

Part IX. DUTIES OF REPRESENTATIVES OF COMMISSIONS, COMMITTEES AND BOARDS

59. The members of Commissions, Committees and Boards have the following duties:
- a. to report to the Council whenever desired by the Council and as often as the interest of the Town may require on all matters connected with the duties imposed upon such committee and to recommend such action by Council as it deems necessary within its term of reference;
 - b. to observe, unless otherwise specifically permitted, the rules prescribed by the Bylaws of the Council.
 - c. to make reports of all committees to Council prior to the same being given to the public.

Part X. COUNCIL REMUNERATION

60. Compensation and expenses for Council will be paid out as laid out in the Council Compensation and Expense Policy.
61. Compensation and expense claim forms are to be completed and submitted for review to the Mayor in accordance with Council Compensation and Expense Policy. No claims submitted after 60 days can be approved without authorization from Council.
62. Prepayment of registration fees will be initiated by the Chief Administrative Officer upon request and receipt of a completed registration form.
63. Council compensation will be reviewed as part of the annual Organizational Meeting of Council.

64. Administration to provide Council with a quarterly trial balance.

65. That Bylaw #2013-08 is hereby repealed.

Part XI. EFFECTIVE DATE

This Bylaw shall come into full force and effect on final reading.

READ A FIRST TIME THIS 5th DAY OF NOVEMBER, 2018.

READ A SECOND TIME THIS 5th DAY OF NOVEMBER, 2018.

READ A THIRD TIME, BY UNANIMOUS CONSENT, AND FINALLY PASSED THIS 5th DAY OF NOVEMBER, 2018



Mayor



Town Manager

This Bylaw signed this 5th day of November, 2018.