

BYLAW # 05/17

Being a Bylaw of the Village of Bittern Lake in the Province of Alberta to regulate the proceedings of the Council in the Village of Bittern Lake and of the Committees thereof, and to define certain duties of council, and the Committees and certain officers of the Village.

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF BITTERN LAKE IN THE PROVINCE DULY ASSEMBLED ENACTS:

ENACTMENT:

1. This bylaw may be cited as the Village of Bittern Lake Procedural Bylaw.
2. From the date of passing of this bylaw, the following rules and regulations shall be observed for the order and dispatch of business in council and in all committees thereof. Any rules or regulations existing and inconsistent with this bylaw are hereby repealed.

SECTION 1: PURPOSE

- i) Is to more clearly acquaint members of council and Administration of the Village of Bittern Lake with the Guidelines and Procedures for the conduct of Council meetings.
- ii) The information provided and Guidelines presented have been obtained from the Municipal Government Act and/or is standard meeting procedure.
- iii) For the purpose of this policy, the title "Chairperson" may be interpreted as "Mayor", "Deputy Mayor", or Councilors selected to chair a meeting.

SECTION 2: MEETINGS OF COUNCIL

1. The Organizational Meeting of Council of the Village of Bittern Lake shall be held annually, as required in the Municipal Government Act, Statutes of Alberta, Chapter M-26.1, with amendments Thereto. The Organizational Meeting shall be held at a time and place fixed by the Municipal Administrator who shall give written notice of the day, time, and place of the meeting to each member of council in the manner prescribed under the Municipal Government Act.

In Addition:

- i) Council shall, at its first meeting following the date of the General Election, and annually thereafter, elect from their own: a Mayor, the appointment shall be for a one year period.
 - ii) Council shall, at its first meeting following the date of the General Election, and annually thereafter, shall elect one of its members as Deputy Mayor between the remaining councilors. The appointment shall be for a one year period.
2. After Election, each councilor shall make and subscribe to the official Oath of Council prescribed by the Oaths of Office Act before entering upon their respective duties. Each official copy of the Oath shall be deposited with the Municipal Administrator and kept on file with the meeting minutes.

3. After the Election in an Organizational Meeting the councilor selected as Mayor shall make and subscribe to an additional official Oath of Mayor prescribed by the Oaths of Office Act before entering upon their respective duties. The Official copy of the Oath shall be deposited with the Municipal Administrator and kept on file with the meeting minutes.
4. In an Organizational Meeting, Council shall establish the day, hour and place of the Regular Meetings by Resolution M.G.A. Section 193 (1).
5. Council may change the day, hour and place of any Regular Meeting of Council by Resolution, providing that notice of 24 hours is provided to each member of council and to the public.
6. Council shall hold its meetings openly and no person shall be excluded there from except for improper conduct. The Chairperson may cause to be expelled and/or excluded any person who has demonstrated improper conduct at the meeting.
7. Where a majority of members of Council present is of the opinion that it is in the public interest to discuss matters in private and confidentially, Council shall move by resolution, to a Committee of the Whole. (the Committee of the Whole shall mean members of Council present at a meeting of Council sitting in a committee) as well;
 - i) All sessions of a Committee of the Whole shall be in Camera.
 - ii) While in Camera, a Committee of the Whole may choose to have a selected person or persons join for this private and confidential discussion.
 - iii) A Committee of the Whole has no power to pass any Bylaw (s) or Resolution (s), apart from the Resolution necessary to revert back to an open meeting.
8. The Municipal Administrator shall record the time of arrival and departure of council members at any meeting, should a councilor arrive after the commencement of the meeting or depart prior to the adjournment of the meeting.
9. Council shall require that votes of all councilors be recorded and:
 - i) Where the vote on a Bylaw or Resolution is unanimous, the minutes shall record that the matter was either carried unanimously or defeated unanimously; or
 - ii) Where the vote on a bylaw or resolution is not unanimous, the minutes shall record the vote of each councilor, either yea or nay, and whether the matter was either carried or defeated.
10. Any Bylaw or Resolution upon which there is an equality of votes shall be deemed to be deemed to be defeated.
11. Delegations concerning any matter pertaining to welfare or development for the Village are encouraged. Any person or persons wishing to address council may do so at any Regular Meeting of Council, given the following conditions are met:
 - i) Advance notification of 7 calendar days is provided to the Municipal Administrator in letter form to ensure that the delegation can appropriately be placed on the agenda in a timely fashion; and
 - ii) Council approved the delegation while reviewing the agenda.

12. Any delegation Requested by Council shall be placed on the Agenda of any meeting of Council.

SECTION 3: GENERAL RULES OF COUNCIL

1. As soon after the hour of meeting as there is a quorum present, the Chairperson shall call Councilors to order.
2. To ensure that order is maintained during a meeting, all conversation, questions and comments shall be directed through the chairperson. It shall be the responsibility of the chairperson to ensure that all members shall have an opportunity to speak and be heard.
3. Regular Meetings of Council shall be held on the second (2) **Thursday** of each month, except where a regular meeting falls on a Statutory or declared holiday the Regular Meeting of Council can be changed by Resolution to a date of Council preference.
4. Regular Meetings of council shall commence at 7:00 pm and adjourn by 10:00 pm should the business of the Agenda not be completed by 10:00 pm the chairman shall rise on a point of order and present a non debatable Resolution requesting that the meeting continue until the business is completed:
 - i) If the Motion or Resolution is passed, the Chairperson or the meeting may amend the Agenda to ensure that only required business is completed and other matters are postponed until a later meeting.
 - ii) If the Motion or Resolution is not passed, the Chairperson of the meeting shall immediately schedule another meeting to address the uncompleted business. Upon decision, the Chairperson shall call for adjournment.
5. A written agenda will be drawn up for each Regular Meeting of Council and copies presented to council for acceptance.

As Well:
6. All matters added to or deleted from the Agenda will be permitted prior to acceptance.
7. Matters that have been placed on the Agenda at any meeting, that do not receive full discussion and/or resolution of some nature, will be deemed to be part of the Agenda on the next duly recognized meeting of council.
8. Unless noted on the written agenda and approved at the time of acceptance, any matter shall be afforded a maximum of 15 minutes discussion. Should discussion upon the matter exceed the allotted time, the chairperson of the meeting shall rise on a point of order and present a non debatable resolution requesting that council agree by resolution to provide more discussion time of the matter. If the resolution is not approved, the matter will be deemed to be part of the agenda of the next duly recognized meeting of council.
9. Prior to the Meeting, Councilors may add items to the Agenda by:
 - i) Requesting that the Municipal Administrator add the item, either (Formally) in writing or (informally) in person; or by
 - ii) Council requesting that an item be added to a subsequent agenda.
10. If there is no Quorum present within thirty (30) Minutes after the time appointed for the Meeting of Council, the Municipal Administrator shall for the purpose of record and remuneration, record the names of the councilors present and Council shall stand

adjourned until the next regular meeting or until a special meeting be called in the meantime.

11. Any Special Meeting called, wherein there is no quorum present, can proceed as a Committee of the Whole and any decision reached may be reviewed and ratified at a later council meeting that holds a quorum.

SECTION 4: ORDER OF BUSINESS

1. Unless otherwise specified, the order of Business for any meeting of council shall be contained in the agenda for the meeting. The Agenda shall be prepared by the Municipal Administrator.
2. The order of business in the Agenda of any Regular Meeting of Council shall be as follows:
 - A. CALL TO ORDER
 - B. AMENDMENTS AND ACCEPTANCE OF AGENDA
 - C. CONFIRMATION OF PREVIOUS MINUTES
 - D. GUESTS/DELEGATIONS
 - E. UNFINISHED BUSINESS
 - F. NEW BUSINESS
 - G. CAO REPORT
 - H. FINANCIALS
 - I. ADJOURNMENT
 - J. NEXT MEETING DATE
3. The order of business established above will apply at all Regular Meetings of the Council and may apply at any other meeting of Council.
4. When a person or group wishes to present council with a petition on any matter within its jurisdiction, the petition must conform to the requirements as detailed in the Municipal Government Act, Sections 219 to 226 inclusive.

PARTS 5: MOTIONS, QUESTIONS AND RESOLUTIONS

1. A motion or resolution proposed or considerations by council will not require a seconded.
2. Any member of council can present a motion for consideration, including the Chair.
3. For recording purposes, every motion or resolution will be recorded as follows:
 - i) Assigned a number, representing the number of motion or resolution for the year, a hyphen, and the year (i.e.: # 123/10);
 - ii) With the name of the person also making the motion or resolution;
 - iii) The motion or resolution in its entirety; and
 - iv) The result of the vote (see section 2 (9) of this bylaw.
4. After a motion or resolution is made, it shall be deemed to be in the possession of council, but may be withdrawn at any time before debate or decision with the permission of council.
5. A motion or resolution to refer, until it is decided, shall preclude all amendments to the main question.

6. When a motion or resolution has been made and is being considered by council, no other motion or resolution may be made or accepted; except
 - i) A motion or resolution to refer to the main question to some other person, group or committee for further consideration.
 - ii) A motion or resolution to amend the main question.
 - iii) A motion or resolution to table the main question (note: table means to temporarily set aside a motion or resolution to immediately address a matter of greater importance. When the matter of greater importance has been addressed, the tabled motion or resolution must be returned to.)
 - iv) A motion or resolution to postpone the main question to some future time or meeting, indefinitely or definitely.
7. Where a motion or resolution under consideration contains distinct propositions, a vote upon each proposition shall be taken separately when any councilor so requests or when the chairperson so directs.
8. After any motion or resolution is finally put by the chairperson, no one shall speak to the motion or resolution nor shall any other motion or resolution be made until after the result of the votes has been declared. The decision of the Chairperson, as to whether the question has been finally put, shall be conclusive.
9. Whenever the Chairperson is of the opinion that a motion or resolution is contrary to the rules and privileges of council, the Chairperson shall appraise the councillorship thereof immediately, before putting the motion or resolution, and shall cite the rule or authority applicable to the case without argument or comment.
10. When a vote is called, councilors shall take their places and shall remain in their places until the chairperson has declared the result of the motion or resolution.
11. Matters of dispute over parliamentary practices shall be resolved by using Roberts Rules of Order, newly revised.

SECTION 6: READING OF DRAFT BYLAWS AND PROCEEDINGS THEREON

1. Every bylaw shall have three distinct and separate readings before it is finally passed, but not more than two readings of a bylaw shall be had at any one meeting unless all councilors present unanimously agree to give the bylaw three readings. M.G.A. Section 187.
2. When a proposed bylaw is read in council, the Municipal Administrator shall certify the reading, the date of the reading, and the number of the bylaw. When the bylaw has been read the third and final time it shall be signed by the Mayor, or Deputy Mayor and the Municipal Administrator. The Municipal Administrator shall affix the seal of the Village and keep on file correct copies thereof including amendments, if any.

SECTION 7: COMMITTEES OF COUNCIL

1. All standing and special committees shall be appointed by council.
2. Committees of council shall meet at the call of the Chairperson of the Committee. Any department heads, or their assistants, may be a member of a committee, but in a nonvoting and advisory capacity only.
3. The General Duties of all the committees of council shall be as follows:
 - i) To report to council, whenever desired by council and as often as the interest of the Village may require, on all matters connected with the Duties imposed

- ii) upon each such committee and to recommend such action or direction by the council as it deems necessary within its terms of reference. To observe, unless otherwise specifically permitted, the rules prescribed by the bylaws of council.
- iii) The reports of all committees shall, at the discretion of the Chairperson of the committee, be made to council prior to the same being given to the public.

SECTION 8: DUTIES OF THE MAYOR

1. The Mayor is the Chief Elected Official (CEO) with duties as defined in the M.G.A. Section 154.
2. The Mayor shall be recognized as an "Ex Officio" member of all committees to which council has a right to appoint members pursuant to the Municipal Government Act. When in attendance, the Mayor possesses all the rights, privileges, powers and duties of other members, whether elected or appointed.
3. The Mayor shall be responsible to sign all debentures and all documents attached thereto.
4. The Mayor shall be responsible to represent the Municipality in matters of ceremony, mediation and negotiation. Where the Mayor is unable to attend to a specific duty or commitment, due to conflict of time commitment, council may approve a temporary reassignment of that duty or commitment to the Deputy Mayor or Councilor.

SECTION 9: COUNCIL CHAMBERS

1. While in session, council shall maintain a Spirit of Dignity befitting the office of lawmakers.
2. Council Chambers shall be a non smoking area at all times.

SECTION 10: PECUNIARY INTEREST & DISQUALIFICATION OF COUNCILORS

Village of Bittern Lake Mayor and Council shall make themselves aware and conduct themselves accordingly in regards to the strict guidelines governing pecuniary interest and disqualification of councilors as outlined in the Municipal Government Act.

Bylaw #06/16 is hereby rescinded.

THIS BYLAW SHALL COME INTO EFFECT ON THE DATE OF ITS FINAL PASSING.

READ A FIRST TIME THIS _____ DAY OF _____, 2017.

READ A SECOND TIME THIS _____ DAY OF _____, 2017.

READ A THIRD TIME AND FINALLY PASSED UNANIMOUSLY THIS _____ DAY OF _____, 2017.

MAYOR, Earl Debnam

CAO, Jill Tinson