

Village of Donalda

Bylaw 772-24 Council Procedural Bylaw

WHEREAS section 145 of the Municipal Government Act, RSA 2000, c M-26, provides that a council may, by bylaw, establish the procedures to be followed by council and, where a council establishes a council committee or other body, council may establish the functions of the committee or body and the procedures to be followed by it;

AND WHEREAS BYLAW No. 765-23 of the Village of Donalda, being the Council Procedural Bylaw, sets the commencement time for regular meetings of Council at 10:00 a.m.;

AND WHEREAS the Council of the Village of Donalda wishes to change the commencement time of regular meetings of Council to 7:00 p.m.;

NOW THEREFORE, the Council of the Village of Donalda, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Background

- 1.1. This Bylaw may be cited as the Council Procedural Bylaw.
- 1.2. The Council hereby establishes the following rules and regulations for the order and conduct of all Council Meetings.
- 1.3. The appropriate sections of the Municipal Government Act shall further apply to the conduct of all meetings.

2. Boards and Committees

- 2.1. Members, including Councillors, shall ordinarily be appointed to committees at the annual Organizational Meeting of the Council of the Village of Donalda.
- 2.2. Unless specified by resolution, appointments shall be for a period of approximately one year, expiring at the next regular Organizational Meeting of the Council of the Village of Donalda.
- 2.3. Council may, by ordinary resolution at any duly convened meeting of Council, appoint a member to a committee where a vacancy exists or for any other reason which necessitates an expedient appointment.
- 2.4. Council may only remove a Councillor from a committee with the Councillor's consent or as a sanction in accordance with the Councillor Code of Conduct Bylaw.
- 2.5. The Council may remove any other member from a committee with the member's consent or by a two-thirds majority vote at a Regular or Special Council meeting.
- 2.6. The following each operate as independent organizations. Members shall be appointed to represent the Village of Donalda's interests in each organization and report information concerning the organization's operations to the Council of the Village of Donalda. The Council is not precluded from appointing representation to other Organizations for a reason only that the organization does not appear on the following list.
 - 2.6.1. The Central Alberta Economic Partnership shall have one Councillor appointed by the Council of the Village of Donalda.

- 2.6.2. The County of Stettler Housing Authority shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.3. The County of Stettler Regional Recreation Board shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.4. Destination Stettler shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.5. The Donalda and District Museum Society shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.6. The East Central Heritage Committee shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.7. The Lamp Park Committee shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.8. The Parkland Community Planning Services Board shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.9. The Parkland Regional Library Board shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.9.1. The Councillor appointed to the Parkland Regional Library Board shall also be appointed to the Village of Donalda Library Board.
 - 2.6.10. The RCMP Community Consultative Group shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.11. The Red Deer River Municipal Users Group shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.12. Parkland Community Planning Services shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.13. The Shirley McClellan Regional Water Services Commission shall have one Councillor and one alternate appointed by the Council of the Village of Donalda.
 - 2.6.14. The Stettler and District Ambulance shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.15. The Stettler Regional Fire Department Advisory Committee shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.16. The Stettler Waste Management Authority shall have one Councillor appointed by the Council of the Village of Donalda.
 - 2.6.17. The Stettler Regional Emergency Management Agency shall have one Councillor appointed to the Advisory Committee by the Council of the Village of Donalda.
- 2.7. The following each operate as standing committees with representation from multiple organizations but do not provide direct oversight to an organization. Members shall be appointed to represent the Village of Donalda's interests in

each partnership and report information concerning the Committee's discussions to the Council of the Village of Donaldda.

2.7.1. Intermunicipal Development Plan Committees shall be established for the County of Stettler and governed by their respective Intermunicipal Development Plan Bylaws.

2.7.1.1. The Mayor and Municipal Planning Commission Chairperson shall be appointed to the Intermunicipal Development Plan Committee.

2.8. The following each operate as standing committees of the Village of Donaldda. Members shall be appointed to exercise the power and duties delegated by the Council.

2.8.1. A committee of the whole is hereby established.

2.8.1.1. Committee of the whole shall consist of all Councillors.

2.8.1.2. Meetings shall be operated as a workshop to facilitate the Administration gathering information to draft resolutions, bylaws, and other instruments the Council can act on.

2.8.1.3. Committee of the whole shall not be delegated any authority to advance the business of the Village.

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

2.10. It shall be the duty of the Chairperson of each Standing or Special Committee, or in their absence, 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.

Appointment and Organization of Committees:

2.11. All Standing and Special Committees of Council 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 their being named upon such Committee.

2.12. The Mayor shall be an ex-officio member of all Council Committees and shall have all the powers and privileges of any member, including the right to vote upon all questions to be dealt with by such Committee.

2.13. In any case, where a member of a Standing or Special Committee and their alternate are unable to attend meetings of the Committee of which they are a member, the Mayor may appoint a member of Council to such Committee to attend the meetings of the Committee concerned.

2.14. The member so appointed by the Mayor shall, during the term of such appointment, have all the powers, rights, and duties as a member of the Committee concerned as if appointed by Council thereto.

Powers of Committees, Boards, and Commissions

- 2.15. No action of any Committee, Board or Commission, unless the power to take such action is expressly conferred on the Committee, Board or Commission, shall be binding on the Village of Donaldda unless and until the same has been reported to Council by such Committee, Board or Commission and such action has been adopted by Council.
- 2.16. No member of the Council shall have the power to direct or interfere with the performance of any work for the Village of Donaldda, 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 Donaldda.

3. Agenda for Council Meetings:

- 3.1. The Agenda for each regular and special meeting shall be prepared at the discretion of the Chief Administrative Officer.
- 3.2. Any member of Council, Village of Donaldda official, or any other person wishing to have an item of business placed on the Agenda shall make the submissions to the Chief Administrative Officer not later than 12:00 noon one week before the meeting. The Chief Administrative Officer may consider emergency items for inclusion in the upcoming meeting that are received after the deadline.
- 3.3. All submissions shall contain adequate information to the satisfaction of the Chief Administrative Officer to enable the Council to deal with the matter.
- 3.4. The Chief Administrative Officer, or designate, shall submit the Agenda with copies of all pertinent correspondence, statements, and reports to each member of the Council at least four days before each regular meeting.
- 3.5. The Chief Administrative Officer, or designate, shall prepare the Agenda with copies of all pertinent correspondence, statements, and reports for distribution at the Village Office to members of the public one (1) day before each regular meeting.
- 3.6. Council shall consider no item of business if the item has not been placed on the Agenda unless members of Council present, by a two-thirds (2/3) majority vote, agree to the item being placed on the Agenda. When instructed to do so, the Mayor, any Councillor or the Chief Administrative Officer shall be allowed to state why an item shall receive consideration on the Agenda because of its emergent nature before the motion is put to a vote.
- 3.7. The Council may draft a policy to govern the recording and broadcast of meetings.
- 3.8. If a Council or administrative staff member arrives late, leaves before the meeting is adjourned, or is temporarily absent, it shall be recorded in the minutes.

4. General Rules of Council:

- 4.1. The Mayor is to be elected from among the elected councillors at the Organizational Meeting each year.
- 4.2. The Deputy Mayor is to be elected from among the elected councillors at the Organizational Meeting each year.

- 4.3. Regular Council Meetings shall be held on the third Tuesday of each month unless changed by motion of the Council. Regular meetings of Council shall commence at the hour of 7:00 p.m. and shall adjourn not later than 10:00 p.m., if in session at that hour. Members of Council present, by a two-thirds (2/3) majority vote, may agree to a later adjournment time.
- 4.4. The Chief Administrative Officer will prepare a Public Notice for each Council and Council Committee Meeting which does not meet at the regular time and shall include:
 - 4.4.1. The name of the body which is meeting;
 - 4.4.2. The date, time, and location of the meeting;
 - 4.4.3. A general description of the purpose of the meeting;
 - 4.4.4. Where to direct inquiries regarding the meeting; and
 - 4.4.5. The date of posting of the Notice.
- 4.5. Such Public Notice of a Council or Council Committee Meeting will be posted in the central foyer of the Village Complex. In addition to the official Notice, informal Notice of a meeting may be provided through other media types.
- 4.6. 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.
- 4.7. After the Mayor or other Presiding Officer has called the meeting to order, the first order of business will be Agenda approval, followed by confirmation of the Minutes of the preceding meeting as presented via motion.
- 4.8. If there is no quorum present within half an hour after the time appointed for a regular meeting of the Council, the Chief Administrative Officer shall record the names of the members of the Council who are present, and the meeting shall be absolutely adjourned until the next regular meeting unless a Special Meeting has been duly called in the meantime. Notice of adjournment should be posted on the outside door of access to Council Chambers.
- 4.9. Attendance at the Regular Meeting of the Council is mandatory by members of the Council. Absence of attending meetings will be in written notice to the CAO by noon the day before the meeting.
- 4.10. Council Members must not be absent for more than two (2) consecutive Regular Meetings, unless absences are accepted by Council at a previous meeting.
- 4.11. The CAO's designate shall record in the Minutes each time a member of the Council excuses himself by reason of pecuniary interest.
- 4.12. Voting on all matters shall be done by raising the hand in such a clear manner that the Mayor or other Presiding Officer may easily count them.
- 4.13. All votes shall be recorded in the Minutes by name except where all councillors have voted in favour, and then the motion shall be recorded as "carried unanimously."
- 4.14. If a member has a pecuniary interest in a question, as defined by the Municipal Government Act, the member shall, in such case, report their status to the Council or the Committee, shall not vote, and leave Council Chambers.
- 4.15. In all other cases, every member present in Council Chambers when the Question is put forth shall vote.

- 4.16. Whenever a vote on any Order, Resolution, or Question before the Council or Committee cannot be taken because of the 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 for longer than thirty (30) minutes, the meeting is at an end.
- 4.17. 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. The decision of the Mayor or other Presiding Officer shall be final unless reversed or altered by a majority vote of members present without debate.
- 4.18. Every member wishing to speak to a question or motion shall address himself to the Mayor or other Presiding Officer.
- 4.19. During the reading of minutes, reports, communications, or other papers, and when a member or any other person is addressing the Council, silence shall be observed, and no one shall be allowed to disturb the meeting.
- 4.20. A member called to order shall immediately cease to speak upon appeal, and after hearing the explanation, the 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.
- 4.21. No member shall:
 - 4.21.1. Speak disrespectfully of The Sovereign or any of the Royal Family, Governor General, Lieutenant Governor or persons administering the Government of Canada or the Province of Alberta.
 - 4.21.2. Use offensive or profane words in or against Council or against any member thereof.
 - 4.21.3. Speak except upon the Question in debate.
 - 4.21.4. Reflect upon any vote of the Council except for the purpose of moving that such a vote be rescinded or reconsidered.
 - 4.21.5. Resist the Rules of Council, disobey the decision of the Mayor or Council on any Question or Order or practice upon the interpretation of the Rules of Council. In case any member so resists or disobeys, the Council may order them by a majority vote to leave their seat for that meeting and in case they refuse to do so, they may, on the order of the Mayor, Deputy Mayor, or other Presiding Officer, be removed from there by the police. In case of ample apology being made by the offender, they may, by a vote of Council without debate, be permitted forthwith to take their seat.
- 4.22. Any member may require the Question or motion under discussion to be read at any time during the debate but not to interrupt a member while speaking.
- 4.23. The Mayor or other Presiding Officer will give each member who wishes to speak an opportunity to do so before putting the Question.
- 4.24. All motions shall be recorded by the designate of the CAO and read on request. A motion submitted to the Council does not require a Secunder. A motion shall be deemed to be in possession of the Council but may be withdrawn at any time before decision or amendment with the permission of all the members of the Council present.

- 4.25. Whenever the Mayor or other Presiding Officer is of the opinion that a motion offered to the Council is contrary to the rules and privileges of the Council, they shall apprise the members thereof immediately before putting the Question. They shall cite the rule or authority applicable to the case without argument or comment.
- 4.26. When a motion has been made and is being considered by the Council, no other motion may be made and accepted except:
 - 4.26.1. A motion to refer the main Question to some other person or group for consideration.
 - 4.26.2. A motion to amend the main Question.
 - 4.26.3. A motion to postpone the main Question.
 - 4.26.4. A motion to postpone the main Question to some future time.
 - 4.26.5. 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.
- 4.27. Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member requests or when the Mayor or other Presiding Officer directs.
- 4.28. 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 the 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.
- 4.29. Reconsiderations:
 - 4.29.1. A motion to reconsider shall not be allowed unless a majority of the members of the Council present agree, and it must be made by a member who voted on the prevailing side.
 - 4.29.2. No reconsideration shall be allowed on motion of adjournment.
 - 4.29.3. No question shall be reconsidered more than once at any one meeting of the Council.
- 4.30. Rescinding:
 - 4.30.1. A motion to rescind an action of the Council may be offered at any time subsequent to the original motion.
 - 4.30.2. Any member of the Council may make the motion to rescind.
 - 4.30.3. A majority vote of two-thirds of the Council members is necessary to pass a motion to rescind.
- 4.31. Reviewing/Revising:
 - 4.31.1. A motion to refer cannot be Reviewed/Revised but can be debated.
 - 4.31.2. A motion to adjourn the Council shall be in order at all times.
- 4.32. Whenever any matter of privilege arises, it shall be immediately considered.

5. **Amendments:**

- 5.1. Every amendment must be relevant to the Question on which it is proposed. Any amendment that raises a new question can only be considered on a distinct motion.
- 5.2. An amendment proposing a direct negative is out of order.
- 5.3. All amendments shall be put in the reverse order to that in which they are 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.
- 5.4. There shall be no amendments to any motions for the appointment of any person to any office.
- 5.5. The business of Council Committees shall be conducted under the following regulations and subject to the rules governing procedure in Council:
- 5.6. The Chairperson shall preside at every meeting.
- 5.7. The name of the Chairperson shall appear upon all reports and recommendations made by the Committee.
- 5.8. In the absence of the Chairperson, the alternate Council member shall preside.
- 5.9. The Minutes of the transactions of every Committee shall be accurately entered into a book to be provided for that purpose.
- 5.10. No report or recommendation to do with any matter or thing shall be recognized as emanating from any Committee unless it is in writing, bears the name of the Chairperson or Acting Chairperson and refers to the Minutes of the Committee under which it is issued.
- 5.11. The Executive Assistant or a person designated by the Committee Chairperson shall record the Minutes of the Committee.
- 5.12. Any Council member not a member of a Committee, without compensation, may attend Committee meetings with the right of debate but not to make motions or to vote.

6. Communications Intended for Council:

- 6.1. Every written communication reaching the Chief Administrative Officer and intended for Village Council shall be fairly written, printed on paper, distributed electronically and signed by at least one person whose address is also shown.
- 6.2. When the Chief Administrative Officer receives a communication intended for the Village Council, the CAO shall place it on the Agenda of the next regular meeting of the Council once the Chief Administrative Officer is assured:
 - 6.2.1. the information or request falls within the scope of the Council's authority to act and advance Council business;
 - 6.2.2. the information is not repetitive or redundant;
 - 6.2.3. the information does not concern a matter to which other right of appeal exists or which is more appropriate for another board and
 - 6.2.4. there is sufficient information contained therein to allow the Council to render a decision
- 6.3. If the 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.

- 6.4. Any communication the Council receives may be referred to a Committee Council or directed to the Chief Administrative Officer for report.
- 6.5. Notwithstanding any provision of the Procedural Bylaw, the Council will grant a full and fair hearing to persons entitled by law to make oral submissions to the Council; however, such right may be placed on the Agenda of a Special Council meeting.
- 6.6. Council shall hear no more than two delegations at any one meeting of Council unless the Mayor deems that a further delegation is emergent.
- 6.7. Delegations shall be restricted to a ten-minute time limit unless the Council allows otherwise. All rules of the Council in the Procedural Bylaw shall apply to every delegation member.
- 6.8. A person wishing to make representation directly to the Council shall advise the Chief Administrative Officer no less than one week before the Council meeting date.
- 6.9. Delegations shall only be granted where the subject matter:
 - 6.9.1. falls within the scope of Council's authority to act and advances Council business;
 - 6.9.2. is not repetitive or redundant;
 - 6.9.3. is not before, or likely to go before, a court or administrative tribunal having jurisdiction;
 - 6.9.4. does not concern a matter to which another right of appeal exists or which is more appropriate for another board and
 - 6.9.5. there is sufficient information contained therein to allow the Council to render a decision;
 - 6.9.6. has not appeared as a Delegate before the Council on the same subject matter in the past six (6) months.
- 6.10. In questioning delegations, whether statutory or otherwise, members of the Council will ask only questions relevant to the hearing and will avoid repetition.
- 6.11. Delegations speaking to the subject will be restricted to speaking to the subject matter only.
- 6.12. 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 so 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.
- 6.13. Council may recess from time to time to a fixed future date and/or time any regular or special meeting of Council, which has been duly convened but not terminated. The object of adjourning is to finish the business in which the meeting was called to transact in the first place but has not been completed.
- 6.14. The Mayor or other Presiding Officer shall determine any meeting conduct not herein provided for.

7. **Bylaws:**

- 7.1. When a proposed Bylaw is presented to the Council or a Committee of the Council, it must be accompanied by a report from the Chief Administrative Officer or their designate containing:
 - 7.1.1. The purpose of the Bylaw.
 - 7.1.2. The legislative provisions of the Bylaw (i.e., reference to the Municipal Government Act.)
 - 7.1.3. The process involved in approving the Bylaw.
 - 7.1.4. Staff recommendations regarding the Bylaw.
- 7.2. 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 copies, including any amendments.
- 7.3. A Bylaw appearing upon the Council Agenda when listed as ready for first reading shall be introduced by a member moving that "Bylaw Number (quoting the Bylaw Number) be read a first time." After first reading, the Bylaw may be debated, referred to, or tabled. If a Bylaw fails to receive first reading, it may be struck from the Agenda.
- 7.4. The Chairperson shall report all amendments to a Bylaw made in Committee of the Whole to Council. After receiving a report, the proposed Bylaw shall be open to debate and amendment by Council.
- 7.5. Every Bylaw shall have three distinct and separate readings before it is finally passed, but not more than two readings shall be had at one meeting of the Council except by the unanimous vote of the members present.
- 7.6. Every Bylaw shall be read a third time before the Mayor or Chief Administrative Officer signs it. If a Bylaw fails to receive third reading, it shall remain on the Agenda to be dealt with at the Council's next regular meeting.
- 7.7. Every Bylaw of general application shall be printed or otherwise duplicated to be available to all interested parties; other Bylaws shall be recorded and filed as well as amendments thereto, and the Chief Administrative Officer shall retain the original of every Bylaw on file and correctly record amendments thereto.
- 7.8. The CAO shall securely deposit every Bylaw that the Council has passed after being sealed with the seal of the Village of Donalda and signed by the Mayor and Chief Administrative Officer.

8. Repeal:

- 8.1. 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:
- 8.2. By a Bylaw unanimously passed at a regular or special meeting of the Council at which all members thereof are present or
- 8.3. By a Bylaw passed at a regular meeting of the Council, following a Notice in writing given and openly announced at the preceding meeting of the Council and setting out the terms of the substantial effect of the proposed Bylaw.

9. BYLAW 765-23 is hereby repealed in its entirety.

READ A FIRST TIME THIS 16th day of April, 2024 A.D. on a motion of M. Thompson.

READ A SECOND THIS 16th day of April, 2024 A.D. on a motion of M. Thompson.

Unanimous consent to consider third reading of this bylaw at this meeting was given this 16th day of April 2024 A.D. on a motion of M. Thompson.

READ A THIRD TIME THIS 16th day of April, 2024 A.D. on a motion of M. Thompson.

SEAL



Mayor



Chief Administrative Officer