BYLAW 1596-26

of the
Town of Pincher Creek

Council Procedural Bylaw

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BYLAW 1596-26
of the
Town of Pincher Creek

A BYLAW OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING PROCEEDINGS OF COUNCIL MEETINGS

WHEREAS pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, the Municipality has the authority to pass bylaws for municipal purposes respecting citizens' safety, health and welfare, property, services and business activities;

AND WHEREAS Section 145 of the Municipal Government Act allows a Council to pass bylaws for the establishment, functions, procedures and conduct of Council committees and other bodies established by Council;

AND WHEREAS Section 146 of the Municipal Government Act allows a Council to pass bylaws where Council committees may consist of a combination of Councillors and other persons;

AND WHEREAS Section 153(e) of the Municipal Government Act states that a Councillors duty is to keep in confidence matters discussed in private at a Council or committee meeting until discussed at a meeting held in public.

AND WHEREAS Section 180(1) of the Municipal Government Act requires Council to act only by resolution or bylaw;

AND WHEREAS Section 197(1) of the Municipal Government Act states that a Council and Council Committees must conduct their meetings in public;

AND WHEREAS Section 197(2) of the Municipal Government Act allows a Council and its committees to close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Access to Information Act;

AND WHEREAS Section 198 of the Municipal Government Act states that everyone has a right to be present at Council and committee meetings conducted in public unless the person chairing the meeting expels a person for improper conduct;

NOW THEREFORE the Council of the Town of Pincher Creek, in the Province of Alberta, duly assembled in a regular meeting, hereby enacts the following rules for the order and conduct of all Council meetings.

TITLE

This bylaw shall be cited as the "Council Procedural Bylaw".

DEFINITIONS

All terms and phrases used in this bylaw shall be as defined in the Municipal Government Act, being Chapter M-26, of the Statutes of Alberta, 2000, and amendments thereto, unless otherwise noted.

"CAO" is the Town of Pincher Creek's Chief Administrative Officer in accordance with Section 205 of Alberta's Municipal Government Act;

"Committee" is a standing committee, special committee or ad hoc committee established in accordance with Section 145 of the Municipal Government Act;

"Committee of the Whole" is a committee consisting of all Councillors;

"Consent Agenda" is a section of the Council Agenda that may include multiple reports that is approved through an Omnibus motion;

"Council" consists of a Chief Elected Official (Mayor) and six Councillors, all of which are elected by the citizens of the Town of Pincher Creek;

"Councillor" shall mean every Councillor including the Chief Elected Official;

"Closed Meeting" shall mean a Council or committee meeting or part of a meeting, which is held in private and closed to the public. It may include any person or persons invited to attend by Council;

"Council Report" means a written description of a Councillor's activities undertaken in their capacity as a Member of Council since the Councillor's last Council Report, including meetings and events attended and any relevant outcomes or decisions;

"Mayor" is the Town of Pincher Creek's Chief Elected Official;

"MGA" refers to the Municipal Government Act, being Chapter M-26, Statutes of Alberta, 2000 and amendments thereto;

"Notice of Motion" refers to the expression of a Councillor's intention to place a motion before Council at a future Council Meeting;

"Omnibus" refers to a motion that combines multiple items under one Council resolution.

"Presiding Officer" is the person who chairs a Council or committee and who shall be either the Mayor, the Deputy Mayor, a committee chairperson, or a Councillor appointed by council or that is selected by committee members as directed by the resolution establishing the committee;

"Recording Officer" is the person assigned to record the minutes of a meeting;

"Special Meeting" is a public meeting of all Councillors scheduled outside of the regular Council meeting schedule;

"Special Resolution" is one that requires majority of Councillors to vote in support of a resolution;

"Town" is the Town of Pincher Creek in the Province of Alberta.

APPLICATION

1. This bylaw shall govern the proceedings of Council and committees established by Council.

2. If a matter relating to meeting procedure is not addressed in this bylaw, Robert's Rules of Order shall be followed. In such cases the decision of the Mayor or other presiding officer shall be final and accepted without debate.

ORGANIZATIONAL MEETING

3. Council shall hold an annual Organizational Meeting pursuant to the time frame specified in Section 192 of the MGA. At every annual Organizational Meeting, Council:

a) assigns or confirms, as specified in Section 5, Councillors to Council's statutory, standing, and/or ad hoc committees and other bodies on which Council wishes to be represented,

b) determines the Deputy Mayor appointment for the period up to and including the next Organizational Meeting,

c) sets the dates and times of Regular Council meetings for the period up to and including the next Organizational Meeting, in accordance with Section 9,

d) undertakes such organizational business as may be required.

4. The first meeting following a general municipal election is a Special Organizational Meeting where in addition to Section 3:

a) the Mayor takes the Oath of Office of the Mayor,

b) every Councillor takes the Oath of Office of Councillor,

5. Committee Preferences

a) In advance of the Organizational Meetings that do not directly follow an election, the Chief Administrative Officer shall request all Members of Council to submit their preferences for membership on Standing Committees and other Council-appointed bodies.

b) The Chief Administrative Officer shall compile all preferences received into a consolidated summary and include it in the agenda package for the Organizational Meeting.

c) Council shall consider the consolidated summary of preferences in making appointments to Standing Committees and other Council-appointed bodies at the Organizational Meeting.

6. Council Seating. At the Organizational Meeting, Council shall determine the seating arrangement of Members of Council for Council meetings, to remain in effect until the next Organizational Meeting. The Mayor shall occupy the seat at the centre of the Council table. In the absence of a determination by Council, the seating arrangement shall be set by the CAO by a random draw.

COUNCIL AND COMMITTEE MEETINGS

7. All meetings of Council will be held in public except when:

a) a person is excluded for improper conduct,

b) when Council adopts a resolution to move to a closed session.

LOCATION, DATE AND TIME

8. All regular Council meetings shall be held in the Town's Council Chambers, located at 962 St. John Avenue, Pincher Creek, Alberta.

9. At each Organizational Meeting, if all Councillors are present, Council shall set the dates and times of Regular Council meetings for the period up to and including the next Organizational Meeting.

a) If a Councillor is unavoidably absent from the Organizational Meeting and the schedule cannot be set under this Section, Council shall set the schedule at the next meeting at which all Councillors are present.

b) Unless Council determines otherwise, Regular Council meetings shall generally be held on the second and fourth Mondays of each month, with the exception that in the months of July and August only one meeting will be held on the fourth Monday, and in December only one meeting will be held on the second Monday of the month. When a statutory holiday falls on a Monday, the Council meeting will be moved to the following Tuesday.

c) In advance of each Organizational Meeting, the CAO shall prepare a proposed calendar of Regular Council meetings based on the general schedule in (b), for Council's review. Council may amend the proposed calendar as it sees fit prior to its adoption.

d) The adopted calendar shall be posted publicly in accordance with Section 32 of this Bylaw.

10. Council may change the time, date or location of their respective meetings by special resolution provided that in all cases at least twenty-four (24) hours' notice of the change is given:

a) in writing to all Councillors,

b) by posting a notice of the change at the entrance of the Town Office for members of the public,

c) by posting a notice of the change on the home page of the Town's website, and in any other manner as directed by resolution of Council.

QUORUM

11. A quorum refers to a simple majority of Councillors or committee members present at a meeting.

12. Councillors may participate in Council meetings via electronic audio or visual communications under the following conditions:

a) the facilities' technology must allow all Councillors to hear the discussion involving all other participants at the meeting,

b) the remote Councillor shall be considered present and part of the quorum,

c) the recording secretary shall record the names and the electronic communications format by which the Councillor(s) participated.

13. If the Mayor or Deputy Mayor is not in attendance within twenty (20) minutes after the hour appointed for a meeting and a quorum is present, the CAO or designate shall call the meeting to order. A Presiding Officer shall be chosen by the Councillors present, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.

14. Unless a quorum is present within twenty (20) minutes after the time appointed for the meeting, the meeting will stand adjourned until,

a) the next regular meeting date, or

b) until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting.

The recording secretary shall record the names of the Councillors present at the expiration of the 20 minute time limit.

15. If a quorum is lost after the meeting is called to order, the meeting shall be suspended until quorum can be re-obtained. If quorum is not obtained within 30 minutes, the meeting shall stand adjourned.

SPECIAL MEETINGS

16. Pursuant to Section 194 of the MGA,

a) the Mayor may call a special Council meeting by giving at least 24 hours written notice to all Councillors and the public, advising them of the meeting's purpose, location, date and time.

b) the Mayor must call a special Council meeting upon receipt of a written request for the meeting, stating its purpose, from a majority of the Councillors.

c) the Mayor may call a special Council meeting on shorter notice to all Councillors without providing notice to the public, if two-thirds of Councillors agree to this in writing before the beginning of the meeting.

d) no business other than that stated in the notice calling the special meeting shall be considered at the meeting unless all Councillors are present and council agrees to deal with the matter in question.

COMMITTEE MEETINGS

17. Unless otherwise established, the time and place for Council committee meeting shall be determined by the committee Chair or as set out in bylaw or policy.

18. All Council committees shall adhere to the rules of procedure established in this bylaw unless otherwise modified by Council.

19. The Mayor is an ex-officio member of all Standing Committees and Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw. As an ex-officio member, the Mayor may participate in discussions and receive Committee materials but does not have the right to vote or be counted toward quorum, unless otherwise provided for in this Bylaw. Nothing in this section prevents Council from appointing the Mayor as a voting Member of a specific Committee, in which case the Mayor shall have all the rights and privileges of a Member for that Committee.

COUNCIL MEETING AGENDAS

STANDARD ORDER OF BUSINESS

20. The business of regular Council meetings follows a standard format set out in Appendix A.

21. Notwithstanding the standard Order of Business, the Mayor or pertinent committee chair may arrange for items dealing with a particular subject to be grouped together on the agenda of any individual meeting.

22. The standard agenda may be amended from time to time by Council resolution.

23. The Mayor shall review the agenda with the CAO prior to distribution to Councillors.

CONSENT AGENDA

24. The CAO and Mayor may determine that some matter(s) will be identified as a Consent Agenda.

25. The Consent Agenda may include:

a) Minutes;

b) report(s) with recommendation(s) to postpone Council's consideration of a matter;

c) report(s) with recommendation(s) that Council receive the Report for information with no further action;

d) reports with recommendations for routine business; and/or

e) Notice(s) of Motion that are being introduced that have been published in the Agenda.

26. Any Councillor may request that a matter be removed from the Consent Agenda. The matter shall be removed from the Consent Agenda and placed on the regular Agenda without debate.

27. Any Councillor may request that a matter be amended (typographical error) in a non-substantive manner without removal from the consent agenda.

28. Matter(s) remaining on the Consent Agenda shall be moved and voted on without debate by Omnibus Motion.

SUPPORTING DOCUMENTS

29. All documents intended to be considered by Council, other than those addressed under the Delegations Section or the Council Reports Section of this Bylaw, shall be submitted to the CAO not later than 10 days before the Council meeting at which the matter is to be considered.

30. If past the deadline, Council items may be brought forth for placement on a following meeting agenda.

DISTRIBUTION

31. By 1:00 pm on the Thursday before the regularly scheduled Council meeting, the CAO shall distribute to each Councillor:

a) the agenda,

b) the minutes of the last regular meeting and any subsequent special meetings,

c) a statement of quarterly accounts (if applicable),

d) any material pertinent to the forthcoming regular meeting including documents that support requests for decision.

32. By 1:00 pm on the Thursday before the regular Council meeting:

a) agendas for Council meetings and statutory, standing, and ad hoc committee meetings shall be posted in the Council's area on the Town's web site,

b) a news release announcing the posting of the agenda for the upcoming Council meeting shall be posted on the home page of the Town's web site,

c) a calendar shall be placed in the public area of the Town of Pincher Creek's Administration Building, located at 962 St. John Avenue.

GENERAL PROCEEDINGS AT MEETINGS

AGENDA

33. Council must vote to adopt the agenda.

34. Council may only make changes to the agenda by special resolution and these changes may only consist of adding new items or deleting items.

35. If no motion is made about a specific item on the agenda, Council need not deal with that item during the meeting.

MINUTES

36. The minutes of each meeting must be circulated to each Councillor prior to the meeting at which they are to be adopted.

37. Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate.

38. If the minutes:

a) contain errors or omissions, Council must pass a resolution to amend the minutes and adopt the minutes as amended,

b) do not contain errors or omissions, Council must adopt the minutes as circulated.

DESIRE TO SPEAK

39. Any Councillor desiring to speak shall address all remarks to the Presiding Officer and shall confine communication to the question or motion on the table.

40. Councillors wishing to speak on an agenda item during a meeting must indicate their intention by raising their hand. Any Councillor present via electronic communications, shall address the Presiding Officer by stating "I wish to speak on the matter at hand".

MOTIONS AND RESOLUTIONS

41. Every motion or resolution shall be stated clearly by the mover and when duly moved, shall be open for consideration.

42. After a resolution has been stated or read, it shall be deemed to be in possession of Council, but may be withdrawn as per Section 58 or Section 63.

43. Each Councillor should limit discussion on any motion to ten (10) minutes.

ORDER AND DECORUM

44. The Presiding Officer shall maintain order and decorum and decide questions of order, subject to an appeal to the Council.

45. The decision of the Presiding Officer shall be final unless reversed or altered by a majority vote of the members present without debate.

46. When the Presiding Officer is called upon to decide a point of order or practice, he or she shall cite the rule of authority applicable, as set out in this bylaw or otherwise referred to in Robert's Rules of Order.

47. A member called to order by the Presiding Officer shall immediately discontinue speaking and the debate shall be suspended until the point of order is decided.

REPORTS

48. An information report from a committee, agency or administrative staff that does not request Council action other than receipt as information may only be:

a) received as information without debate,

b) referred to a committee or the CAO by majority vote without debate, or

c) debated, if a special resolution is passed to allow a motion to be made without notice.

49. Reports from the CAO or other management personnel which request a decision by Council may be debated and Council may:

a) vote on the request, or

b) refer the request to a committee or the CAO for investigation and report.

50. Council Reports shall be submitted in writing to the CAO by 4:00 pm on the Wednesday preceding each Council meeting, for inclusion in the agenda package. A verbal report does not satisfy this requirement.

CLOSED SESSIONS

51. Council and committees may conduct all or a part of a meeting closed to the public:

a) only if a matter to be discussed is within one of the categories of private information referred to in Section 197 of the MGA, and, a majority of the Councillors present are of the opinion that it is in the public interest to close the meeting to the public;

b) shall state the purpose, reference to the exception from Division 2 of Part 1 of the Access to Information Act, time and those in attendance in the resolution to close the meeting to the public;

c) the rules of Council shall be observed in the closed meeting;

d) the only resolution Council have the power to make in the closed meeting is to revert back to an open meeting.

DISCIPLINARY PROCEDURES

52. Councillors shall not:

a) use offensive or unparliamentary language in the meeting or directed to Council, any Councillor or any other person;

b) disobey the rules of the meeting or decision of the Presiding Officer or of Councillors on questions of order or practice; or upon the interpretation of the rules of the meeting;

c) speak disrespectfully of the Sovereign, the Governor General, the Lieutenant Governor, of Council or of any other governing body in Canada;

d) leave their seat or make any noise or disturbance while a vote is being taken and the result is declared;

e) interrupt a Councillor while speaking, except to raise a point of order;

f) discuss a vote of Council after the vote has been taken, unless to rescind;

g) influence or direct any municipal employees;

h) direct inquiries to municipal employees other than the CAO who will be responsible for ensuring that the inquiry is responded to.

COUNCILLOR BREACHES OF ORDER

53. When a Councillor has been warned about breaches of order but continues to engage in them, the Presiding Officer may name the Councillor by stating their name and declaring the offence. The Recording Secretary must note the offence in the minutes.

54. If a Councillor who has been named apologizes and withdraws any objectionable statement, then the Councillor may remain and continue participating in the meeting and the Presiding Officer may direct that the notation of the offence be removed from the minutes.

PUBLIC BREACHES OF ORDER

55. Any members of the public are not allowed to approach or to speak to any Councillor during a Council meeting without the Presiding Officer's permission.

56. The Presiding Officer may order any member of the public who disturbs Council or committee proceedings by words or actions, to be expelled.

57. If the person refuses to leave voluntarily, the Presiding Officer may request that the Royal Canadian Mounted Police remove the person.

MOTIONS & RESOLUTIONS

MOTION BEFORE COUNCIL

58. After a motion is read or stated by the Presiding Officer, it shall be deemed to be in the possession of the Council, but may be withdrawn by the mover at any time before debate or decision.

59. A motion does not require a seconder.

60. The Mayor shall be permitted to put forward motions.

61. Any Councillor may require the motion under discussion to be read at any time during the debate, except when a Councillor is speaking.

62. The mover of a motion must be present when the vote on the motion is taken. Councillors participating via electronic audio or visual communications are deemed to be present.

63. When a motion is before Council and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no one objects, the Presiding Officer shall grant permission. If any objection is made, however, it is necessary to obtain leave by motion to withdraw and this motion cannot be debated or amended.

64. Once a motion is withdrawn, the effect is the same as if it had never been made.

65. When a motion is under debate, no new motion shall be received other than a motion to:

a) adjourn (non-debatable);

b) withdraw (non-debatable);

c) table (non-debatable);

d) call the question (non-debatable);

e) postpone to a certain time or date (debatable);

f) refer (debatable);

g) amend (debatable);

h) postpone indefinitely (debatable).

SPECIAL RESOLUTIONS

66. When Council deems that it is necessary to take an expedient action for the benefit of the municipality and that it should happen before the next regularly scheduled Council meeting, it may pass a special resolution.

67. A Councillor addresses the Presiding Officer to request that Council consider a special resolution and states what the resolution is about.

68. If a majority of Councillors in attendance vote in favor of allowing the resolution, then it can be presented to Council.

69. If Council defeats the request, then the Councillor can present the resolution under the Council agenda item that addresses notices of motion and it will be dealt with at the next regular Council meeting.

NOTICES OF MOTION

70. A notice of motion must be used to introduce a new matter for Council's consideration which does not appear on the agenda, and should be used to give notice when an extended period of time is advisable prior to considering a subject.

a) the Councillor shall read the notice of motion which must be recorded in the minutes and shall form part of the agenda for the subsequent meeting.

b) a Councillor who hands the written notice of motion to the CAO to be read at any regular meeting, need not necessarily be present during the reading of the motion.

71. A Councillor may make a motion introducing a new matter only if:

a) notice is given at the previous regular Council meeting,

b) a legible copy of the content of the notice is made available to the CAO no later than 12:00 pm on the Monday before the regular meeting, or

c) Council passes a special resolution dispensing with notice.

72. A notice of motion must give sufficient detail about the subject of the motion and any proposed action and must state the date of the meeting at which the motion will be made.

73. A notice of motion must be given without discussion of the matter but any written copies distributed may include explanatory paragraphs.

74. When notice has been given, the CAO will include the proposed motion in the agenda of the meeting for the date indicated in the notice. If a motion is not made at the meeting indicated in the notice, it will be removed from the agenda and may only be made by a new notice of motion.

SIMILARITY OF MOTIONS

75. No motion shall be made that is the same as, or similar to the previous motion made during the same meeting.

76. Any issue addressed by Council at any regular Council meeting where a resolution has been voted upon (either carried or defeated), other than a motion to postpone, shall not be allowed to be brought back to any regular meeting for further consideration until at least three (3) months following the date of the Council meeting where it was originally addressed except by means of majority vote of Council in attendance.

LACK OF QUORUM FOR A MOTION

77. If a motion cannot be voted on because there would be no quorum due to an abstention allowed or required by statute, then the matter will be dealt with as unfinished business and proceeded with at the next regular Council meeting.

78. If Council is unable to achieve a quorum due to allowable abstentions, then Council must ask the Minister of Municipal Affairs for an order under the MGA.

VOTING ON A MOTION

79. A motion, excepting a special resolution, shall be carried when a majority of Councillors at a meeting vote in favor of the motion.

80. A motion is lost when the vote is defeated or tied.

81. Where a question under consideration contains distinct propositions, the vote upon each proposition may be taken separately, at the request of any Councillor.

ABSTENTIONS FROM VOTING

82. Pursuant to Section 183 of the MGA, a Councillor must vote on a matter put to a vote at the meeting unless he or she is required or permitted to abstain from voting under this or any other enactment.

83. Councillors who have a pecuniary interest, as defined in Section 170 of the MGA, in any matter related to a question put to a vote shall, if present:

a) declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter,

b) abstain from discussions or voting on any question relating to the matter, and

c) remove themselves from the room until the matter is concluded.

84. The minutes shall indicate each abstention and its reasons including the declaration of disclosure of a pecuniary interest, and shall also indicate the times at which the Councillor left and returned to the room.

85. Notwithstanding Section 83, if a matter related to a Councillor's pecuniary interest is a question upon which the Councillor as a taxpayer, an elector or an owner, has a right to be heard by Council, it is not necessary for the Councillor to leave the room.

86. When voting on a Bylaw or resolution where a Public Hearing was held, a Councillor:

a) must abstain from voting if they were absent from **all** of the Public Hearing, and

b) may abstain from voting if they were absent from a **part** of the Public Hearing.

PUTTING A MOTION TO A VOTE

87. Once the Presiding Officer puts a question to a vote:

a) no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared,

b) every member present including the Presiding Officer, shall vote unless they are required to abstain.

VOTE VALIDITY

88. Votes on all motions must be taken according to the following procedure:

a) the Presiding Officer puts the question to a vote,

b) all Councillors present in-person, including the Mayor, must vote by a show of hands, any Councillor present via electronic audio or visual communications, shall state clearly "in favour" or "against",

c) the Presiding Officer must declare the result of the vote and state the names of any Councillor who voted against the motion.

VOTING RESULTS

89. After the Presiding Officer declares the result of a vote, the Councillors may not change their vote for any reason.

BYLAWS

PROCEDURE

90. Where a bylaw is presented to a Council meeting for enactment, the CAO shall cause the number, short title, reading number (first, second and/or third) and brief description of the bylaw to appear on the meeting agenda.

91. The following shall apply to the passage of all bylaws:

a) A bylaw shall be introduced for first reading by a motion that it be read a first time specifying the number of the bylaw.

b) Councillors may then debate the substance of the bylaw, or consider amendments to it.

c) Any proposed amendments shall be put to a vote if required. If carried, they shall be considered as having been incorporated in the bylaw at first reading.

d) When all amendments have been accepted or rejected, the Mayor shall call for a vote on the motion for first reading of the bylaw.

e) When a bylaw is subject to a statutory public hearing, a date and time shall be established for the hearing following first reading.

f) All aspects of the passage of a bylaw at first reading shall apply to second and third readings of any bylaw.

THREE READINGS

92. A bylaw shall not be given more than two readings at one meeting unless Councillors present at the meeting unanimously agree that the bylaw may be presented for third reading at the same meeting at which it received two readings.

93. A bylaw shall be passed when a majority of Councillors present vote in favor of third reading, provided that any applicable provincial statute does not require a greater majority.

ENACTMENT OF A BYLAW

94. When a bylaw has been given three readings and is signed in accordance with Section 213 of the MGA, it is considered an enactment of the Town and is effective immediately, unless the bylaw or an applicable provincial statute provides otherwise.

95. The previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive third reading within two years of first reading or is defeated on second or third reading.

96. After passage, a bylaw shall be dated, signed by the Mayor or designate, and by the CAO.

COUNCIL COMMUNICATIONS

COMMUNICATIONS TO COUNCIL

97. Any written communication intended for Council or a committee submitted to the CAO must:

a) be legible and coherent,

b) identify the name of the sender,

c) be on paper or in an electronic format,

d) not be libelous, impertinent, or improper.

98. Upon receipt of a written communication addressed to Council that meets the requirements of Section 97, the CAO shall exercise their discretion in determining the appropriate disposition of the communication, which may include placing the communication on the agenda for a response from Council, responding directly to the sender, referring it to the Mayor for a response, or any other action the CAO considers appropriate in the circumstances. In every case, the CAO shall ensure that Council is notified of the communication and the action taken. The CAO shall make reasonable efforts to advise the sender of any action taken on the communication.

99. If the requirements of Section 97 are not met, the communication may be filed unless the CAO determines it to be libelous, impertinent, or improper, in which case the CAO summarizes the communication and informs Council that it is being withheld.

100. Council may direct the communication being withheld to be forwarded to Council.

RESPONSES FROM COUNCIL

101. The Mayor shall provide a response to the sender and include all Councillors on behalf of Council when communications are sent directly to Council or are referred to the Mayor.

102. The Mayor may also forward the response from Section 101 to the CAO for further action as per Section 98.

103. At their discretion a Councillor who receives a communication that has not been directed to all of Council, may refer the communication to the Mayor or the CAO for a response as per this Bylaw. When using their discretion, a Councillor should consider the intent of the sender, the privacy of the sender and transparency of information as per the relevant sections of this Bylaw and the MGA.

COUNCILLOR REQUEST FOR INFORMATION

104. Councillors may request information from the CAO on any matter within the municipality's jurisdiction.

105. When a Councillor requests information, the CAO or designate, will provide the information as soon as is practicable to the Councillor and to all other Councillors within 72 hours of it being provided to the Councillor.

106. The CAO may provide the information requested in Section 104 by electronic means or at a Council Meeting.

DELEGATIONS AND PUBLIC HEARINGS

DELEGATIONS

107. A person or representative of any group of persons who wishes to have any matter considered by Council shall submit a written request, in a format prescribed by the CAO, outlining the points they wish to bring to Council's attention.

a) A request under this section shall be submitted not later than 10 calendar days before the Council meeting at which the matter is to be considered.

b) A delegation intending to use visual aids, including slide shows, presentations, or similar materials, must provide a copy to the CAO by the deadline in (a), for review and inclusion in the agenda package.

c) Any request of Council that requires action or a response — including, but not limited to, a request for financial assistance, funding, or a letter of support — must be provided to the CAO in writing by the deadline in (a). This written request is separate from, and need not be identical to, the communication described in (a).

d) No person or group shall appear as a delegation to Council on the same or on a related subject until three months has passed since the date of the first presentation, unless waived by Special Resolution of Council.

e) When a delegation presents a matter to Council as per (c), Council may receive as information without debate, refer the matter to any appropriate committee, defer the matter to another meeting of Council, appoint a special committee to deal with the matter, or deal with the matter itself at the

meeting. If Council elects to deal with the matter at the meeting and it is not included as a separate item on the agenda, a Special Resolution of Council is required.

f) A delegation request does not guarantee an appearance at the next scheduled Council meeting, whether or not it was submitted by the deadline in (a). The Town will make reasonable efforts to accommodate requests in a timely manner; however, due to the volume of requests received and the number of items requiring Council's consideration, the Town reserves the right to schedule a delegation's appearance for a future meeting.

108. Delegations appearing before Council may be addressed by any Councillor through the Presiding Officer, by asking the delegation or the CAO relevant questions but may not debate the matter or the answers.

109. The presentations by a person or a delegation must be limited to 20 minutes unless a special resolution extends allotted time.

PUBLIC HEARINGS

110. The conduct of any statutory public hearing to address a proposed bylaw or Council resolution shall be governed by this bylaw.

111. Public hearings shall be held on the same day as a regular Council meeting and will begin immediately following the meeting's Call to Order, unless otherwise set by Council resolution. Council's regular meeting will follow immediately after the public hearing.

112. Wherever possible, persons interested in speaking at a public hearing should register with the CAO prior to the public hearing.

113. The Presiding Officer shall declare the public hearing in session and shall outline public hearing procedures.

114. The CAO or their designate shall introduce the resolution or bylaw and shall briefly state the intended purpose. Department presentations shall follow the introduction of the bylaw or resolution.

115. The Presiding Officer shall request that those who wish to make presentations identify themselves. The Presiding Officer shall then open the floor to public presentations.

116. The Presiding Officer shall call upon those persons who have registered with the CAO to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. Persons who do not identify themselves will not be given the opportunity to speak.

117. Presentations by the public may be made verbally and/or in written format. Written submissions shall be collected by the CAO and retained for information purposes.

118. Each verbal presentation shall be limited to ten (10) minutes unless there is a majority vote of Council to extend the allotted time.

119. Following public presentations, the Presiding Officer shall close the public hearing.

120. If no one is present to speak to a proposed bylaw or resolution which requires a public hearing, Council may hear an introduction of the matter from the CAO or their designate, ask relevant questions, and then must close the public hearing.

121. After the close of the public hearing, Council may debate matters raised at the public hearing during the regular Council meeting following the public hearing, and may:

a) pass the bylaw or resolution, or

b) make any necessary amendments to the bylaw or resolution and pass it without further advertisement or hearing.

122. When a public hearing on a proposed bylaw or resolution is held, a Councillor must abstain from voting on the bylaw or resolution as per Section 86.

APPEAL OF PRESIDING OFFICER'S RULING

123. The decision of the Presiding Officer shall be final, subject to an immediate appeal by a Councillor present at the meeting.

124. If a decision is appealed, the Presiding Officer shall give concise reasons for the ruling and the Councillors, without debate, shall decide the question.

125. The ruling of the Councillors shall be final.

RECORD OF PROCEEDINGS

126. The CAO is responsible for the record of Council and committee proceedings but may delegate any duties to a Recording Officer.

127. The record of proceedings shall include:

a) all decisions and other proceedings without note or comment,

b) the names of Councillors present at and absent from each meeting,

c) the names of Councillors that voted against a motion,

d) any abstention pursuant to a declaration of pecuniary interest made by any Councillor in accordance with Section 170 of the MGA and/or any other abstention permitted by statute,

e) the signatures of the Presiding Officer and the Chief Administrative Officer.

128. Meetings, except for closed sessions, may be digitally recorded by means of an audio-visual recording for record keeping purposes.

129. Digital recordings of meetings will be deleted thirty (30) days after the minutes have been approved by council.

130. Requests for the correction of inaccuracies or omissions in draft minutes should be submitted to the CAO as soon as possible after draft minutes are circulated.

131. Questions about inaccuracies and omissions in meeting minutes will be reviewed by the CAO against the audio-visual recording made of the meeting.

132. The CAO will determine if any corrections are required and recirculate the minutes.

ENACTMENT

133. Bylaw No. 1596-24 and amendments thereto is hereby repealed in its entirety.

134. Bylaw No. 1596-26 shall take force and effect on the day of its final reading and upon being signed.

READ A FIRST TIME THIS 14TH DAY OF SEPTEMBER 2026

READ A SECOND TIME THIS 28TH DAY OF SEPTEMBER 2026

READ A THIRD TIME THIS 28TH DAY OF SEPTEMBER 2026

Mayor Wayne Oliver

CAO, Konrad Dunbar

APPENDIX A

STANDARD COUNCIL MEETING AGENDA

1. Call to Order
2. Agenda Approval
3. Public Hearings
4. Delegations
5. Consent Agenda
6. Business Arising from the Minutes
7. Bylaws
8. New Business
9. Reports
    - Council
        - Councillor 1
        - Councillor 2
        - Etc.
    - Administration
        - CAO
        - Financial
        - Others
10. Correspondence
    - Requests
    - Information
11. Notice of Motion
12. Closed Meeting
13. Adjournment