TOWN OF LAMONT
BYLAW 03/23

BEING A BYLAW OF THE TOWN OF LAMONT IN THE PROVINCE OF ALBERTA, TO REGULATE MEETING PROCEDURES

WHEREAS pursuant to the provisions contained in the *Municipal Government Act* (Alberta), it is deemed desirable to establish rules and provisions to regulate the conduct of business in meetings of the Council and Committees of Council to control and maintain order in meetings for the enactment of Town legislation and to provide for dealing with correspondence and other submissions to the Council and Committees thereof.

NOW THEREFORE the Council of the Town of Lamont, hereby enacts as follows:

1. BYLAW TITLE

1.1 This Bylaw is known as "Meeting Procedure Bylaw".

2. DEFINITIONS

2.1 For the purposes of this Bylaw:

a. "Act" means the *Municipal Government Act*" RSA 2000, c.M-26.

b. "Agenda" is the list of items and orders of business for any meeting; ("see appendix A")

c. "Bylaw" is a bylaw of the Town;

d. "Chair" is the person presiding at meetings;

e. "CAO" is the Chief Administrative Officer appointed by Council pursuant to the *Municipal Government Act*;

f. "Committees" are committees of Council such as Corporate Services; Public Works; Catering Club and short term ad hoc committees like Park Planning. Committee mandates and chairs are identified as part of the Organizational Meeting.

g. "Council" are Councillors of the Town of Lamont being elected pursuant to the *Local Authorities Election Act*;

h. "Deputy Mayor" is the member who is appointed pursuant to the *Municipal Government Act* to act as Mayor in the absence or incapacity of the Mayor;

i. "Delegation" is any person or person(s) who wish to bring a matter before Council.

j. "Mayor" is the chief elected official of the Town as defined in the *Municipal Government Act*;

k. "Member" is a member of Council, or Committee thereof;

l. "Public Hearing" is a pre-advertised hearing that Council is required to hold under the Municipal Government Act or other enactments or any other matter at the direction of Council and may be separate from the regular meeting of Council;

m. "Quorum" is:

i. for Council a majority of those members elected to Council; and

ii. for Council committee's a majority of persons appointed to that committee.

n. "Recorded Vote" is a vote which, upon the request of any member prior to the vote on a motion, includes in the minutes of the meeting a record of the names of the members voting "in favour" of, and the members voting "opposed" to, a motion.

o. "Special Meeting" is a meeting called by the Mayor except for those regularly scheduled meetings as established as part of our organizational meeting.

p. "Table" is a motion to delay consideration of any matter to another time;

q. "Town" is Town of Lamont;

r. "Unfinished Business" is a matter which was on the agenda at the same or previous meeting which was not completed.

3. APPLICATION

3.1 This bylaw shall govern all proceedings of Council and Committee thereof.

3.2 When any matter relating to the meeting proceedings is not addressed in this bylaw, reference shall be made to Robert's Rules of Order Newly Revised 11th Edition which rule(s) shall apply.

3.3 Any provisions of this bylaw may only be repealed, amended or varied and additions may be made in the same manner as the original bylaw, including 3 readings and any advertisement or public hearing requirements when applicable.

3.4 Notwithstanding the above, and in the absence of any statutory obligation, any provision of this bylaw may be waived by resolution of Council, provided two thirds of all members of Council vote in favor thereof, to deal with a matter under consideration.

3.5 In the absence or inability of the Mayor and Deputy Mayor to act, Council shall appoint, by majority vote any other member of Council as Acting Mayor.

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4. QUORUM

4.1 Council for Town of Lamont consists of a Mayor and 6 Councillors, all residents of the Town, duly elected by the procedures defined in the *Local Authorities Elections Act* & MGA.

4.2 As soon as there is a quorum of members after the hour fixed for the meeting, the Chair will call the meeting to order.

4.3 Unless the quorum is present within thirty (30) minutes after the time appointed for the meeting, the meeting shall stand adjourned until the next regular meeting date or until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting. The CAO shall record the names of the members present at the expiration of the thirty (30) minute time limit and such record shall be appended to the minutes of the future meeting explaining why the original meeting did not occur as scheduled.

4.4 If at any time during the meeting a loss of quorum occurs then the Chair must:

i. Call a temporary "recess" until quorum can be regained; or

ii. Adjourn the meeting until the next regular date or until a special meeting is called.

5. REGULAR COUNCIL MEETINGS

5.1 The regular meetings of Council shall be established by resolution, at the annual organizational meeting.

5.2 The agenda shall be prepared by the CAO.

5.3 The agenda preparation, reviews, distribution and meeting follow-up, including preparation of meeting minutes, will be coordinated through the office of the CAO.

5.4 Each item added to the agenda shall have supporting documentation/reference material enclosed in the council agenda package, the enclosures shall be numbered and the enclosures shall be referenced on the agenda. All requests that require a decision by council require the completion of a "Request for Decision" form. This form is attached to this Bylaw under Appendix B.

5.5 Once the initial agenda is set by the CAO and the supporting documentation has been complied this information shall be posted on the Town of Lamont website unless it is an item which are subject to protection from public disclosure under the Freedom of Information and Protection of Privacy (FOIP) Act, Part 1, Division 2 outlined in section 5.9

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5.6 Items initiated by a member will be submitted to the office of the CAO.

5.7 Items initiated by administration will be submitted to the office of the CAO.

5.8 Councillors may submit their written reports to the Recording Secretary during the Council Meeting. No motions may come out of a councillors report.

5.9 Delegations are permitted at a Council Meeting.

5.10 Delegations must submit topic and material to the office of the CAO by 12:00 noon of the Thursday prior to the Town Council meeting.

5.11 A motion of council must be made allowing the delegation to make a presentation at a Council meeting.

5.12 If a motion is not made or is lost then the delegation is unable to present.

5.13 Council must vote to adopt the agenda prior to transacting other business and may:

i. add new items to the agenda by majority vote;

ii. delete any matter from the agenda by majority vote.

5.14 The minutes of each meeting must be circulated to each member of Council prior to the meeting at which they are to be adopted. Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate. If there are errors or omissions, Council must:

i. pass a resolution to amend the minutes;

ii. if more than one or two words need to be revised then a written update must be submitted at the meeting to the recording secretary;

iii. adopt the minutes as amended;

iv. if there are no errors or omissions Council must adopt the minutes as circulated.

5.15 Council may meet in Closed Session to discuss items which are subject to protection from public disclosure under the *Freedom of Information and Protection of Privacy Act*, Part 1, Division 2, Council may discuss in private information which meets the following criteria as described and defined in the FOIP act:

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i. information which if disclosed may be harmful to:
   - business interests of a third party
   - personal privacy
   - individual or public safety
   - law enforcement
   - intergovernmental relations
   - economic or other interests of a public body
   - confidential evaluations
   - advice from officials of the Town
   - legally privileged information.

6. SPECIAL MEETINGS

6.1 The Mayor always calls special meetings.

6.2 Requests for special meetings from a majority of Councillors must be in writing and received by the Mayor and the Mayor must call the meeting in response to such a request pursuant to the Municipal Government Act;

6.3 Notification to the Public must be by Website and posting on the Town Office Building Front Door.

6.4 All agenda items must be listed on the notice for a Special Meeting.

6.5 A notice for special meeting must be posted for the public as per the MGA.

7. ORGANIZATIONAL MEETING

7.1 An organizational meeting of Council shall be held annually, pursuant to the Municipal Government Act. To meet the criteria defined within the MGA this meeting would be held during the second regularly scheduled meeting of Council in October or the first regularly scheduled meeting following a general election.

8. CHAIR

8.1 The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any member from any ruling of the Chair.

9. MEMBER DEBATING

9.1 A member wishing to speak on a matter during the meeting should indicate his intentions by raising his hand and being recognized by the Chair and

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should not speak more than once until every member has had the opportunity to speak except:

i. in the explanation of a material part of their speech which may have been misunderstood; or

ii. in reply, to close debate, after everyone else wishing to speak has spoken, provided that the member presented the motion to the meeting.

9.2 Supplementary questions or a series of questions relating to the matter during the meeting may be raised by the member.

9.3 Through the Chair a member may ask:

i. for an explanation of any part of the previous speaker's remarks; and

ii. questions to obtain information relating to the minutes presented to the meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.

9.4 All questions or debate must be directed through the Chair.

10. PROHIBITIONS

10.1 A member shall not:

i. use offensive words or unparliamentarily language in the meeting;

ii. disobey the rules of the meeting or the decision of the Chair;

iii. leave his seat or make any noise or disturbances while a vote is being taken and the result is declared;

iv. enter the meeting room and take his seat while a vote is being taken;

v. interrupt a member while speaking.

vi. pass between a member who is speaking and the Chair.

10.2 A member who persists in breach of the foregoing section may be placed in the position of censure by Council.

10.3 At the discretion of the Chair, a member may resume his seat following an apology from the member.

10.4 A member who wishes to leave the meeting prior to adjournment shall so advise the Chair and the time of departure shall be noted in the minutes.

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11. APPEAL RULING

11.1 The decision of the chair shall be final subject to an immediate appeal by a member of the meeting.

11.2 If the decision is appealed, the Chair shall give concise reasons for his ruling and the members, after debate, shall decide the question "That the ruling of the chair be upheld."

11.3 A majority vote of those opposed to the motion is required to overturn the ruling of the chair.

12. MOTIONS

12.1 When a motion is before a meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, and if no member objects, the Chair may grant permission. However, if any objection is made, it is necessary to leave the motion as presented; withdraw the motion or amend the motion. Once a motion is withdrawn, the effect is the same as if it had never been made.

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

12.3 The mover of a motion must be present when the vote on the motion is taken.

12.4 A motion relating to a matter not within the jurisdiction of the Council shall not be in order.

12.5 Amendment:

i. only one amendment at a time shall be presented to the main motion. When the amendment(s) has been disposed of, another may be introduced. Only one amendment to an amendment will be entertained against the main motion. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendments.

ii. the amendment shall be voted upon. If any amendment is carried, the main motion shall continue to be debated or be put to the vote, unless a further amendment is proposed.

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iii. nothing in this section shall prevent other proposed amendments being read for the information of the members.

12.6 When the motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any member, be taken separately.

12.7 Reconsideration:

i. after a motion has been voted upon, and before moving to the next item on the agenda, any member who voted with the prevailing side may move for reconsideration, and shall state reason therefore;

ii. Reconsideration shall then be open to debate, voted upon and shall require the votes of a majority of the members present to pass;

iii. If a motion of reconsideration is moved at a subsequent meeting, it shall be preceded by a Notice of Motion and shall require a majority vote for the members present to carry;

iv. If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date. Debate on the matter to be reconsidered shall proceed as though it had not previously been voted on;

v. Debate on a motion for reconsideration must be confined to reasons for or against reconsideration;

vi. A Notice for Reconsideration of any decided matter shall not operate to stop or delay action on the decided matter unless the Council, by a majority vote of the members present, shall so direct;

vii. The results of a voted on motion that has been approved for reconsideration supersedes the results of the previous voted on motion

12.8 Rescinding Motions:

i. A motion to rescind a previous motion may be accepted by the Chair. If passed by a majority vote of the members present, the previous motion referred to would be declared null and void.

13. NOTICE OF MOTION

13.1 A Notice of Motion may be received by the CAO prior to the closing of the meeting. In this event, the member shall read the Notice of Motion which

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shall be recorded in the minutes and shall form part of the agenda for the subsequent meeting.

13.2 A member may present a Notice of Motion for consideration at the next meeting. This then becomes a Notice of Motion at the next regularly scheduled meeting.

13.3 A member, who hands a written Notice of Motion to the CAO to be read at any regular meeting, need not necessarily be present during the reading of the Notice.

13.4 A motion, on notice, if not moved on the day and at the meeting for which notice has been given, cannot be moved at any subsequent meeting without notice being given again in accordance with this section.

14. MOTION WITHOUT NOTICE

14.1 A motion may be presented without the notice required in Section 14 if a motion to dispense with such notice is first passed by a majority vote.

15. VOTING-QUESTION

15.1 When a motion that a vote be taken (i.e. calling for the question) is presented, it shall be put to a vote without debate and if carried by a majority vote of the members present, the motion shall be submitted to a vote immediately, without further debate.

15.2 When a motion that a vote be taken on all matter before the body (i.e. calling for the question on all matters) is presented etc.

15.3 When the Chair, having ascertained that no further information is required, commences to take a vote no member shall speak, or present another motion until the vote has been taken on such motion or amendment.

16. VOTING-CONFLICT

16.1 A member who has any direct or indirect pecuniary interest, as defined in the MGA, in a matter which is before the meeting shall so declare and shall physically leave the chambers during the debate and voting on the matter.

17. REQUIREMENT TO VOTE

17.1 Every member present shall vote on every matter unless exempted by voting by reason of pecuniary interest. The CAO shall record in the minutes the name of each member exempted and the reason.

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18. RESULTS OF VOTES

18.1 A motion shall be declared "passed" when a majority of members present vote in favour of the motion.

18.2 A motion shall be declared "lost" when the majority of members present vote in opposition to the motion.

18.3 A motion shall be declared "lost" in the event of a "tie vote" when an equal number of members vote "in favour" and "in opposition" of the motion.

19. RECORDED VOTES

19.1 When a member requests a recorded the CAO shall record in the minutes the names of all members voting for and against the motion and the chair shall announce the results of the vote.

20. ADJOURNMENT TIME

20.1 Council shall adjourn no later than 9:30 p.m. if in session at that hour unless, with the majority consent of the members, a resolution is passed to extend the meeting for a maximum of one (1) hour or to complete the debate of items before Council.

20.2 If the agenda is not complete when the meeting is adjourned, the remaining agenda items will be added to the next regularly scheduled meeting agenda and are the first items of business at the next meeting.

21. BYLAWS

21.1 Where a bylaw is presented to a meeting for enactment, the CAO shall cause the number and short tile of the bylaw to appear on the agenda.

21.2 When a bylaw is not subject to a statutory public hearing:

i. a bylaw shall be introduced for first reading by a motion that it be read the first time, specifying the number of the bylaw;

ii. after a motion for first reading of the bylaw has been presented, members may debate the substance of the bylaw and propose and consider amendments to the bylaw;

iii. any proposed amendments shall be put to a vote if required, and if carried shall be considered as having been incorporated in the bylaw at first reading;

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iv. when all amendments have been accepted or rejected, a motion for second reading of the bylaw shall be placed

v. if a bylaw is to receive all three readings in one sitting, Council must make a motion to accept a third reading prior to the third reading

21.3 When a bylaw is subject to a statutory public hearing, the following will apply:

i. an amending bylaw proposing a change of land classification in the Town Land Use Bylaw and which requires a public hearing may be introduced by a motion for first reading which shall be voted upon without amendment and a public hearing date shall be established;

ii. following the public hearing a motion for first and/or second reading, whichever the case may be, may be presented and the members may debate the substance of the bylaw and propose and consider amendments to the bylaw;

iii. a proposed amendment shall be put to a vote and, if carried, shall be considered as having been incorporated into the bylaw at second reading;

iv. when all amendments have been dealt with, the motion for second reading of the bylaw shall be placed;

v. except for bylaws identified in section 23.3.1 a bylaw which requires a statutory public hearing may be presented on a motion for first reading;

vi. a proposed amendment shall be put to a vote and, if carried, shall be considered as having been incorporated into the bylaw at first reading;

vii. when all amendments have been dealt with the motion for the first reading of the bylaw shall be placed;

viii. following the public hearing a motion for second reading may be placed and further amendments presented.

21.4 Three readings:

i. a bylaw shall not be given any more than two readings at any one meeting unless members 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;

ii. when Council unanimously agrees that a bylaw may be presented for a third reading at a meeting at which it has received two readings, the

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third reading requires no greater majority or affirmative votes to pass the bylaw than if it had received a third reading at a subsequent reading;

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

21.5 When a bylaw has been given three readings and is signed by the Mayor and CAO it is considered an enactment of the Town and is effective immediately, unless the bylaw or an applicable provincial statute provides otherwise.

21.6 After passage, a bylaw shall be signed by the Mayor or Mayor's designate and the CAO and shall be impressed with the corporate seal of the Town of Lamont.

22. COMMITTEES OF COUNCIL

22.1 The Committee Chair will call committee meetings as required.

22.2 Notification of Committee meetings to the Public must be by Website and posting on the Town Office Building Front Door.

22.3 Committee meetings must follow the basic protocol of this bylaw unless otherwise specified as follows:

i. Section 5 - Regular Council Meeting with the exception of 5.15 Closed Session rules;

ii. Section 6 - Special Meetings;

iii. Section 7 - Organizational Meetings; and

iv. Section 21 – Bylaws.

22.4 Committee meetings can make motions that recommend certain actions to Council such as policy and/or Bylaw updates. Only Council can set the necessary direction for the Town of Lamont.

22.5 The agenda shall be prepared by the Committee Chair.

22.6 Committee Chair will ensure that meeting minutes are prepared either by another member of the committee, acting as recording secretary, or coordinated through the office of the CAO.

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22.7 All Committee meeting minutes will be added to the agenda of the next Council meeting.

22.8 Approved Committee meeting minutes, by Council, are the official record of those meetings.

23. GENERAL

23.1 That Bylaw 12/13 and any amendments are hereby repealed.

23.2 This bylaw shall come into force when it has received third and final reading and has been signed.

READ A **FIRST** TIME THIS 14th DAY OF FEBRUARY, 2023.

Mayor

Chief Administrative Officer

READ A **SECOND** TIME THIS 14th DAY OF FEBRUARY, 2023.

Mayor

Chief Administrative Officer

READ A **THIRD** TIME THIS 14th DAY OF FEBRUARY, 2023.

Mayor

Chief Administrative Officer

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APPENDIX "A"

AGENDA
TOWN OF LAMONT
REGULAR MEETING OF COUNCIL
XXXX XX, XXXX

1. CALL TO ORDER AND RELATED BUSINESS

    1.1. CALL TO ORDER

    1.2. ADOPTION OF AGENDA

    1.3. DECLARATION OF PECUNIARY INTEREST

    1.4. ADOPTION OF MINUTES

2. DELEGATIONS

    2.1. MOTION FOR ACCEPTANCE OF DELEGATION

3. CORRESPONDENCE

4. NEW BUSINESS

5. REPORTS

6. NOTICES OF MOTION

7. CLOSED SESSION

8. ADJOURNMENT

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TOWN OF LAMONT
BYLAW 03/23

APPENDIX "B"

TOWN OF LAMONT
COUNCIL AGENDA
REQUEST FOR DECISION

AGENDA ITEM:

COUNCIL MEETING DATE:
ITEM DESCRIPTION OR TITLE
RECOMMENDATION
BACKGROUND
COMMUNICATIONS
IMPLICATIONS OF DECISION
FINANCIAL IMPLICATIONS
POLICY AND/OR LEGISLATIVE REFERENCES
ATTACHMENTS

Report Prepared By:

Approved by CAO:

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