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BYLAW 2695/G/24

BEING A BYLAW OF THE TOWN OF STONY PLAIN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING THE PROCEEDINGS AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS

WHEREAS, pursuant to section 145 of the *Municipal Government Act*, RSA 2000, c. M-26 and amendments thereto, a council may pass bylaws in relation to the establishment and functions of council committees and other bodies; and the procedures to be followed by council, council committees and other bodies established by council;

NOW THEREFORE the Council of the Town of Stony Plain, in the Province of Alberta, duly assembled, hereby enacts as follows:

PART 1 – INTRODUCTION

1.0.0 Title

1.1.0 This bylaw may be cited as the "Procedural Bylaw".

2.0.0 Definitions

2.1.0 "Act" means the *Municipal Government Act,* RSA 2000, c M-26, together with any Regulation made thereunder and any amendments thereto;

2.2.0 "Acting Mayor" means the Councillor appointed by resolution of Council to act as Mayor in the absence or incapacity of both the Mayor and Deputy Mayor;

2.3.0 "Administration" means the CAO or an employee accountable to the CAO;

2.4.0 "CAO" means the person appointed chief administrative officer by Council pursuant to the Act, or delegate;

2.5.0 "Chair" means the person who has the authority to preside over a meeting, and when in attendance at Council Meetings shall mean the Mayor;

2.6.0 "Closed Session" means a meeting or portion of a meeting which is held without the public present pursuant to Division 2 of Part 1 of *the Freedom of Information and Protection of Privacy Act* or any other enactment that provides for holding all or part of a meeting in the absence of the public;

2.7.0 "Committee" means a committee, board, commission, or other body established by Council under the Act, but does not include the Governance and Priorities Committee, an assessment review board, or subdivision and development appeal board;

2.8.0 "Committee Meeting" means any gathering of quorum of a Committee where the Committee provides direction on any matter over which the Committee has jurisdiction;

2.9.0 "Corporate Plan" means the comprehensive corporate planning document that gives Administration approval to expend resources that is approved by Council;

2.10.0 "Council" means the Mayor and Councillors of the Town of Stony Plain elected pursuant to the provisions set out in the *Local Authorities Election Act*;

2.11.0 "Council Chamber" means the room that has been designated for the purposes of holding regular Council Meetings;

2.12.0 "Councillor" means a member of Council who is duly elected and continues to hold office. For the purposes of this bylaw only, the term Councillor does not include the Mayor;

2.13.0 "Council Meeting" means any gathering of quorum of Council where Council provides direction on any matter over which Council has jurisdiction, and includes a Public Hearing, Governance and Priorities Committee meeting and corporate plan meeting;

2.14.0 "Delegation" means person(s) acting on behalf of themselves or authorized to act as a representative for another person(s), group, or organization appearing before Council at a Council Meeting to make a request or provide a presentation. but does not include speaking to a bylaw for which a Public Hearing has been held or is scheduled;

2.15.0 "Deputy Mayor" means the Councillor who is appointed pursuant to the Act to act as Mayor in the absence or incapacity of the Mayor;

2.16.0 "Electronic Means" means an electronic or telephonic communication method that enables all persons attending a meeting to hear and communicate with each other during the course of a meeting;

2.17.0 "Electronic Participation" means a hybrid meeting where some meeting participants attend by Electronic Means and some attend in person;

2.18.0 "Emergency Situation" means any event in which a declaration of provincial or local state of emergency is made;

2.19.0 "Governance and Priorities Committee" means a committee established comprised of all Council which conducts itself as a Committee of Council;

2.20.0 "Live-Stream" means a method of providing video over the internet in real time;

2.21.0 "Mayor" means the individual elected to the position of Chief Elected Official for the Town;

2.22.0 "Member" means a Member of Council duly elected who continues to hold office, or a Member of a Committee duly appointed by Council to that Committee;

2.23.0 "Minutes" means the record of decisions of a meeting recorded in the English language;

2.24.0 "Notice of Motion" means the document by which a Member of Council brings forward an item that they wish to be considered at a subsequent Council Meeting;

2.25.0 "Order of Business" means the list of items comprising the agenda and the order in which those items appear on the agenda;

2.26.0 "Pecuniary Interest" means a pecuniary interest as defined by the Act;

2.27.0 "Presentations" means information provided at a Council Meeting by a representative(s) of an outside organization;

2.28.0 "Public Hearing" means a public hearing held pursuant to the Act or any other legislation, whether statutory or non-statutory;

2.29.0 "Public Input Session" means the time set aside at a Council Meeting for the public to address Council;

2.30.0 "Public Notice Posting Places" means at a minimum the Town's website, or in the case the Town's website cannot be accessed due to technical issues, at a location at Town Hall which is accessible by the public;

2.31.0 "Town" means the municipality of the Town of Stony Plain;

2.32.0 "Town Hall" means the place of the municipal office for the Town;

2.33.0 "Town's website" means the websites administered and controlled by the Town, which may include, but is not limited to www.stonyplain.com and web-based video management applications;

2.34.0 "Two-Thirds" means a favourable vote made by five of seven, four of six, three of five and three of four Members;

2.35.0 "Vice-Chair" means the person who has the authority to preside over a meeting in the absence of the Chair; and

2.36.0 "Virtual Meeting" means a meeting at which all persons entitled to participate in that meeting, participate by Electronic Means.

3.0.0 Interpretation and Application

3.1.0 This bylaw applies to all Council Meetings and those participating and attending those meetings.

3.2.0 The precedence of rules governing the procedure of Council is:

a) the Act;
b) other provincial legislation;
c) this bylaw; and
d) the current edition of *Robert's Rules of Order - Newly Revised.*

3.3.0 Where Council makes this bylaw applicable to a Committee, it shall apply with all the modification and:

a) any reference to the Mayor shall be treated as a reference to Chair;
b) any reference to Councillor shall be treated as a reference to Member; and
c) any reference to Council shall be treated as a reference to Committee.

3.4.0 Notwithstanding the procedures in this bylaw, if a Committee establishes procedures that differ from the procedures in this bylaw, the procedures of the Committee take precedence to the extent of the difference.

3.5.0 Council may temporarily suspend the rules or a specific rule, established by this bylaw, provided that such a suspension does not conflict with the Act or other enactment. A suspension of rules is only in effect for the meeting at which the resolution is passed.

PART 2 - DESIGNATION OF COUNCILLOR TO ACT IN PLACE OF THE MAYOR

4.0.0 Deputy Mayor and Acting Mayor

4.1.0 Council will adopt a rotation schedule of four-month terms appointing Councillors to serve as Deputy Mayor. The schedule shall be in the order determined by the drawing of names at the beginning of the Council term. The order determined shall be limited only by the provision that the first member to serve in a council term shall not be a newly elected member of Council.

4.2.0 Each Councillor designated as the Deputy Mayor must act as the Mayor when the Mayor is unable to perform the duties of the Mayor or if the office of the Mayor is vacant. The Deputy Mayor has the same powers and responsibilities as the Mayor when acting as the Mayor.

4.3.0 In the absence of both the Mayor and the Deputy Mayor, Council may appoint a Councillor as an Acting Mayor by resolution. The Councillor designated as Acting Mayor must act as the Mayor if both the Mayor and Deputy Mayor are unable to perform the duties of the Mayor, or if the office of the Mayor and Deputy Mayor are vacant. The Acting Mayor has all the same powers and responsibilities as the Mayor when acting as the Mayor.

4.40 The rotation schedule appointing Councillors to serve as Deputy Mayor may be amended by majority vote of all Council Members.

4.5.0 Notwithstanding anything in this bylaw, if the office of the Mayor becomes vacant:

a) the vacancy must be filled in accordance with the Act; and
b) Council may adopt a procedure by resolution, for the appointment of one or more Councillors as Mayor.

PART 3 – COMMITTEES

5.0.0 Governance and Priorities Committee

5.1.0 A Committee is hereby established called "Governance and Priorities Committee".

5.2.0 The membership of the Governance and Priorities Committee is comprised of each member of Council, appointed by virtue of, and for the duration of, their term of office.

5.3.0 The Governance and Priorities Committee acts in an advisory capacity and has no power to pass any bylaw or resolution apart from a resolution necessary:

a) to accept items for information;
b) to move in and out of Closed Session;
c) to refer an item to Council; or
d) for procedural purposes.

5.4.0 The function of the Governance and Priorities Committee is to allow Council to sit as a committee in a less formal structure to review Council matters in a more informal manner to encourage deliberation of information and ideas.

5.5.0 The procedures of Council shall be followed by the Governance and Priorities Committee excepting that the procedures of Council Meetings shall be relaxed for Governance and Priorities Committee meetings as follows:

a) a Member may speak even though there is no motion on the floor, but if there is a motion on the floor a Member shall only address that motion; and
b) a Member may speak more than once, provided that each Member who wishes to speak to the matter has already been permitted to do so.
c) The Deputy Mayor is the Chair of the Governance and Priorities Committee.
    i. In absence of the Deputy Mayor, the Mayor may chair the meeting.

PART 4 – MEETINGS - SCHEDULE AND NOTICE

6.0.0 Organizational Meetings

6.1.0 Council shall hold an organizational meeting each year no later than two weeks after the third Monday in October.

6.2.0 At the organizational meeting Council will:

a) providing that all Members are present, set dates, times, and location for regularly scheduled Council Meetings as required;
b) set the date of the next organizational meeting;
c) appoint Members to agencies, boards and Committees, and other bodies on which Council is entitled to representation; and
d) consider any other matter on or added to the organizational meeting agenda.

6.3.0 If not all Members are present at the organizational meeting, the schedule of meetings shall be postponed until the next Council Meeting at which all Members are present, and Council shall establish the date, time, and location of the next Council Meeting by resolution.

6.4.0 In the case of the first organizational meeting following a general election:

a) the CAO will call the meeting to order and Chair the meeting until the Mayor has taken the official oath;
b) all Members will take the official oath as prescribed by the Act and the *Oaths of Office Act;*
~~c) all Members will affirm that they will comply with the Code of Conduct Bylaw;~~
d) Council will appoint Councillors as Deputy Mayor for the term of appointment provided for in this bylaw; and
e) Council will complete the business listed under section 6.2.0.

7.0.0 Special Meetings

7.1.0 The Mayor may call a special meeting at any time by giving at least twenty-four (24) hours' notice in writing to each Councillor and the public stating the matters to be considered and the date, time, and location of the special meeting.

7.2.0 The Mayor must call a special meeting if a written request for the meeting is received from a majority of Councillors, stating its purpose.

7.3.0 A special meeting requested by Councillors must be held within fourteen (14) days after the request is received by the Mayor.

7.4.0 Council may set a special meeting by majority vote of all of Council. The resolution must specify:

a) the business to be placed on the agenda for consideration; and
b) the date, time and location of the special meeting.

7.5.0 A special meeting may be held with less than twenty-four (24) hours' notice to all Councillors and without notice to the public if at least Two-Thirds of all of Council agrees to this in writing before the beginning of the special meeting.

7.6.0 No business other than that stated in the notice shall be conducted at any special meeting unless all Members are present and vote unanimously to add other items of business to the agenda.

8.0.0 Virtual Meetings

8.1.0 Council Meetings including Public Hearings, and Special Council meetings are permitted to be conducted by Electronic Means:

a) in the event of an Emergency Situation;
b) at the discretion of the Mayor;
c) on the advice of the CAO; or
d) as outlined within the Act.

8.2.0 Virtual Meetings may be held through a video or telephone conference platform. The CAO will determine and provide for the specific platform, through which Virtual Meetings will be held based on accessibility and technical limitations.

8.3.0 The CAO must give the public at least twenty-four (24) hours' notice that a Virtual Meeting will be held.

8.4.0 Notice of a Virtual Meeting must provide information identifying where the meeting can be accessed electronically and the methods though which the public may participate by Electronic Means. In the case a Virtual Meeting is held the CAO:

a) must provide for email submissions in lieu of in-person Presentations from the public;
b) must permit the submission of audio/visual Presentations for Public Hearing items; and
c) may provide for other methods of public submission not found in this bylaw.

8.5.0 When a Virtual Meeting is held:

a) the Chair will do a roll call verbally at the start of each meeting;
b) a Member must announce if they wish to leave the meeting for any purpose and their departure and rejoining shall be recorded in the Minutes;
c) all documents that would otherwise be available to the public before or during an in-person meeting or hearing will be made available through the Town's official website.

8.6.0 Committees may hold a Virtual Meeting in accordance with the procedures and processes established for Council.

9.0.0 Meeting Changes

9.1.0 The date, time or location of a Council Meeting, including cancellation, may be changed by a majority vote of all Members.

9.2.0 The CAO must give at least twenty-four (24) hours' notice of any changes to a Council Meeting date, time, or location, unless the location change is limited to holding the meeting in an alternate room within the same building, to:

a) any Members not present at the meeting at which the change was made; and
b) to the public.

9.3.0 The date, time or location of a Committee Meetings, including cancellation, may be changed by the Chair, or a majority vote of all Members as outlined within the Act.

10.0.0 Method of Giving Notice of Meetings

10.1.0 Notice of regular Council meetings, Governance & Priority Committee meetings, organizational meetings and Council Committee meetings will be posted on the Town's website.

10.2.0 Notice of a special meeting, Virtual Meeting or meeting change will be provided:

a) to Members by way of a written notice delivered electronically to the email address(es) provided by the Member; and
b) to the public by way of posting notice on the Town's website.

10.3.0 Notice of Public Hearings shall be given in accordance with the Act.

PART 5 – MEETINGS – GENERAL MATTERS

11.0.0 Public Presence at Meetings and Closed Sessions

11.1.0 All Council and Committee Meetings shall be open to the public unless a meeting or part of a meeting is authorized to be closed in accordance with the Act.

11.2.0 Before closing all or any part of a meeting to the public, Council must approve by resolution:

a) the part of the meeting that is to be closed, and
b) the basis on which, under an exception to disclosure in Division 2 Part 1 of the *Freedom of Information and Protection of Privacy Act*, the part of the meeting is to be closed.

11.3.0 Where Council closes all or part of a meeting to the public, the Chair in consultation with the CAO may allow one or more other persons to attend the Closed Session, as they consider appropriate.

11.4.0 Council may exit from the Council Chamber to a meeting room which will provide for privacy away from the public to conduct a Closed Session.

11.5.0 No matters other than that described within the resolution pursuant to section 11.2.0 may be discussed. If a matter arises in a Closed Session, which in the opinion if Council, does not meet the criteria to be held in Closed Session, it may be referred to an open meeting.

11.6.0 All proceedings, discussion, opinions, advice, and materials provided in Closed Session are confidential and must remain in confidence by those attending the Closed Session unless their release is authorized by resolution of Council.

11.7.0 No resolution or bylaw can be passed in a Closed Session except a resolution to revert to an open meeting where members of the public will be permitted to attend.

11.8.0 Before considering motions arising from a Closed Session, the public will be provided five (5) minutes notice that the meeting is back in open session to allow for the public to return to the meeting.

11.9.0 Committees may vote to close all or part of a meeting authorized to be closed in accordance with the Act, and in accordance with the processes established for Council.

12.0.0 Quorum

12.1.0 Subject to the Act, for the purposes of quorum:

a) for a Council Meeting, quorum is the majority of all Members.
b) If there is a Member vacancy, and a by-election is not required to be held, quorum is the majority of all the remaining Members.
c) A Member is deemed to absent for a vote if the Member is required to abstain from a vote or is permitted to abstain from a vote and does so.

12.2.0 If quorum is not present twenty (20) minutes following the scheduled start time of a meeting and it is not reasonable that quorum will be present within a reasonable period of time, the CAO will

record the names of the Members present at the expiration of such time and announce that Council shall then stand adjourned until the next regular Council Meeting.

12.3.0 When a Member wishes to leave a meeting while it is in progress:

a) the Member shall await the formal acknowledgement of the Chair before leaving.
b) the time of the Member's departure, and return, if any, shall be recorded in the Minutes.

12.4.0 The rules of quorum apply to Committees.

13.0.0 Notice of Motion

13.1.0 Members may add a new matter or motions to a regular Council Meeting agenda by:

a) Submitting a Notice of Motion in writing to the CAO in accordance with section 32.2.0. The motion shall appear as a Notice of Motion in the next regular Council Meeting agenda; or
b) Giving verbal notice at a regular Council Meeting of their intention to introduce a motion at the following regular Council Meeting and submitting a Notice of Motion to the CAO in writing in accordance with section 32.2.0. The motion shall appear as a Notice of Motion in the next regular Council Meeting agenda.

13.2.0 A Notice of Motion:

a) must give sufficient detail so that the subject of the motion and any proposed action can be determined;
b) may include supporting documents; and
c) may state the date of the regular Council Meeting at which the Member wishes the motion to be included in the agenda.

13.3.0 If the Member who presented the Notice of Motion is not in attendance at the meeting when the subject of that Notice of Motion is brought forward as a business item, the Notice of Motion will be postponed until the next meeting at which the Member who submitted the Notice of Motion is in attendance.

13.4.0 A Notice of Motion cannot be made at a special meeting.

13.5.0 Notice of Motion applies only to regular Council Meetings.

14.0.0 Pecuniary Interest and Conflict of Interest

14.1.0 Mayor and Councillors shall abide by the Act with respect to Pecuniary and Conflict of Interest.

14.2.0 Where a Member has disclosed a Pecuniary or Conflict of Interest, it must be recorded in the Minutes as required by the Act.

14.3.0 Pecuniary or Conflict of Interest applies to all Committees and Committee Members.

PART 6 – ROLES AND CONDUCT AT MEETINGS

15.0.0 Role of the Chair

15.1.0 The Mayor, when in-person, will Chair all Council Meetings.

15.2.0 If the Mayor is absent, from any Council Meeting, the Deputy Mayor will Chair the meeting.

15.3.0 The Chair, when present, presides at Committee Meetings. If the Chair is absent, the vice-chair will preside.

15.4.0 The Chair:

a) opens and presides over all meetings when in attendance unless otherwise required by this bylaw;
b) preserves order and decorum in meetings;
c) decides all questions of order, privilege, and procedure;

d) ensures that each Member who wishes to speak on a debateable motion is granted the opportunity to do so;
e) decides who apart from Members and Administration may address Council; and
f) is responsible for any other duties imposed by the Act, a Council committee establishing bylaw or this bylaw.

15.5.0 The decision of the Chair shall be final, subject to an immediate challenge by a Member.

16.0.0 Challenging the Ruling of the Chair

16.1.0 Whenever a Member wishes to challenge the ruling of the Chair:
a) all further debate shall cease until the challenge has been dealt with by Council;
b) the Member may offer a brief reason for the challenge;
c) the Chair shall briefly state the reasons for their ruling and then put the question to Council;
d) the Chair shall state the question "is the decision of the Chair upheld?",
e) If the Chair refuses to put the challenge to Council, the person who would preside if the individual occupying the chair were absent must put the question to Council.
f) Council shall decide the challenge, by majority vote, without debate, and the decision of Council on the challenge is final.

17.0.0 Conduct for Members

17.1.0 A Member may speak at a meeting only after being recognized by the Chair and shall address the Chair when speaking to any question or motion.

17.2.0 When a Member is speaking in a meeting, the Member must:
a) obey the rules of procedure;
b) ensure their comments are relevant to the subject matter at hand;
c) not make personal comments about any other Members; and,
d) not shout, use profane, vulgar, or offensive language.

17.3.0 When a Member is speaking in a meeting, all other Members must:
a) remain quiet and seated;
b) not interrupt the speaker, except to raise a point of order, point of procedure, or point of privilege; and
c) not carry on a private conversation.

17.4.0 A Member may interrupt a Member who is speaking to:

a) call a point of order, if the Member believes that a rule pertaining to the conduct of the meeting has been violated,
b) call a point of procedure, if the Member requires more information about the rule of Council procedure or parliamentary law, and
c) call a question of privilege, if the Member believes the comfort, dignity, safety, or reputation of the organization or an individual is at stake.

17.5.0 When a point of order, point of procedure, or question of privilege arises, it shall be immediately taken into consideration and ruled upon by the Chair.

17.6.0 When the Chair interrupts a Member who is out of order:
a) the Member must cease talking and wait for the Chair to explain the reason for the interruption, and to cite the rule which has been breached; and
b) after the Chair has ruled, the Member may explain the remark or action that resulted in the call to order.

17.7.0 If a Member continues to breach order, the Chair may name the Member and direct the CAO to record the name of the Member in the Minutes.

17.8.0 A Member named may challenge the ruling of the Chair.

~~17.9.0 If the Chair's ruling is upheld and a Member persists in breaching the rules of this bylaw, the improper conduct will be dealt with by the Chair, including options available under the Act and the Council Code of Conduct Bylaw including:~~

~~a) a letter of reprimand addressed to the Member;~~
~~b) requesting the Member to issue a letter of apology;~~
~~c) publication of a letter of reprimand or request for apology and the Member's response;~~
~~d) a requirement to attend training;~~
~~e) suspension or removal of the appointment of a Councillor as the Deputy Mayor or Acting Mayor;~~
~~f) suspension or removal from some or all Council committees and bodies to which Council has the right to appoint members;~~
~~g) reduction or suspension of remuneration.~~

18.0.0 Conduct in the Council Chambers

18.1.0 Only Members, the CAO and those individuals authorized by the CAO or Chair may be present on the floor of the Council Chamber.

18.2.0 The CAO, an employee or consultant authorized by the CAO, or a scheduled Presenter or Delegation may address Council from the floor of Council Chambers, if recognized by the Chair.

18.3.0 A person may address Council from the public gallery with permission from the Chair.

18.4.0 No person present on the floor or the public gallery of the Council Chamber shall cause any disturbance, interrupt any speaker, or interfere with the action of Council.

18.5.0 The Chair may cause to be expelled and excluded from any meeting any person who creates any disturbance during a meeting or who, in the opinion of the Chair has been guilty of improper conduct.

18.6.0 If a person refuses to leave the meeting after being expelled by the Chair, the Chair may request the person be removed.

19.0.0 Conduct for Virtual Meetings and Electronic Participation in Meetings

19.1.0 A Member, except for the Chair of the meeting, who is unable to attend a meeting in person, under extenuating circumstances, may participate in a meeting through Electronic Means provided that:

a) prior approval has been received from the Chair;
b) there is a quorum physically present at the meeting to ensure the meeting can continue if connection fails;
c) the CAO is notified at least one (1) business day before the meeting, to allow an opportunity to make necessary arrangements for the technological needs of Electronic Participation; and
d) the Member participates in a location that is free of distractions and is secure.

19.2.0 The Chair must be physically present at in-person meetings and cannot preside over in-person meetings by Electronic Means. To participate in an in-person meetings by Electronic Means, the Chair must vacate the chair for that meeting.

19.3.0 The Chair has the authority to end a Member's use of Electronic Participation in an in-person meeting if, in their opinion, the use of Electronic Participation is disruptive to the meeting, or the location of the Member is not secure or free from distractions.

19.4.0 Members participating by Electronic Means will be identified and their attendance confirmed verbally by the Chair at the start of the meeting or at the time they join the meeting and reflected in the minutes.

20.0.0 Rules of Debate

20.1.0 In advance of a motion being put forward, an opportunity for questions to Administration will be provided. A Member may ask questions to obtain facts relevant to the matter under discussion and necessary for clear understanding. All questions should be stated succinctly and should not be used as a means of making statements or assertions.

20.2.0 A motion must be made before Members can debate an item.

20.3.0 Motions do not require a seconder.

20.4.0 A Member who has made a motion may speak either in favour of, or in opposition to, the motion.

20.5.0 Unless otherwise provided by resolution, bylaw, or permission of the Chair, a Member may speak only:

a) once on any motion; and
b) once on any amendment to a motion.
c) There will be no limit on the length at which a Member may speak to a motion the first time.

20.6.0 Notwithstanding section 20.5.0:

a) a Member may ask questions of Administration or other Member relevant to the motion or amendment to a motion;
b) a Member may speak in explanation of a material part of their speech which may have been misunderstood.
c) a Member may speak to answer questions put by other Members; and
d) a Member who has made a motion may speak a second time to end the debate.
e) A Member may only speak for up to five (5) minutes in explanation of misunderstanding, in reply to questions or to end debate.

20.7.0 The Chair, at the request of any Member, shall require the motion to be read or displayed any time during debate or prior to it being put to a vote.

20.8.0 The Chair shall determine when a motion is to be put to a vote.

20.9.0 Once the Chair has put the motion to a vote, no Member shall debate further on the motion.

20.10.0 The Chair may participate in debate on any matter without relinquishing the Chair and the Chair's participation in debate is subject to all the rules that apply to any other Member.

20.11.0 The Chair must leave the chair to move and speak to their own motion and must remain out of the chair until the vote is taken and the matter is concluded.

20.12.0 When the Chair wishes to leave the chair during a meeting, they will turn over the chair to the Deputy Mayor, or in the absence of the Deputy Mayor, the Councillor who is next available listed on the Deputy Mayor schedule.

20.13.0 Subject to the specific rules for Committees set out in this bylaw, the rules governing debate of Council shall be observed in all Committees so far as they are applicable, except that:

a) the Chair may put forward a motion without leaving the chair; and
b) the number of times a Committee Member may speak on any matter is not limited.

21.0.0 Voting and Recorded Votes

21.1.0 Each Member present must vote on every motion unless the Member is required or permitted to abstain from voting under the Act.

21.2.0 No Member shall leave the meeting after a motion is put to a vote until the vote is taken, unless during this time frame the Member becomes aware of a Pecuniary or Conflict of Interest at which time the Member will declare the conflict of interest and leave the meeting.

21.3.0 A vote on any motion or bylaw will be conducted as follows:

a) the Chair must call for a vote;
b) all Members present must be silent from the moment the vote is called until the results of the vote are declared;
c) all Members present must vote by raising their hand, verbally by stating "in favour" or "opposed" if Participating Electronically, or by another method agreed upon by the Members;
d) the Chair must declare the results of the vote.

21.4.0 A vote is final once declared by the Chair. However, if immediately after a vote the Chair determines that either the voting procedures prescribed by this bylaw were not followed, or one or more Members may have been mistaken as to the subject matter of the vote, the Chair may recall the vote and immediately call for another vote.

21.5.0 If there are equal number of votes for and against a motion or bylaw reading, the motion or bylaw reading is defeated.

21.6.0 A Member may request a recorded vote immediately before the taking of a vote on any motion.

PART 7 – MOTIONS

22.0.0 Main Motions

22.1.0 When a main motion has been made and is being considered by Council, no other motion may be made and accepted except:

a) A motion to withdraw;
b) A motion to split the motion;
c) A motion to refer;
d) A motion to amend;
e) A motion to postpone to certain time or indefinitely;
f) A motion to call the question.

23.0.0 Motion to Withdraw

23.1. 0 After a motion is read or stated by the mover, it shall be deemed to be in possession of Council. The mover of the motion may request to withdraw it and, on hearing no objections, the motion shall be considered withdrawn. Motions withdrawn in this this way shall not be recorded in the Minutes.

23.2.0 If a Member objects to the motion being withdrawn, then a motion to withdraw shall be voted on accordingly.

24.0.0 Split a Motion

24.1.0 Any Member may request that a motion be split and voted on separately, but only if the divided parts can stand on their own.

24.2.0 A motion may be divided by unanimous consent or by majority vote of the Members present.

25.0.0 Conduct for Virtual Meetings and Electronic Participation in Meetings

25.1.0 A Member may, without notice, amend a motion that is being considered.

25.2.0 A motion to amend may be used to remove, replace, or add wording to an original motion.

25.3.0 A motion to amend may not be contrary to or destroy the intent of the motion it purports to amend.

25.4.0 A motion to amend:

a) is debateable only to the merits of the amendment;
b) is amendable, but only one amendment to an amendment can be considered at time; and
c) requires a majority vote of the Members present.

25.5.0 An amendment to an amendment is voted on prior to the vote on the amendment.

25.6.0 A Member who moved the main motion:

a) may not move to amend their own motion;
b) may move an amendment to the amendment.

25.7.0 A friendly amendment or change in wording that enhances or strengthens the original motion may be proposed and adopted if no Members present object. Only the motion as amended by the friendly amendment will appear in the Minutes.

26.0.0 Motion to Refer

26.1.0 A motion to refer is used to send an item of business or a pending motion to a Committee or Administration, where the item will receive additional in-depth consideration. A motion to refer shall indicate to whom it is being referred, the reason for referral and the time at which it is to be returned.

26.2.0 A motion to refer:

a) is only debateable and amendable as to the advisability of the referral, to whom it is being referred, and the instructions on the referral; and
b) requires a majority vote of the Members present.

27.0.0 Motion to Postpone Indefinitely

27.1.0 A motion to postpone indefinitely is used to dispose of a motion or matter without bringing it to a direct vote and the effect of a motion to postpone indefinitely is to suppress it throughout the current Council term.

27.2.0 A motion to postpone indefinitely:

a) is debateable, including as to the merits of the main motion;
b) is not amendable; and
c) requires majority vote of the Members present.

27.3.0 A motion that has been postponed indefinitely may be considered at any time by Two-Thirds Vote of all Members.

28.0.0 Motion to Postpone to a Certain Time

28.1.0 A motion to postpone to a certain time is used to delay consideration of a main motion and all connected amendments:

a) to a specified time later in the meeting;
b) to a specific time or date or both; or
c) until the occurrence of an event.

28.2.0 A motion to postpone to a certain time:

a) is only debateable or amendable as to the time to which the motion is to be postponed and the advisability of the postponement; and
b) requires a majority vote of the Members present.

28.3.0 If a motion has been postponed to a specific time or date or both, or until the occurrence of an event, the motion is automatically placed on the agenda for consideration at that time, date or upon the occurrence of the event.

28.4.0 When a postponed motion or matter is brought back to a meeting, it is brought back with all motions connected to it, exactly as it was when postponed.

29.0.0 Motion to Call the Question

29.1.0 A motion to call the question is used to close debate on a pending motion by moving to a vote immediately.

29.2.0 A motion to call the question:

a) is not debatable;
b) is not amendable;
c) requires a Two-Thirds Vote of the Members present.

29.3.0 When a motion to call the question has been adopted the Chair should immediately take the vote on the affected motion.

Reopening Motions

30.0.0 Motion to Reconsider (a Motion Decided at the Same Meeting or Last Meeting)

30.1.0 A motion to reconsider is used to revisit an adopted or defeated motion at the same meeting the original motion was decided or the next regular meeting at which the original motion was decided.

30.2.0 A motion to reconsider:

a) must be made by a Member who voted on the prevailing side;
b) is debatable as to the reason for reconsideration;
c) is not amendable.

30.3.0 If a motion to reconsider is passed the original motion is on the floor.

30.4.0 If motion to reconsider fails, it may not be reconsidered.

31.0.0 Motion to Renew (a Motion Defeated at a Previous Meeting)

31.1.0 A motion to renew is used to revisit a motion or bylaw defeated at a previous meeting that is not subject to reconsideration.

31.2.0 If a motion is defeated, the same or substantially the same, motion may not be renewed unless:

a) it is brought more than one year after the date of the original motion;
b) it is brought after a general election which has taken place since the date of the original motion; or
c) the Member who wishes to have Council renew a motion provides Notice of Motion setting out in writing what special circumstances have occurred in respect to the issue to warrant further discussion.

31.3.0 A motion to renew something previously defeated:

a) requires a Notice of Motion;
b) is debatable as to the merits of renewing the motion;
c) can not be amended;
d) requires a Two-Thirds Vote of the Members present at the meeting at which the renewing motion is introduced.

31.4.0 If a motion to renew is passed, the original motion is on the floor.

31.5.0 Bylaws requiring a Public Hearing my be renewed for second reading, after the Public Hearing once the appropriate advertising and legislated process has been again followed.

PART 8 – MEETING PROCEEDINGS

32.0.0 Agenda Consent and Preparation

32.1.0 A Member of Council, Administration, or the public may submit an item of business they wish to be included on a Council Meeting agenda to the CAO in accordance with this bylaw.

32.2.0 All written submissions of agenda items for consideration at a regular meeting:

a) must be received by the CAO no later than seven (7) days prior to the scheduled meeting date; and
b) must contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter.

32.3.0 The CAO shall prepare a proposed agenda for all meetings.

32.4.0 The CAO shall ensure that the proposed agenda for meetings will be distributed to Members and published on the Town's website as follows:

a) regular Council Meetings – by 4:30 p.m. two (2) business days preceding the meeting.
b) special meetings – as soon as is practicable at the discretion of the CAO.

32.5.0 If, for any reason, the CAO is unable to meet the deadline in Section 32.4.0 (a), the CAO shall prepare and distribute the agenda as soon as reasonably possible to allow Members and the public an opportunity to review the agenda prior to the meeting.

33.0.0 Call to Order

33.1.0 As soon as quorum is present, after the time at which the meeting is to start, the Chair shall take the chair and call the meeting to order.

34.0.0 Adoption of the Agenda

34.1.0 The first Order of Business at any meeting shall be consideration of the proposed agenda and adoption of it, subject to:

a) approval the agenda as presented; or
b) approval of the agenda as amended.

35.0.0 Public Input Session

35.1.0 The agenda for each regular Council Meeting and Governance & Priorities Committee meeting shall contain a Public Input Session after the adoption of the agenda.

35.2.0 The Public Input Session shall not be longer than fifteen (15) minutes in length.

35.3.0 Members of the public who wish to address Council during a Public Input Session are required to register with the CAO in advance of the meeting.

35.4.0 Speakers at a Public Input Session may address Council for a maximum of five (5) minutes, excluding questions from Council, unless:

a) the Chair at their discretion, extends the amount of time; or
b) Council by resolution, extends the amount of time.

35.5.0 If requested by a Member, a vote must be taken to approve an extension of time given by the Chair under sections 35.4.0 (a).

35.6.0 Speakers at Public Input Sessions are not permitted to discuss:

a) items that are on the current agenda;
b) items that are before the Subdivision and Development Appeal Board;
c) items that are before the Assessment Review Board; or
d) items currently being dealt with in a Statutory Public Hearing.

35.7.0 Members may ask questions of the Delegation or Administration to clarify or correct information but must not enter debate on the subject of the Public Input Session and Council itself will not enter into debate on the information received.

36.0.0 Presentations and Delegations

36.1.0 Members of the public may request in writing to be included under the "Presentations and Delegations" section on an agenda for a Council Meeting. The written request may be submitted through the Town's website or dropped off or mailed to Town Hall, and must:

a) include the name(s), address and telephone number of the person or group wishing to make the presentation;
b) clearly identify the topic to be discussed;
c) clearly identify the request being made to Council, if applicable,
d) contain any background information to support the request, if applicable;
e) be submitted to the CAO no later than ten (10) days prior to the meeting.

36.2.0 When a Presentation or Delegation is scheduled, any written materials the presenter or Delegation wishes to be included in the agenda must be submitted in accordance with the deadline established in section 32.2.0.

36.3.0 Presentations and Delegations shall be heard in the order that they are placed on the agenda, or the order may be changed by a majority vote of Members present.

36.4.0 A Presentation or Delegation shall not exceed fifteen (15) minutes, including questions of Council unless:

a) the Chair at their discretion, extends the amount of time; or
b) Council by resolution, extends the amount of time.

36.5.0 If requested by a Member, a vote of Members must be taken to approve an extension of time given by the Chair under sections 36.4.0 (a).

36.6.0 A Member may ask questions of the presenter, Delegation or Administration to clarify or correct information but must not enter debate about the subject of the Presentation or Delegation and Council or the Committee itself will not enter into debate on the information received.

37.0.0 Public Hearings

37.1.0 Council shall hold Public Hearings in accordance with the Act and the procedures set out in this bylaw.

a) Public Hearings held under Part 17 of the Act will be available by electronic means as outlined in Section 8.0 of this bylaw.

37.2.0 Where Council is required to hold a Public Hearing on a proposed bylaw or resolution, the Public Hearing must be held before second reading of the bylaw or before Council votes on the resolution.

37.3.0 Public hearings shall be held in conjunction with a regular Council Meeting, and every effort shall be given to commence a Public Hearing as close as possible to the advertised time.

37.4.0 If a Public Hearing has commenced and due to time constraints requires an adjournment to an alternate date, notification of the alternate date will be published on the Town's website within 24 hours of the postponed hearing date.

37.5.0 Council may change the date, time and location of a Public Hearing by resolution. If any of the date, time or location is changed, the Public Hearing must be re-advertised.

37.6.0 Any person who claims to be affected by the subject matter of the Public Hearing will be afforded a reasonable opportunity to a present written submission or to be heard by Council in person or through an agent.

37.7.0 Any person wishing to file a written submissions in response to advertised Public Hearing matters shall file a submission with the CAO at least ten (10) days before the Public Hearing to be included in the published Public Hearing agenda.

37.8.0 Written submission received after the deadline established in section 37.8.0 but before the close of the Public Hearing will be distributed to Council on the date of the Public Hearing and included in the corporate record.

37.9.0 Any Member or member of the public may review the written submissions received before the commencement of the Public Hearing or during the Public Hearing.

37.10.0 All members of the public providing a written submission, or a verbal submission must include their full name and indicate if their comment(s) are in favour of or opposed to the bylaw, or a general comment.

37.11.0 The Order of Business for a Public Hearings includes:

a) The Chair will explain the process of the Public Hearing.
b) The Chair will open and state the purpose of the Public Hearing.
c) Administration will provide an overview and summary of the proposed bylaw.
d) The Chair invites members of the public who wish to provide a verbal submission in favour of the bylaw to come forward.
e) The Chair invites members of the public who wish to provide a verbal submission opposed to the bylaw to come forward.
f) The Chair invites members of the public who wish to provide a verbal submission general comment on the bylaw to come forward.
g) Once Council has heard from the public, Council may ask questions of Administration on any points raised by the public that were not answered in previous questioning. Council may not debate the subject of the Public Hearing.

37.12.0 Once a Public hearing is closed, Council cannot receive any additional information on the bylaws as proposed without holding another Public Hearing.

37.13.0 The Public Hearing must be closed before Council votes on second reading of the bylaw.

37.14.0 Depending on the nature of the bylaw and the need for additional public circulation and response, Council may continue with subsequent readings at the same meeting or at subsequent meetings.

37.15.0 If a Member misses the entirety of the Public Hearing they cannot vote on the matter.

37.16.0 If a Member misses only a portion of the Public Hearing, the Member can determine whether they will vote on the matter.

38.0.0 Meetings Minutes and Records

38.1.0 The name of the Member making a motion is not recorded in the Minutes.

38.2.0 Motions receiving unanimous vote shall be recorded in the Minutes as "carried unanimously" or "defeated unanimously" and, in the case of a split vote, as "carried" or "defeated", and the names of those who voted for and against the motion shall be recorded.

38.3.0 When a request for a Recorded Vote has been made, the Minutes must show the names of the Members present and whether each Member voted for or against the motion, or abstained, regardless of whether the resolution was passed or defeated unanimously.

38.4.0 The Minutes of a Public Hearing shall record:

a) The names of Administration and applicant, or representation of the applicant, who presented at a Public Hearing;
b) The names of the members of the public who provided verbal submissions at a Public Hearing, along with a general indication of support, opposition, or neutrality, but not a summary of the verbal submission or a copy of the written submission.

38.5.0 Notice to the public will be made that the video recording will be taking place, so meeting participants and members of the public are aware the meeting is being Live-Streamed as well as recorded for future use. Notice will be provided by posting signage in a prominent location in Council Chamber, or by providing verbal notification at the beginning of a meeting.

39.0.0 Adjourning the Meeting

39.1.0 Regular meetings shall not exceed five (5) hours in session except by Two-Thirds Vote of Members present in favour of an extension.

39.2.0 Unfinished business at regular meeting shall be Adjourned until the next regular meeting or a special meeting scheduled for the purpose of completing the unfinished business.

Part 9 – EDITORIAL AND OTHER CHANGES

40.0.0 Consolidation of Bylaws

40.1.0 The CAO may consolidate a bylaw by incorporating all amendments to it into one bylaw. The consolidated version shall be marked as a "Convenience Copy", and the original bylaw and all amending bylaws shall be retained for the Corporate Record.

41.0.0 Editorial

41.1.0 The CAO may make the following changes to bylaws, policies, agendas, minutes or resolutions to:

a) Correct spelling, punctuation, numbering or grammatical errors, or errors that are of a clerical, typographical or similar nature.
b) Make a correction, if it is clear both that an error has been made and what the correction should be, and would not impact or alter the intent of the document.

41.2.0 The CAO shall provide notice of the changes made under clause 41.1.0 in the manner that they deem appropriate.

41.3.0 No legal significance shall be inferred from the timing of the exercise of a power under this section.

PART 10 – ADMINISTRATION AND APPROVAL

42.0.0 Place of Municipal Office

42.1.0 The place for the municipal office for the Town of Stony Plain located at 4905-51 Avenue, Stony Plain, Alberta, T7Z 1Y1.

43.0.0 Severability

43.1.0 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.

44.0.0 Review

44.1.0 This bylaw shall be reviewed within its fourth year, being 2026 or at least once in every Council term.

45.0.0 Repeal

45.1.0 This bylaw shall not be repealed or amended except so far as the terms hereof permit, unless it is repealed, or amended:

a) by a bylaw passed at a regular or special meeting of Council at which all members thereof are present; or

b) by a bylaw passed at a regular or special meeting of Council, pursuant to a notice in writing given and openly announced at the next regular meeting of Council and setting forth the terms or substantial effect of the proposed bylaw.

45.2.0 Bylaw 2667/G/22 and amendments thereto are hereby repealed.

46.0.0 Effective Date

46.1.0 This bylaw comes into full force and effect on the date it is passed.

Read a first time this 26th day of August, AD 2024.

Read a second time this 26th day of August, AD 2024.

Given unanimous consent this 26th day of August, AD 2024.

Read a third time this 26th day of August, AD 2024.

Mayor William Choy

Teresa Olsen, Acting General Manager
Corporate Services