

VILLAGE OF DONALDA

BYLAW #660

A BY-LAW OF THE VILLAGE OF DONALDA IN THE PROVINCE OF ALBERTA,
TO ESTABLISH A COUNCIL PROCEDURAL BYLAW

WHEREAS the Village of Donalda wishes to establish a Council Procedural Bylaw that sets rules and regulations governing the order and conduct of all Council meetings;

AND WHEREAS, by virtue of the power conferred upon it by the *Municipal Government Act*, the Council of the Village of Donalda, duly assembled, enacts as follows:

PART 1

SHORT TITLE

1. This by-law shall be known and may be cited as the “**Council Procedural Bylaw**” of the Village of Donalda.

PART 2

COUNCIL PROCEDURES

2. Application of the Municipal Government Act

- 2.1. The appropriate sections of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended apply to the conduct of all meetings and, where applicable, to the appointment of committee and board members.

3. Boards & Committees

Membership on the following Standing Council committees and regularly appointed boards is to be determined by election at the annual Organizational Meeting of the Village of Donalda Council. In all cases a representative and an alternate representative shall be elected and appointed.

3.1. Legislatively Established Boards and Committees

- 3.1.1. Village of Donalda Assessment Review Board
- 3.1.2. Village of Donalda Subdivision and Development Appeal Board

3.2. Other Committees and Organizations

- 3.2.1. Bashaw Regional Partnership Committee
- 3.2.2. Boomtown Trail/Highway 21 Initiatives Society
- 3.2.3. Central Alberta Economic Partnership
- 3.2.4. Council liaison to Donalda Volunteer Fire Department
- 3.2.5. County of Stettler Housing Authority
- 3.2.6. County of Stettler Regional Recreation Board
- 3.2.7. Donalda & District Agricultural Society
- 3.2.8. Donalda & District Museum Society
- 3.2.9. Donalda FCSS Board
- 3.2.10. Donalda Infrastructure Committee
- 3.2.11. Donalda Municipal Library Board
- 3.2.12. East Central Alberta Heritage Society
- 3.2.13. Joint Town and County Regional Fire Commission
- 3.2.14. Parkland Regional Library Board
- 3.2.15. Shirley McClellan Regional Water Services Commission



- 3.2.16. Stettler Regional Waste Management Authority
- 3.2.17. Stettler & District Ambulance Authority
- 3.2.18. Stettler Regional Shared Services Steering Committee

3.3. Other Appointments

- 3.3.1. Donalda Volunteer Fire Department Fire Chief
- 3.3.2. Village of Donalda Disaster Services Director

A Standing or Special Committee may be appointed at any time by Council, or by the Mayor acting upon the instructions of Council, providing that a motion has been adopted specifying the matter to be dealt with by the Committee.

It shall be the duty of the Chairperson each Standing or Special Committee, or in the case of their illness or absence from the Village of Donalda, it shall be the duty of the Chief Administrative Officer, to summon a Special Meeting of any such committee whenever requested, in writing, to do so by a majority of members of any such Committee.

4. Appointment & Organization of Committees

All Standing or Special Committees shall be established on a motion of Council, approved by a majority of the members present at a meeting of Council, and any member of Council may be placed on a Committee notwithstanding the absence of any such member at the time of his being named upon such Committee. The Mayor may, by Council resolution, be appointed as an *ex officio* member of any Committee and shall have all the powers and privileges of any member of the same, including the right to vote upon all questions to be dealt with by such committee.

5. General Duties of Committees, Boards and Commissions

The general duties of all Committees, Boards and Commissions shall be as follows:

- 5.1. to report to Council on a regular basis, or whenever desired so by Council or as often as the interests of the Village of Donalda may require on all matters connected with the duties imposed on them respectively and to recommend such action by Council in relation thereto as may be deemed necessary.
- 5.2. To consider and report on any and all matters referred to them by the Council, the Mayor or the Chief Administrative Officer.

6. Limitation of Powers of Committees, Boards or Commissions

- 6.1. No action of any Committee, Board or Commission, unless power to take such action is expressly conferred on the Committee, Board or Commission, shall be binding on the Village of Donalda unless and until the same has been reported to Council by such Committee, Board or Commission and such action has been adopted by Council.

7. Limitation of Action by Members

- 7.1. No member of Council shall have the power to direct or interfere with the performance of any work for the Village of Donalda and any employee shall be subject only to their Supervisor. Nothing in the foregoing shall in any way interfere or restrict the right of a Member of Council to seek minor information from any officer or employee of the Village of Donalda.

8. Agenda for Council Meetings

- 8.1. The agenda for each regular meeting of Council shall be prepared by the Chief Administrative Officer and submitted together with copies of all pertinent correspondence, statements and reports to each member of Council at least three full days prior to each regular meeting.

- 8.2. Any member of Council, Village of Donaldda official, or any other person wishing to have an item of business placed on the Agenda, shall inform the Chief Administrative Officer of the details of the item no later than 5 p.m. on the Friday preceding a Regular Meeting of Village Council. All submissions of items shall contain adequate information to the satisfaction of the Chief Administrative Officer to enable Council to deal with the item and the Chief Administrative Officer may require some or all of the information to be in writing.
- 8.3. Emergent items for inclusion in a Regular Meeting that are received after the deadline referred to in 8.2 above may be dealt with by Council at a Regular Meeting only if the Council agrees unanimously to hear such items. Any Council Member or the Chief Administrative Officer shall be given an opportunity to state why an item shall receive consideration on the agenda because of its emergent nature before a motion to add the item to the agenda is put to a vote of Council.
- 8.4. If a Council Member or administrative staff arrives late, leaves before the meeting is adjourned or is temporarily absent from the meeting, it shall be so recorded in the minutes.

9. General Rules of Council

- 9.1. Council shall, at its Organizational Meeting each year, establish the days and times of its regular meetings. Regular Council Meetings shall be held on the second Thursday of each month unless changed by a motion of Council.
- 9.2. Council may also, at any Regular Meeting, entertain a motion to change the date and time of Regular Meetings in general or of a specific scheduled Regular Meeting and such motion shall only be carried by a unanimous vote of Council.
- 9.3. Regular meetings of Council shall commence at the hour of 10:00 a.m. and shall adjourn no later than 4:30 p.m., if in session at that hour, unless members of Council present vote unanimously to agree to an extension of time for the meeting.
- 9.4. The Chief Administrative Officer will prepare a Public Notice for each meeting of Council which is not a Regular Meeting, which notice shall contain:
 - 9.4.1. The date, time and place of the meeting;
 - 9.4.2. A general description of the purpose of the meeting;
 - 9.4.3. Where to direct inquiries regarding the meeting; and
 - 9.4.4. The date of posting of the Public Notice
- 9.5. The Chief Administrative Officer shall only be required to prepare a Public Notice for a Special Meeting of Council where notice of such meeting is provided to the Chief Administrative Officer by Council at least two full days prior to the meeting and such Public Notice shall contain all the information referred to in 7.4.1 through 7.4.4 above.
- 9.6. As soon after the hour of the meeting as there shall be a quorum present, the Mayor or other presiding officer shall take the Chair and call the meeting to order.
- 9.7. After the meeting is called to order the first order of business shall be Agenda Additions and Approval and Approval of the minutes of any previous meetings that remain unapproved.
- 9.8. If there is no quorum present within half an hour after the time appointed for commencement of the meeting, the Chief Administrative Officer shall record the names of the members of Council who are present and the meeting shall be absolutely adjourned until the next Regular Meeting, unless a Special Meeting is duly called in the meantime. Notice of adjournment should be posted on the front door of the Village Complex.
- 9.9. The Chief Administrative Officer or a person duly appointed by the Chief Administrative Officer to record the minutes of a Meeting shall record in the minutes each time a Member of Council excuses himself or herself by reason of pecuniary interest.



- 9.10. Voting on all matters shall be done by raising of the hand in such a clear manner that the Mayor or other presiding officer may easily count them.
- 9.11. In the case of a recorded vote, the vote shall be recorded in the minutes by name. A request for a recorded vote must be made prior to the Call of the Question.
- 9.12. Whenever a vote on any Order, Resolution or Question before Council cannot be taken because of loss of a quorum, then the Order, Resolution or Question shall be the first business to be proceeded with and disposed of at the next meeting of such Committee or Council under the particular order of business. If a quorum is lost for any reason, the Meeting is at an end.
- 9.13. The Mayor or other presiding officer shall preserve order and decorum and shall decide questions of order subject to an appeal to Council by resolution and the decision of the Mayor shall be final unless reversed or altered by a majority vote of the Council Members present on a motion without debate.
- 9.14. Every Council Member wishing to speak shall address herself or himself to the Mayor or other presiding officer.
- 9.15. During the reading of minutes, reports, communications or other papers and while a Member of Council is addressing the meeting, silence shall be observed and no one shall be allowed to disturb the meeting.
- 9.16. A Council Member called to Order by the Mayor shall immediately cease to speak. Upon appeal and after hearing explanation, Council shall, without debate, vote on the Member's rights to continue. If there is no appeal, the decision of the Mayor, or other presiding officer, shall be adhered to.
- 9.17. Any Member of Council may require the question or motion under discussion to be read at any time during the debate, but not to interrupt another Member while speaking. The Mayor, or other presiding officer, will give each Member who wishes to speak, an opportunity to do so before putting the Question.
- 9.18. All motions shall be recorded by the Chief Administrative Officer, or other recording secretary as appointed by the Chief Administrative Officer, and read upon request. A motion submitted by a Council Member does not require a seconder. A motion shall be deemed to be in possession of Council but may be withdrawn at any time before decision or amendment with the unanimous permission of all Council Members present.
- 9.19. Whenever the Mayor, or other presiding officer, is of the opinion that a motion offered to Council is contrary to the rules and privileges of Council, they shall apprise the Members thereof immediately before putting the Question, and shall cite the rule or authority applicable to the case without argument or comment.
- 9.20. When a motion has been made and is being considered by Council, no other motion may be made and accepted, except:
 - 9.20.1. a motion to refer the main question to some other person or group for consideration;
 - 9.20.2. a motion to amend the main question;
 - 9.20.3. a motion to postpone the main question;
 - 9.20.4. a motion to postpone the main question to some future time;
 - 9.20.5. a motion to adjourn the meeting automatically tables any motion on the floor at the time and shall not be debated except as to the time when the matter will again be considered.
- 9.21. After the Mayor, or other presiding officer, finally puts any question, no Member shall speak to the question, nor shall any other motion be made until after result of the vote has been declared. The decision of the Mayor, or other presiding officer, as to whether the question has been finally put shall be conclusive.
- 9.22. A motion to reconsider shall not be allowed unless all Members of Council present vote in favor of such a motion. Any Member of Council can make a motion to reconsider, regardless of how they voted on the question originally. A motion may only be reconsidered once at a meeting.

- 9.23. A motion to rescind can be made at any time by any Member of Council and shall require an ordinary majority of Councillor's present to be carried.
- 9.24. A motion to adjourn a meeting cannot be reconsidered or rescinded.

10. Amendments

- 10.1. Every amendment must be relevant to the question on which it is proposed. Any amendment offered which raises a new question can only be considered on a distinct motion.
- 10.2. An amendment posing a direct negative is out of order.
- 10.3. All amendments shall be put in the reverse order to that in which they were moved. Every amendment shall be decided upon or withdrawn before the main question is put to a vote. Only one amendment shall be allowed on a main motion or to an amendment at one time.
- 10.4. There shall be no amendments to any motions for the appointment of any person to any office.

11. Communications intended for Council

- 11.1. Every written communication reaching the Chief Administrative Officer and intended for Members of Council shall be fairly written or printed on paper and signed by at least one person whose address is also shown.
- 11.2. When a communication intended for Village Council is received by the Chief Administrative Officer, it shall be placed on the agenda of the next Regular Meeting once the Chief Administrative Officer is assured that there is sufficient information contained therein to allow Council to render a decision.
- 11.3. If Council decides by a majority of Members present that a communication sent to it deserves immediate action, then the matter may be dealt with at that Council Meeting.
- 11.4. Any type of communication received by Council may be referred to a Committee, to Council or to the Chief Administrative Officer for report.
- 11.5. Notwithstanding any provision of the Procedural Bylaw, Council will grant a full and fair hearing to persons entitled by law to make oral submissions to Council.
- 11.6. Council shall hear no more than three delegations or guests at any one meeting of Council, unless the Mayor deems that a further delegation is of an emergent nature. Delegations or guests shall be restricted to a fifteen minute time limit unless Council allows otherwise. All rules of Council in the Procedural Bylaw shall apply to each and every member of the delegation.
- 11.7. In questioning delegations, whether statutory or otherwise, Members of Council shall ask only those questions which are relevant to the subject matter under discussion. Delegations or guests speaking to a subject will be restricted to speaking to the subject matter only.
- 11.8. Any member of the public who, while in Council Chambers, interrupts or disturbs the proceedings of Council by words or actions, and who, when so requested by the Mayor or other presiding officer, refuses to end such interruption or to leave Council Chambers if requested, shall be guilty of an offence and liable on conviction to the penalties provided in the Criminal Code, section 30, Preventing Breach of Peace, and shall be subject to removal from Council Chambers by the police or other person duly appointed for that purpose by Council.
- 11.9. Council may recess from time to time to a fixed future date, any Regular or Special Meeting of Council which has been convened but not terminated. The object of adjourning is to finish the business which the meeting was called to transact in the first place but which has not been completed.
- 11.10. Any matter of meeting conduct that is not herein provided for shall be determined by the Mayor or other presiding officer.

12. Bylaws

- 12.1. When a proposed Bylaw is read in Council, the Chief Administrative Officer shall certify the reading and the date of the reading on the face thereof. When a Bylaw has been read a third time and finally passed, the Chief Administrative Officer shall keep on file the correct copy thereof, including any amendments.
- 12.2. When a proposed Bylaw is presented to Council, it must be accompanied by a report from the Chief Administrative Officer or his designate containing:
 - 12.2.1. the purpose of Bylaw;
 - 12.2.2. the legislative provisions of the Bylaw;

13. Repeal

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


- 13.1. by a Bylaw unanimously passed at a regular or special meeting of Council at which all members of Council are present, or
- 13.2. by a Bylaw passed at a regular meeting of Council, following a Notice in writing given and openly announced at the preceding meeting of Council and setting out the terms of the substantial effect of the proposed bylaw.

By-Law #660 was given first reading this 9th day of July, 2009 on a motion by Councillor McKay.

By-Law #660 was given second reading this 9th day of July, 2009 on a motion by Councillor Larson.

By-Law #660 was introduced for third and final reading this 9th day of July, 2009 on a motion by Councillor McKay.

By-Law #660 was given third and final reading this 9th day of July, 2009 on a motion by Councillor Larson.



Mayor



Chief Administrative Officer