



**BYLAW NO. 04-2017  
THE PROCEDURE BYLAW  
OF THE VILLAGE OF WABAMUN**

**BEING A BYLAW OF THE VILLAGE OF WABAMUN IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF COUNCIL MEETINGS, AND THE COMMITTEES THEREOF, AND TO DEFINE CERTAIN OF THE DUTIES OF THE COUNCIL AND THE COMMITTEES**

**WHEREAS,** the Municipal Government Act R.S.A. 2000 Chapter M-26 as amended or repealed and replaced from time to time, provides that the Council should establish rules and provisions to regulate the conduct of business in Council Meetings, to control and maintain order in Council Meetings, to provide for committees, the enactment of Municipal Legislation, and presentations, public forum, and other interactions of the public with Council;

**NOW THEREFORE** The Council of the Village of Wabamun in the Province of Alberta, duly assembled enacts as follows:

**1. THE BYLAW** may be cited as the Council Procedure Bylaw or the Procedural Bylaw.

**2. DEFINITIONS**

Acting Chief Elected Official the Councillor presiding at a Meeting in the absence or incapacity of both Chief Elected Official and the Deputy Chief Elected Official; also known as the Presiding Officer

Agenda the Agenda for a Regular or Special Meeting of Council prepared in accordance to this Bylaw Section 6

Business from Minutes business which has been raised at a previous Meeting, recorded on an Action List and returned to Council as updated information or for further consideration of Council

Bylaw Municipal Legislation enacted by Council

CAO the Chief Administrative Officer, Administrator and whatever subsequent title may be conferred on that Officer by Council or statute; or their designate

Chair the person who has been given authority to direct the conduct of a Meeting including the appointed head of a Committee or Administrator

Chief Elected Official the Chief Elected Official or Mayor of the Village (CEO), whether elected or appointed, as provided for in the Municipal Government Act and within this Bylaw

Committee of the Whole a procedural device that permits Council greater freedom of debate for a specific purpose

Council the Chief Elected Official and Councillors

Council Appointments A list of Council and other Committees is part of this Bylaw and is attached as Schedule B.

Councillor a Member of Council, duly elected and continuing to hold office

Delegation any person or group wishing to act as a delegation to speak with Council shall make their written submission to the Administrator not later than 12:00 noon on the Wednesday of the week prior to the Meeting. The submission shall contain adequate information to the satisfaction of the Administrator. Delegations, unless otherwise approved by the chair, shall be given up to 10 minutes to present their item to Council. No more than 3 delegations shall be scheduled at a single meeting of Council without consent of the CEO.

Deputy CEO Deputy Chief Elected Official or Deputy Mayor of the Village, appointed by Council, as provided for in the Municipal Government Act and within this Bylaw, The Deputy Chief Elected Official shall have the same duties and responsibilities as the Chief Elected Officer when acting in his or hers absence,

including, but not limited to calling special meetings, signing, chairing council meetings etc.

In Camera	Council retreats to private discussion through a motion to discuss <i>confidential matters</i> of land, legal, labour, or other sensitive materials related to the Freedom of Information and Privacy Protection Act (FOIPPA). Only the motion to move Out of Camera is allowed. Only the Council in attendance may be advised of or discuss the subject matter of an In Camera item.
Municipal Government Act	the legislation that governs the activities of municipal government - <i>Municipal Government Act</i> , R.S.A. 2000 Chapter M-26, as amended or repealed and replaced from time to time and herein referred to as the "Act" or "MGA".
Notice of Motion	the presentation of a motion for consideration and debate at a future meeting of council as determined by the member presenting the notice of motion.
New Business	the list of items on the Agenda presented to Council for the first time and requiring direction, decision or resolution
Organizational Meeting	as described in Section 4
Point of Order	a demand that the Chair enforce the rules of procedure and calling to attention any departure from the Procedure Bylaw
Privilege (Point Of) refers	to all matters affecting the rights and immunities of the Council collectively or the position and conduct of Members of the Council in their respective character as elected representatives.
Privilege (Question Of)	is the raising of a question which concerns a Member of Council, or the Council collectively, when a Member believes that another Member has spoken disrespectfully towards him or the Council, or when he believes his comments have been misunderstood or misinterpreted by another Member or Members.
Postpone	means to delay the consideration of any matter to a definite time, when further information can be obtained.
Public Forum	On each Council agenda an "Public Forum" category shall be placed at the beginning of the Council meeting. Any member of the general Public, to a maximum of three participants per session, shall be given the opportunity to address one issue with Council provided that individual has signed the Public Forum register at the beginning of the meeting and has indicated the issue to be addressed. Public Forum participants shall have five (5) minutes for presentation. All rules of Council in this By-Law shall apply to each Public Forum Participant. The Mayor or Presiding Officer shall review the Public Forum topics to be addressed and shall have the authority to refuse to hear the issue if the topic is repetitive, previously discussed with the same individual or is of a nature that would prohibit discussion in accordance with the Freedom of Information and Privacy Protection Act (FOIPPA).
Public Hearing Meeting	a Council Meeting held for statutory hearings
Quorum	the majority of all the Councillors that comprise the Council as described in the Municipal Government Act
Table	a motion to delay consideration of any matter in order to deal with more pressing matters or due to lack of time available; which does not set a specific time to resume consideration of the matter

### **3. APPLICATION**

- 1) This Bylaw applies to:
  - a) all Regular and Special Meetings of Council and appointments

### **4. ORGANIZATIONAL MEETING**

- 1) an Organizational Meeting of Council shall be held annually pursuant to the MGA
- 2) the Municipal Administrator shall fix the time and place for the Organizational Meeting
- 3) the business of the Organizational Meeting being limited to:
  - a) the Municipal Administrator shall Call the Organizational Meeting to Order
  - b) the Returning Officer must report (only applicable after a municipal election)

- c) the Municipal Administrator introduces Council to the gallery (only applicable after a municipal election)
- d) administer the official oath to every Member of Council (only applicable after a municipal election)
- e) the appointment of Chief Elected Official
  - i. a Chief Elected Official is to be appointed under Section 150 and 159 of the MGA at the Organizational Meeting of the Council following a general election
  - ii. the term of office of an appointed Chief Elected Official starts immediately on appointment and ends on the appointment of the next Chief Elected Official following the next general election or upon the resignation or termination of the Chief Elected Official from the position or from Council
  - iii. a Councillor is nominated by another Councillor for the position of Chief Elected Official and the nominee must agree to allow their name to stand; to be appointed by Council from among Councillors
  - iv. if more than one person is nominated for Chief Elected Official, a vote will be taken by secret ballot, once the final result of the Chief Elected Official ballot is read by the Administrator the vote must be confirmed by a resolution of council. The official oath will then be administered to the Chief Elected Official by another member of Council or person duly authorized to do so.
  - v. The Chief Elected Officer Shall act as meeting Chair
- f) the appointment of Deputy Chief Elected Official
  - i. the position of Deputy Chief Elected Official shall be a six month term
  - ii. the rotation of Deputy Chief Elected Official will begin at the Organizational Meeting following a general election. Once the full rotation is completed the order shall be reversed for the last two years
  - iii. an alphabetical list of Council names will be established for the upcoming year
  - iv. the CEO shall administer the oath to the Deputy Chief Elected Officials
- g) The Procedure Bylaw shall be brought forward as an Agenda item for possible amendments.
- h) Council Meeting Date and time Schedule (as per MGA s. 193, all Council members must be present to approve)
- i) Appoint Councillors to Committees, Commissions, Boards and other bodies as listed on "Schedule B" attached to this Bylaw.
- j) Choose Financial Institution for coming year
- k) Determine Signing Authority for the Village
- l) Review Remuneration and Expense Policies
- m) Any other business as is required by the Municipal Government Act.
- n) Adjournment

## **5. MEETINGS OF COUNCIL**

- 1) The location for all Meetings of Council shall be the Council Chambers of the Village Office unless otherwise passed by resolution.
- 2) The dates and times for regular Council Meetings shall be determined by resolution of Council.
- 3) Meetings are limited to four hours duration unless a motion is passed by a majority of members in attendance for a time extension.
- 4) As soon after the time of the Meeting that a quorum is present, the Chief Elected Official shall take the Chair and Call the Meeting to Order
- 5) In the case where the Chief Elected Official is absent, the Deputy Chief Elected Official shall take the Chair and Call the Meeting to Order,
- 6) In the case where the Chief Elected Official and Deputy Chief Elected Official are not in attendance for a Meeting and a quorum is present, the Administrator shall call the Meeting to Order and a Chairperson shall be chosen by the Councillors present who shall preside during the Meeting
- 7) If there is no quorum present within half an hour after the time appointed for a Regular Meeting of Council, the Administrator 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 has been duly called in the meantime; the Agenda will be carried forward to the next Regular Meeting.
- 8) For all meetings requiring notice, the notice must meet MGA requirements for notification and be posted in writing at the village office, on the Municipality's web site under 'events' and any other notification as requested by Council. Notices must specify the time, date, location and purpose the meeting

## **6. AGENDA FOR COUNCIL MEETINGS**

- 1) The Agenda for all Regular Meetings of Council shall be prepared by the Municipal Administrator and submitted together with copies of all pertinent correspondence, statements and reports to each Member of Council's mailbox by 4:30 p.m., two (2) working days prior to the commencement of the Meeting for which it was prepared, whenever possible.
- 2) The Council's Agenda package is distributed in advance to provide Council with the materials necessary to prepare themselves for the next Meeting of Council. The Agenda package is provided to Council only; the Agenda will be made available in the village office and in the gallery for the public in attendance at Council Meetings. The agenda and background materials from the council agenda package may be made

available to the public based on terms set out by resolution of Council, with the exclusion of any matters that may be within one of the exceptions to disclosure identified in the Freedom of Information and Protection of Privacy Act.

- 3) Any person, including Members of Council, wishing to have an item of business considered for the Agenda, shall make their written submission to the Administrator not later than 12:00 noon on the Wednesday of the week prior to the Meeting. The submission shall contain adequate information to the satisfaction of the Administrator.
- 4) No item of business shall be considered or raised by Council if the item has not been placed on the Agenda unless raised under consideration of delegations or Members of Council present, by a majority vote of council members present, agree to the item being added to the Agenda at the beginning of the Meeting under the item 'Approval of Agenda'. The Chief Elected Official, any Councillor or the Administrator shall be given an opportunity to state why this item should receive consideration on the Agenda, detailing its emergent nature, before the motion is put to a vote.
- 5) The order of business shall be written and followed accordingly:

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC HEARING (IF APPLICABLE)
4. ADOPTION OF MINUTES
5. PUBLIC FORUM
6. DELEGATIONS (IF APPLICABLE)
7. BUSINESS FROM MINUTES
8. NEW BUSINESS
9. CONSIDERATION OF DELEGATIONS
10. CORRESPONDENCE
11. ADMINISTRATION REPORTS
12. COUNCIL REPORTS
13. IN CAMERA (IF APPLICABLE)
14. NEXT MEETING
15. ADJOURNMENT

## **7. GENERAL ORDER OF COUNCIL**

- 1) The Chief Elected Official or other Presiding Officer of a Meeting shall
  - i. preserve order and decorum of the Meeting
  - ii. decide points of order without debate or comment other than to state the rule governing
  - iii. ascertain that all Members wishing to speak to a question or motion are allowed
  - iv. shall rule when a motion is out of order
  - v. shall call a Councillor to order
- 2) A motion submitted to Council does not require a seconder
- 3) When a motion has been made and is being considered by the Council, no other motion may be made and accepted, except
  - i. A motion to refer the main question to some other person or group for consideration
  - ii. A motion to amend the main question
  - iii. A motion to table the main question
  - iv. A motion to postpone the main question to some future time
  - v. A motion to adjourn the Meeting
- 4) Where a question under consideration contains distinct propositions, the vote upon such proposition shall be taken separately when any Member so requests or when the Chief Elected Official or other Presiding Officer so directs
- 5) Voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the Chief Elected Official or other Presiding Officer
- 6) After any question is finally put by the Chief Elected Official or other Presiding Officer, 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 Chief Elected Official or other Presiding Officer as to whether the question has been finally put shall be conclusive
- 7) If a Member of Council arrives late, leaves before the Meeting is adjourned, or is temporarily absent from the Meeting, it shall be so recorded in the Minutes
- 8) All persons, including Members, attending a Council Meeting in Council Chambers:
  - a) shall not address Council without the permission of the Chief Elected Official
  - b) shall maintain order and quiet at all times – NO electronic or ringing devices are allowed in Council Chambers
  - c) shall not applaud or otherwise interrupt any speech or action of the Members of Council or any other person addressing Council.
- 9) Council may adjourn from time to time to a fixed future date any Regular or Special Meeting of Council which has been duly 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.

## **8. PUBLIC HEARINGS**

- 1) The order of business shall be written and followed accordingly:
  - a. Motion to open public hearing
  - b. Call to Order
  - c. Set out the jurisdiction to conduct the hearing (statute or by-law)
  - d. State the purpose of the hearing
  - e. Outline the rules of conduct.
    - i. Order of speakers
    - ii. Whether council will answer questions
    - iii. Whether questions can be directed at presenters
    - iv. If there are time limits for presentations and what they are
    - v. Time frame for making the decision
- 2) All people who wish to participate in a public hearing are asked to complete a short form at the hearing. On that form, they are asked to indicate if they are registering in support of the application, in opposition to it or for information only. By filling out this form, citizens ensure they will receive notice of the hearing body's decision/recommendation in the matter and information on how to appeal (if applicable).
- 3) Generally, and unless otherwise directed by the Chair, the applicant (and/or designate) is heard first, followed by those in support of the application. Next, those registered in opposition are heard, followed by those registered for information. Finally, the applicant may return if he/she so desires, and speak in rebuttal. Note that when a participant is called it is their opportunity to speak; however, they are not obligated to do so.
- 4) the Chair may establish reasonable time limits for representations at a public hearing to ensure everyone has an equal opportunity to speak. The Chair may also decline to hear presentations, questions or objections where the body is satisfied that the matter has been adequately addressed at the hearing.
- 5) After hearing representations, the public hearing body may decide to either adjourn the matter or render its decision/make its recommendation to Council. Depending on the type of application, a public hearing body may or may not have the final decision-making authority. Some decisions may be appealed.
- 6) To speak to council or a Council-appointed committee at a public hearing, you may register up until the (business) day before the date of the hearing, or you may identify your wish to speak at the meeting. Written comments will also be accepted and become part of the public record. Written submissions provided by noon the Wednesday prior to the Council meeting will be included as part of the Council agenda package. All submissions to a public hearing body must be received prior to, or during, a hearing. Submissions cannot be made following the conclusion of public representations.
- 7) Minutes will be recorded in the same format as a council meeting with the exception that a brief summation of presenters comments may be added at the discretion of the recording secretary or as specified by council
  - f. Motion to close public hearing

## **9. ROLE AND PHILOSOPHY OF COUNCIL**

- 1) Council shall provide good, responsible and fair municipal government to the citizens of the Village and each Member of Council shall fulfill the duties, as detailed in the Municipal Government Act, and expectations of their position as a Member of Council in a diligent and faithful manner.
- 2) Members of Council shall conduct themselves in accordance with the ethical guidelines of conduct for elected local government officials of the Alberta Urban Municipalities Association adopted as part of this Bylaw and contained herewith in Schedule "A" of this Bylaw.
- 3) It shall be the role of Council to develop and adopt such bylaws and policies as may be necessary to govern the Village in a responsible and fair manner.
- 4) It shall be the role of Council to act as an Ambassador for the Village of Wabamun and present themselves, each Member of Council, the staff and this community in a positive light.
- 5) In accordance to the Municipal Government Act, Section 201 (2) A Council must not exercise a power of function or perform a duty that is by this or another enactment or bylaw specifically assigned to the Chief Administrative Officer or a designated Officer. It shall be the duty of the Administrator, as passed by a motion of Council, to carry out and fulfill the requirements of Council's directives and to comply with the Administrator's responsibilities in accordance to the Municipal Government Act.

## **10. GENERAL**

- 1) Should any provision of the Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.
- 2) The schedules included with the Bylaw are an integral part of the Bylaw and are included for ease of use.
- 3) This Bylaw shall come into force upon receipt of its third and final reading.

4) With passage of this bylaw, Bylaw 04-2016 is hereby repealed.

**READ A FIRST TIME IN COUNCIL THIS 17<sup>TH</sup> DAY OF OCTOBER, 2017**

\_\_\_\_\_  
SIGNED BY THE CEO THIS DATE

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
SIGNED BY THE CAO THIS DATE

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

**READ A SECOND TIME IN COUNCIL THIS 17<sup>TH</sup> DAY OF OCTOBER, 2017**

\_\_\_\_\_  
SIGNED BY THE CEO THIS DATE

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
SIGNED BY THE CAO THIS DATE

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

**READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 16<sup>TH</sup> DAY OF JANUARY, 2018**

\_\_\_\_\_  
SIGNED BY THE CEO THIS DATE

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
SIGNED BY THE CAO THIS DATE

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

## SCHEDULE "A"

### ETHICAL GUIDELINES OF CONDUCT FOR MEMBERS OF COUNCIL

The proper operation of democratic local government requires that elected officials be independent, impartial and duly responsible to the people.

To this end, it is imperative that:

- Government decisions and policy be made through the proper channels of government structure.
- Public office not be used for personal gain.
- The public have confidence in the integrity of its government.

Accordingly, it is the purpose of these guidelines of conduct to outline certain basic rules for elected municipal government officials in Alberta so that they may carry out their entrusted duties with impartiality and dignity, recognizing that the function of Council Members is, at all times, service to their community and the public.

To further these objectives, certain ethical principles should govern the conduct of Members of Council in Alberta in order that they shall maintain the highest standards in public office and faithfully discharge the duties of office.

#### **Members of Council shall:**

1. Govern their conduct in accordance with the requirements and obligations set out in the municipal legislation of the Province of Alberta.
2. Not use confidential information for the personal profit of themselves or any other person.
3. Not communicate confidential information to anyone not entitled to receive same.
4. Not use their position to secure special privileges, favours, or exemptions for themselves or any other person.
5. Preserve the integrity and impartiality of Council; specifically, uphold the decisions of Council as passed by a resolution without comment, written word, or publication of personal thought or intent to the contrary
6. For a period of twelve (12) months after leaving office, abide by the ethical standards of conduct listed above; except those related to confidential information which shall apply in perpetuity.

Members of a Municipal Council shall not assume that any unethical activities not covered by or specifically prohibited by these ethical guidelines of conduct or by any legislation are therefore condoned.

Members of this Council of the Village of Wabamun agree to uphold the intent of these guidelines and to govern their actions accordingly.

## **SCHEDULE "B"**

### **COUNCIL APPOINTMENTS**

- 1) Council Members shall determine which Committees, Boards, etc shall stand
- 2) In accordance to the Municipal Government Act, Section 154(2), the Chief Elected Official is a Member of all Council Committees and all bodies to which Council has the right to appoint Members; therefore, the Chief Elected Official is not required to be formally appointed
- 3) Council Members shall put their name forward for appointment to the Committees at each annual Organizational Meeting
- 4) If more Council Members put their names forward than is required for an appointment then the Chief Elected Official will make the final decision.
- 5) If no Council Members put their name forward for any given Committee, the Chief Elected Official shall appoint a Council Member to fill that position
- 6) Council Members shall not represent their Committee(s) in Council Chambers
- 7) Council Members are responsible for providing a brief summary of their Committee activities at the next Regular Meeting of Council.
- 8) Council Members are responsible for keeping all Committee reports, minutes, documents, etc in a binder or other controlled filing system and have the material available to Council Members for review of detailed information or for the successor to the committee
- 9) Ad-Hoc Committees exist for one specific purpose and to deal with that matter expediently and then return with recommendations to Council for their consideration and decision making. This committee will not have spending or decision making authority nor direct staff or include staff in recommendations to Council. This committee will cease upon completion of the one assigned task.
- 10) For the purposes of developing a Bylaw, the Council Members shall approve the subject matter of a proposed Bylaw and the Chief Administrative Officer shall develop the proposed bylaw for council's consideration.
- 11) Appointments of Council Members to Committees shall be for a term of one year, unless otherwise specified.
- 12) Council Members and Members shall be remunerated as set out in the Remuneration Policy.

### **COMMITTEES, BOARDS, COMMISSIONS, AUTHORITIES**

- 1) Night Owls – One Council Member and one alternate
- 2) CRASC – One Council Member
- 3) Disaster Services – All Members of Council and Administrator
- 4) Dragonfly Festival Committee – One Council Member
- 5) Family and Community Support Services – One Council Member and one alternate
- 6) GROWTH REDA - One Council Member and one alternate
- 7) Meridian Foundation – One Council member and one alternate
- 8) Physician Recruitment – One Council member and one alternate
- 9) Seniors Liason - One Council Member
- 10) Subdivision and Development Appeal Board – Two members of Council
- 11) Village of Wabamun Public Library Board – One Council Member and one alternate
- 12) Wabamun School Council – One Council Member and one alternate
- 13) Wabamun Watershed Council – One Council Member and one alternate
- 14) Wabamun Youth Council - One Council Member and one alternate
- 15) Waterfront Development Committee – Mayor and CAO
- 16) W.I.L.D. Water Committee – One Council Member and one alternate
- 17) Yellowhead Regional Library - One Council Member and one alternate
- 18) Yellowhead Highway Association – One Council Member and one alternate

Appointments may be added, reduced or adjusted by Council resolution or by amendment to the bylaw which creates or created the committee or board