

**Village of Cremona  
Province of Alberta  
By-law No. 463-15**

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**A BY-LAW OF THE VILLAGE OF CREMONA IN THE PROVINCE OF ALBERTA REGARDING THE  
PROCEDURE AND CONDUCT OF COUNCIL MEETINGS.**

**CITATION**

101. This bylaw may be cited as “The Procedural Bylaw”.

**DEFINITIONS**

201. In this bylaw

- a) “adjournment” means to affix the time to which the assembly shall adjourn.
  - b) “amend” means to change a resolution or a motion by adding, striking out, or substituting a word or phrase.
  - c) “assembly” means all the elected members who constitute the quorum of a duly constituted meeting of the Council with the presence of the Chief Administrative Officer, or a designate to that role.
  - d) “CAO” means the chief administrative officer or his/her delegate, for the Municipality. e) “delegation” means any person that has permission of council to appear before council or a committee of council to provide pertinent information and view about the subject before council or council committee.
  - f) “confidential” means as per section 153 of the MGA, keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public.
  - g) “division of a question” means motion is used to separate a main motion or amendment into parts to be voted on individually.
  - h) “ex-officio” means a person is a member by nature of the office held.
  - i) “lay on the table” means a Motion to place a main Motion and all pending amendments aside temporarily, with the intention of bringing the item back at a later time for action, in the same meeting at a difference time on the agenda. Tabling a motion is not debatable; cannot be amended; and requires a majority vote. Tabling a Motion cannot be used to defeat a main Motion by disposing of it permanently.
  - j) “limit debate on a matter before members” means to reduce or increase the number and length of speeches permitted or limit the length of debate on a specific question.
  - k) “member” means a councillor or person at large appointed by council to a committee of council.
  - l) “meetings” means meetings of council and council committees.
  - m) “Municipality” means the Village of Cremona, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality.
  - n) “point of order” means to ask for the chair to follow the agenda.
  - o) “postpone the matter to a certain time” means the assembly needs more time to make a decision.
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- p) “postpone indefinitely” means to reject the main Motion. If this Motion is passed, the main Motion cannot be brought up again in its original form at that particular session.
- q) “postpone to a definite time” means to defer consideration of a main Motion and all attached Motions until a future date, requiring a two-thirds (2/3) vote. At that time, the matter will be brought up again under unfinished business. This motion will have priority on the next agenda.
- r) “question of privilege” means to bring an urgent request or a main motion relating to the rights of either the assembly or an individual up for immediate consideration.
- s) “quorum” means the majority of all the councillors that comprise the council.
- t) “recess” a short interruption which does not close the meeting.
- u) “rescind” means to nullify a vote taken at a previous meeting. A Motion to rescind can be made by anyone, but only if no action has been taken on the Motion. It requires a two-thirds (2/3) vote for adoption.
- v) “reconsider” means a motion to review a previous decision and vote on it again. It must be made by a person who voted on the prevailing (winning) side, and it requires a majority vote. Reconsideration may not be moved more than once on the same Motion.
- w) “table the matter” means for assembly to set aside the pending motion in order to attend to more urgent business.

#### **MEETINGS OF COUNCIL**

- 301. The regular meetings of Council shall be held on the 3rd Tuesday of every month. When the meeting day 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.
- 302. Regular meetings of Council shall commence at 7:00 pm.
- 303. The Chief Administrative Officer shall record the time of arrival and departure of Council members at meetings should a member of Council arrive late at a meeting or depart prior to the completion of the meeting.
- 304. If a quorum is not present within thirty (30) minutes after the time fixed for regular or special meetings, the Chief Administrative Officer shall record the names of the members present, and the Council shall stand adjourned until the next regular or special meeting.
- 305. Confidential or items discussed in-camera are not to be disclosed or discussed in the public until the information is discussed in a public meeting.

#### **CONDUCT OF MEETINGS**

- 401. Every delegate to Council and each member of Council shall address the chair, but shall not speak until recognized by the chair.
- 402. The Mayor or other presiding officer may, upon request of a member of Council authorize a person in the public gallery to address Council, only on the topic being debated at that time in the meeting and within time limits specified by the Mayor or other presiding officers.
- 403. A motion does not require a seconder.
- 404. A motion may be withdrawn at any time before voting, subject to there being no objection from any member of Council.

405. The following motions are not debatable by Council.
- a) Adjournment.
  - b) Take a Recess.
  - c) Question of Privilege.
  - d) Point of Order.
  - e) Limit Debate on the Matter before Council.
  - f) Division of a Question.
  - g) Table the Matter to Another Meeting.
406. Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member so requests or when the Mayor or other presiding officer so directs.
407. Whenever the Mayor or other presiding officer is of the opinion that a motion is contrary to the rules and privileges of the Council, he shall appraise the member thereof immediately, before putting the question, and shall cite the rule or authority applicable to the case without argument or comment, unless otherwise decided by a majority vote of the members present.
408. In all cases not provided for in the proceedings of the Council the "Revised Roberts Rule of Order" shall be followed and in such cases the decision of the Mayor or other presiding officer shall be final and accepted without debate.

#### **DELEGATIONS**

501. A person or a representative of any delegation or group of persons who wishes to bring any matter to the attention of the Council, or who wishes to have any matter considered by the Council shall address a letter or other communication to the Council outlining the subject to be discussed. The letter shall be typewritten or legibly written, signed by the correct name of the writer, delivered or mailed to the office of the Chief Administrative Officer so that it arrives at least at 1:00pm on the Wednesday immediately preceding the meeting at which it is to be presented, and it shall contain the full mailing address of the writer. If he or she wishes to appear before Council it shall be so stated in the letter.
502. Delegations shall be granted a maximum of five (5) minutes to present the matter outlined in their letter. Where the Mayor or other presiding officer determines that additional time shall be granted to a delegation, additional time shall be granted in the length specified by the Mayor or other presiding officer.
503. Notwithstanding Section 302, where the Mayor or other presiding officer determines that sufficient time has been granted to a delegation to present the matter outlined in their letter, the Mayor or other presiding officer may limit the length of time granted to the delegation.
504. Delegations who have not submitted a letter in accordance with Section 301 may be granted by the Mayor or other presiding officer a brief opportunity to outline the matter they wish to present to Council, and following that outline, the Mayor or other presiding officer shall determine if the delegation is to be granted time under Sections 302 and 303 to present the matter outlined.

## **PUBLIC HEARINGS**

601. Public Hearings shall be conducted in accordance to the procedures as out lined in this bylaw.
602. Each member of Council must attend a public hearing called Council unless the member:
  - a) Is excused by the other members from attending the hearing;
  - b) Is unable to attend owing to illness;
  - c) Is required under *Section 170* of the Municipal Government Act RSA 2000, Pecuniary Interest, to withdraw from the hearing.
603. The Chair of the Public Hearing has the right to limit the time taken by a person to five (5) minutes, after which council may wish to ask questions of the person. All questions must be channeled through the Chair of the hearing.
604. The Chair of the public hearing may decline to hear further presentations, questions or objections where he is satisfied that the matter has been addressed at the public hearing.
605. The Chair of the public hearing may decide which presenters will be heard, if he is satisfied that presentations are the same or similar.
606. The Chair of the public hearing may require any person, other than a member of council, who is in the opinion of the Chair is conducting themselves in a disorderly or improper conduct, to leave the public hearing and if that person fails to do so, may cause that person to be removed.
607. If a public hearing is adjourned, the council shall provide a public notice of the date, time and place of the continuation of the hearing, unless information is announced at the adjournment of the hearing.

## **AGENDA AND ORDER OF MEETINGS**

701. Prior to each regular meeting, the Chief Administrative Officer shall prepare a statement of the order of business to be known as the "Agenda" of all business to be brought before the Council at such meeting, and to enable the Chief Administrative Officer to do so, all documents and notice of delegation intended to be submitted to the Council shall be placed in his/her hands not later than 1:00pm, the Wednesday before the regular meeting.
702. The Chief Administrative Officer shall place at the disposal of each member of Council, a copy of the Agenda and all supporting materials not later than 4:30pm, the Thursday before the regular meeting.
703. Where the deadlines in Sections 401 or 402 are not met, the Agenda and supporting materials shall be deemed to be acceptable by Council when the Agenda is adopted at the regular meeting.
704. Cell phones and other electronic communication devices must be turned off except for laptop computers which are required for the meeting. Sending emails during Council meetings are discouraged.

705. The business intended to be dealt with by Council shall be stated in the agenda in the following order:
- 1) Call to Order.
  - 2) Agenda
  - 3) Adoption of the previous minutes.
  - 4) Business arising out of the minutes.
  - 5) Public Hearings
  - 6) Delegations
  - 7) By-laws
  - 8) Old Business
  - 9) New Business
  - 10) Financial
  - 11) Next Meeting
  - 12) Open Forum
  - 13) Confidential Items
  - 14) Adjournment.
706. The order of business established in the foregoing paragraph shall apply unless altered by the Mayor or presiding officer 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.
707. All reports are to be provided in writing.
708. All direction to administration shall be by council motion.

#### **GENERAL**

801. Rules of Order – Example: Chairperson speaking to the issues/relinquishing the chair.
802. All votes in opposition shall be recorded.
803. Whenever the presiding officer is of the opinion that a motion is contrary to the rules and privileges of council, he/she shall inform the member thereof immediately, before putting the questions, and shall cite his reasons applicable to the case without argument or comment. In all cases not provided for in the proceedings of the council, a two-thirds majority of council shall determine to uphold the ruling of the presiding officer or not as the case may be.
804. A motion to reconsider, being one made at a previous meeting and decided, shall not again be entertained for a period of three (3) months, unless approved by two-thirds (2/3) of all council present.
805. Standing Committees of Council shall be established and governed by policy approved by Council, except that they shall be created by bylaw where any authority is delegated. Where committee procedures are not defined in policy this bylaw shall apply.
806. Any bylaws, and any amendments thereto, or resolutions regarding the procedure and conduct of Council meetings are hereby repealed.

901. This By-Law repeals Village of Cremona Bylaw #406-08 and any amendments thereto.
902. This Bylaw shall come into force and effect on the date of the final passing thereof.

Read a first time this 20th day of October 2015.

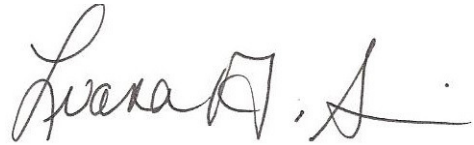
Read a second time this 20th day of October 2015.

Read a third time this 20th day of October 2015.



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Mayor Tim Hagen



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Chief Administrative Officer, Luana Smith

*October 22, 2015*

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Date of Signing