

VILLAGE OF CARMANGAY
The Procedure (and Committees) Bylaw
Bylaw No. 780

An amendment of Bylaw 764 of the Village of Carmangay to Regulate the Procedure and Conduct of Council, Delegates and the Public at Council Meetings and Council Committee Meetings.

(**WHEREAS**) GIVEN THAT Council of the Village of Carmangay considers it expedient and desirable for effective governance to regulate the procedure and conduct of council, councillors and others attending council and council committee meetings in the Village of Carmangay;

BEING A BYLAW TO DEAL WITH PROCEDURE AND THE TRANSACTION OF BUSINESS BY THE COUNCIL OF THE VILLAGE OF CARMANGAY IN THE PROVINCE OF ALBERTA.

Pursuant to the Municipal Government Act, RSA 2000, Chapter M-26, as amended the Council of the Village of Carmangay considers it expedient to pass this bylaw to be known and referred to as the Procedure Bylaw.

(**NOW THEREFORE**) the Council of the Village of Carmangay enacts as follows:

Citation

1. This bylaw may be cited as “The Procedure Bylaw” (and Committees).

Definitions

2. In this bylaw
 - (a) “Agenda” means order of business or program of a business meeting;
 - (b) “CAO” means the Chief Administrative Officer or his/her delegate, for the Municipality;
 - (c) “CEO” means the Mayor;
 - (d) “Committee” means a committee of council that is a standing committee, special committee, or a council committee;
 - (e) “Delegation” means any person that has the permission of council to appear before council or a committee of council to provide pertinent information and views about the subject before council or council committee;
 - (f) “Emergent items” shall be considered as those items of an emergency nature that cannot be left until the next meeting or require immediate attention. When the nature of an emergent item is in question, it’s acceptance for the agenda shall be determined by a majority vote of council;
 - (g) “Ex-officio” by right of office, a member to all boards and committees in the absence of the appointed or alternate member;

- (h) “Lay on the table” means a pending question is set aside temporarily when something more urgent has arisen;
- (i) “Member” means a councillor or person at large appointed by council to a committee of council;
- (j) “Meetings” means meetings of council and council committees

“Special resolution” means a resolution passed by a two-thirds majority of all members;

- (k) “Table” means a motion to defer or delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter (or may mean to table to a time certain);
- (l) “Vote by raising hand” means each member present shall indicate a vote by raising his/her hand when the question is called by the chairman for either “those in favor” or “those opposed”;
- (m) “Withdraw a motion” permits a member to remove a question from consideration even after the motion has been restated by the chair.

Applicable

- 3. This bylaw applies to all members attending meetings of council and committees established by council of the Village of Carmangay.

Severability

- 4. 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.

Meetings

5. The regular meetings of council shall be established by a resolution of council at a council meeting at which all the councillors are present;
6. Special meetings of council shall be established as required by council according to the provisions of the Municipal Government Act and the public shall be given notice.
7. The meetings of council committees shall be established by resolution of each committee and the public must be given notice as required by the provisions of the Municipal Government Act.
8. Regular meetings of council shall begin at 6:00 p.m on the third Tuesday of every month and are located as designated by the Council.
9. If a quorum is not present within fifteen (15) minutes after the time fixed for the meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
10. Regular meetings shall adjourn by 10:00 p.m., unless council passes a motion to extend the meeting by a two-thirds vote.

Conduct of Meetings

11. Each member or delegate, as the case may be, shall address the chair but shall not speak until recognized by the chair.
12. The presiding officer, with the approval by resolution of the members, may authorize a person in the public gallery to address members only on the topic being discussed at that time and within the time limits specified by the presiding officer.
13. A resolution does not require a seconder.
14. A resolution may be withdrawn at any time before voting subject to no objection from any member, as the case may be.
15. The following resolutions are not debatable by members:
 - a) adjournment
 - b) to take a recess
 - c) question of privilege
 - d) point of order
 - e) to limit debate on a matter before members
 - f) postpone/table the matter to a certain time

16. 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 presiding chair so directs.
17. Whenever the presiding officer is of the opinion that a motion is contrary to the rules and privileges of council, he shall inform the member thereof immediately, before putting the question, and shall cite his reasons applicable to the case without argument or comment.
18. 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.

Delegations

21. A person or a representative of any delegation or group of persons who wish to bring any matter to the attention of council, or who wish to have any matter considered by council shall address a letter or other written communication to the CAO and Council outlining the subject to be discussed. The letter shall be signed by the correct name of the writer; the address of the writer, and delivered or mailed to the CAO. The letter must arrive by at least at 1:00 p.m. on a business day at least five (5) days immediately preceding the meeting at which it is to be presented. If the person wishes to appear before council on the matter it shall be stated in the letter.
22. Delegates shall be granted a maximum of ten (10) minutes to present the matter outlined in the letter. The chairman may, with consent of the majority of the members present, extend the time.
23. Decisions on delegation issues will not be made at the same meeting but rather at the next Regular council meeting.

Disturbance or Inappropriate Behavior by the Public

24. Behavior of the public, during the proceedings of Council shall be as follows:
 - a) No person, other than the Chief Administrative Officer or his/her designate or other party identified shall record the proceedings of Council by way of either an audio or video recording.
 - b) Electronic and cellular devices shall be set on silent and no person shall talk on a cellular phone while in attendance at a Council meeting.
 - c) Shall not address Council without permission of the Chair.
 - d) Shall maintain order and quiet.
 - e) Shall not applaud or otherwise interrupt any speech or action of the Members or any other person addressing Council.

f) When granted permission to address Council shall not use offensive words or speak disrespectfully of Council, any Member or Administration.

g) The Chair may, at any meeting, expel and exclude any person who creates any disturbance or acts improperly. A person who refused to leave is guilty of an offense and the Chair may order a Peace Officer to remove the person and charge them under this Bylaw.

Order of Business

The order of business at a meeting is the order of the items on the agenda except:

- a) When the same subject matter appears in more than one place on the agenda and council decides, by motion, to deal with all items related to the matter at the same time,
- b) Council decides not to deal with an item on the agenda and no motion is made about it.

Agenda and Order of Business

- 25 Prior to each meeting, the CAO shall prepare a statement of the order of business to be known as the “Agenda” of all matters to be brought before council. To enable the CAO to do so, all documents and notice of delegations intended to be submitted to the council shall be received by the CAO not later than 1:00 p.m. on a business day at least five (5) days before the meeting and all agenda items, supporting documents and information from Councillors shall be received by the CAO not later than 1:00 p.m. on the preceding Thursday at least five (5) days before the meeting.
- 26 The CAO shall place at the disposal of each member, a copy of the agenda and all supporting materials not later than 2:30 pm on the Friday preceding the regular council meeting.
- 27 Where the deadlines in section 23 are not met, the agenda and support materials shall be deemed to be acceptable when the agenda is adopted at the meeting with unanimous council approval.

- 28 The business intended to be dealt with shall be stated in the agenda in the following order where applicable:
1. Call to Order
 2. Guests/Delegation
 3. Approval of agenda
 4. Approval of minutes Regular Council Meeting
 5. Approval of minutes Committee of the Whole
 6. Business Arising from the Minutes
 7. Public Works Report
 8. Administrator Report
 9. Financial Reports
 10. New Business
 11. Reports
 12. Correspondence
 13. Executive Session
 14. Adjournment
- 29 The order of business established in section 28 shall apply unless altered by the presiding officer with a majority vote of the members present, and the vote upon a matter of priority of business shall be decided without debate.
- 30 Standing Committees of Council shall be established and governed by policy or bylaw approved by council. Where appropriate authority is delegated to a Standing Committee, such committee and its mandate shall be established by bylaw.

READ A FIRST TIME this 24th day of January , 2018

READ A SECOND TIME this 24th day of January, 2018.

READ A THIRD TIME and PASSED UNANIMOUSLY this 24th day of 2018

SIGNED by the Mayor and Chief Administrative Officer this 24th day of January 2018

Mayor

Chief Administrative Officer