

MUNICIPALITY OF CROWSNEST PASS
BYLAW NO. 900, 2014

Council Procedural Bylaw

A Bylaw of the Municipality of Crowsnest Pass in the Province of Alberta to regulate the proceedings and conduct of Council and Council Committees thereof in the Municipality of Crowsnest Pass.

WHEREAS the provisions of Section 145(b) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, provides that the Council may pass Bylaws respecting the procedure and conduct of Council and Council committees and other bodies established by the Council, the conduct of Councillors and the conduct of members of Council committees and other bodies established by Council

NOW THEREFORE, The Council of the Municipality of Crowsnest Pass duly assembled enacts as follows:

1 TITLE

This Bylaw may be cited as the “Council Procedural Bylaw” of the Municipality of Crowsnest Pass.

2 DEFINITIONS

2.1 “Affiliated Organizations” means a committee, board or public agency established by Council with a majority of the membership made up of Public Members other than Councillors and the Mayor.

2.2 “Agenda” means the list of items and order of business for any meeting of Council or Committee of Council.

2.3 “Bylaw” is a Bylaw of the Municipality of Crowsnest Pass.

2.4 “Chief Administrative Officer (CAO)” shall mean the Chief Administrative Officer as appointed by the Municipality of Crowsnest Pass or his/her designate.

2.5 “Committee of Council” means a committee, board, task force or any other public body established by Council pursuant to the Municipal Government Act with their membership made up of the Mayor, Councillors and members of the public at large.

2.6 “Council” means the municipal Council for the Municipality as duly elected.

2.7 “Council Meetings” are regularly scheduled or Special Meetings that require the attendance of Council.

2.8 “Delegation” shall mean one or more persons who have formally requested or have been asked to appear before Council at a Council or Council Committee Meeting, in accordance with this Bylaw.

2.9 “Deputy Mayor” means the Councillor who is appointed by the Council, pursuant to the provisions of Section 152 of the Municipal Government Act, to act as the Mayor in the absence or incapacity of the Mayor.

2.10 “Ex-officio” means membership by virtue of one’s office and/or where appointed by Council.

2.11 “FOIP” means the Freedom of Information and Protection of Privacy Act of Alberta.

2.12 “In Camera” means meeting of Council or Committee of Council conducted in the absence of the public in accordance with Section 197 of the Municipal Government Act.

2.13 “Majority of Council” means fifty (50%) plus 1 of those present.

2.14 “Mayor” means the Mayor of the Municipality of Crowsnest Pass duly elected.

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2.15 “Media Representatives” shall mean an employee or agent of a Licensed Broadcaster, a member of the Alberta Weekly Newspaper Association or a member of the Alberta Press Council.

2.16 “Media Question Period” means the period set aside during the regular Council Meeting, for the purpose of allowing Media Representatives of the Gallery to address Council relative to the meeting content.

2.17 “Motion” means a question that has been placed before Council but which has not yet been subject to a vote by Council.

2.18 “New Business” shall mean any matter appearing before Council for the first time on an Agenda that requires a decision of Council.

2.19 “Non-Affiliated Organizations” means a committee, board or public agency not established by Council.

2.20 “Organizational Meeting” shall mean the meetings held for the purpose of scheduling Council Meetings and to make Council appointments to Committees of Council, to be held annually no later than 2 weeks after the 3rd Monday in October as per the Municipal Government Act.

2.21 “Presiding Officer” shall mean the Mayor; or in the absence of the Mayor, the Deputy Mayor; or in the absence of the two, any other Member of Council appointed by Council to preside at the Meeting from those Members of Council present.

2.22 “Public Hearing” means a meeting of the Council, or that portion of a meeting of Council during which members of the public make representations to Council in accordance with Section 230 of the Municipal Government Act.

2.23 “Public Input Period” means the period set aside during the regular Council Meeting, for the purpose of allowing member(s) of the Gallery to address Council relative to any municipal matter.

2.24 “Public Member(s)” means representative(s) of the public appointed by Council to an Affiliated Organization and/or Committee of Council.

2.25 “Quorum” is four Members of Council.

2.26 “Resolution” means a Motion passed by a Majority of Council.

2.27 “Special Meeting” means a meeting called by the Mayor pursuant to the Municipal Government Act.

3 EFFECTIVE DATE

3.1 Bylaw 900, 2014 comes into full force and effect upon the final passing thereof.

3.2 That Bylaw 870, 2013 is repealed.

4 SETTING OF MEETINGS AND COUNCIL MEMBER APPOINTMENT

4.1 Council shall hold an annual Organizational Meeting to establish the days and times of its regular and committee meetings.

4.2 Council meetings shall not be held on statutory holidays.

4.3 Council shall, at its Organizational Meeting each year, determine the following:

4.3.1 the appointment of the Deputy Mayor or the roster of Deputy Mayors for the following year;

4.3.2 the appointments to Committees of Council and Affiliated Organizations.

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5 QUORUM

5.1 Should a Quorum of Council Members not be present within half of an hour of the time appointed for the meeting of Council, the CAO shall call the roll and take down the names of Members of Council present; and the Council shall then stand adjourned until the date and time of the next regularly scheduled meeting of Council.

5.2 If a Council meeting is adjourned for failure to constitute a quorum or due to the loss of quorum as a result of a Council member leaving the meeting, the agenda for that meeting shall be considered at the next regular meeting of Council unless a Special meeting is scheduled to complete such business.

5.3 As soon as there is a Quorum present, the Mayor shall then take the chair and the Members of Council shall be called to order.

5.4 In case the Mayor or Deputy Mayor are not in attendance within fifteen (15) minutes after the hour of the time appointed for the meeting, the CAO shall call the meeting to order and shall call for a Presiding Officer to be chosen by a Resolution of Council.

5.5 The CAO shall record the time of arrival and departure of Council Members at the meetings, should a Member of Council arrive late, or depart prior to the completion of the meeting in order to determine Quorum.

6 AGENDA

6.1 The Agenda for all Meetings of Council shall be prepared under the joint direction of the CAO, Mayor, and/or Deputy Mayor, and shall report subjects and/or communications to be dealt with at each Council Meeting.

6.2 The standard order of business on the Agenda shall be as follows:

- 6.2.1 Call to Order
- 6.2.2 Public Hearing(s)
- 6.2.3 Adoption of Agenda
- 6.2.4 Adoption of Minutes
- 6.2.5 Delegation
- 6.2.6 Administrative, Agency and Progress Reports
- 6.2.7 Business Arising out of Minutes
- 6.2.8 Correspondence
- 6.2.9 Committee Minutes and Reports
- 6.2.10 Bylaws
- 6.2.11 Notices of Motion
- 6.2.12 Other Business
- 6.2.13 Council Members Reports
- 6.2.14 Public Input Period
- 6.2.15 Media Question Period
- 6.2.16 In Camera
- 6.2.17 Business Out of Camera
- 6.2.18 Adjourn

6.3 No item shall be added to any Agenda at the Council meeting, unless it is of an emergent nature or is brought forward by the CAO or any member of Council subject to a majority vote of Council.

6.4 The standard order of business established in the foregoing article 6.2 shall apply unless Council otherwise determines by a majority vote of the members present, and the vote upon a matter of priority of Council business shall be decided without debate.

6.5 Call to Order

6.5.1 The Presiding Officer shall call the meeting to order at the time appointed for the meeting of Council and in consideration of article 5.

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6.6 Public Hearing(s)

6.6.1 shall be conducted in accordance with the procedures set out in Appendix A.

6.7 Adoption of Agenda

6.7.1 Council must vote to adopt the Agenda prior to transacting any business and may:

6.7.1.1 Add new item(s) to the Agenda by a majority vote; or

6.7.1.2 Delete any item(s) from the Agenda by majority vote

6.8 Adoption of Minutes

6.8.1 The unapproved minutes of prior Council Meetings must be circulated with the Agenda package.

6.8.2 Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate.

6.8.3 If there are no errors or omissions, Council must adopt the minutes as circulated.

6.8.4 Minutes that require amendments must be amended and returned at the next meeting for approval.

6.9 Delegations

6.9.1 If a Delegation wishes to make a presentation to Council the Delegation shall submit a written request to do so to the CAO not later than noon on the Wednesday prior to the Council meeting at which the delegation wishes to appear. The written request shall state the name of the person or group representative wishing to speak before Council, their municipal and mailing address(es) and phone number(s) and a detailed description of the subject matter and all presentation documents that they wish to speak on.

6.9.2 Delegations shall be required to make their representations to the Governance and Priorities Committee unless the CAO determines that the subject matter of the proposed presentation is of an urgent or emergent nature and requires an appearance before Council.

6.9.3 Any Municipality of Crowsnest Pass taxpayer or resident shall be provided the opportunity to address Council, provided they have not addressed Council on the same subject within the previous six (6) months and the CAO determines that the subject matter of the proposed presentation is of an urgent or emergent nature. If determined to not be urgent or emergent the Delegation will be heard by at the next meeting of the Governance and Priorities Committee. If the person or group wishing to address is not a taxpayer or Municipality of Crowsnest Pass resident, or if the subject is the same as one addressed by that person or group within the previous six (6) months, then Council shall consider the request and determine whether or not to receive the Delegation. The decision of the Council on this matter is final.

6.9.4 Delegations speaking to the subject will be restricted to speaking to the relevant subject matter only. In questioning Delegations, Members of Council will ask only questions of clarification which are relevant the matter being addressed by the Delegation.

6.9.5 Delegations shall not speak for more than twenty (20) minutes, unless the time is extended by the majority vote of Council.

6.9.6. The presentation by a Delegation may only be:

6.9.6.1 Clarified by questions from Council;

6.9.6.2 Received as information without debate; or

6.9.6.3 Referred without debate to a Committee of Council or the CAO for a report; or

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6.9.6.4 Debated if by a majority vote a Motion is passed to allow a Motion to be made without notice.

6.10 Administrative, Agency and Progress Reports

6.10.1 *Information Reports*

6.10.1.1 An information report from an Affiliated Organization or Administration that does not request Council action other than receipt as information may only be:

6.10.1.1.1 Questioned only for clarification;

6.10.1.1.2 Received as information without debate; or

6.10.1.1.3 Referred to a Committee of Council or the CAO by majority vote without debate; or

6.10.1.1.4 Debated if by a majority vote a Motion is passed to allow a Motion to be made without notice.

6.10.2 *Action Reports from Administration*

6.10.2.1 Reports from the CAO or other Management Personnel, as designated by the CAO, which request a decision by Council may be debated and Council may:

6.10.2.1.1 Vote on the recommended Motion; or

6.10.2.1.2 Refer the requests to a Committee of Council or the CAO for further investigation and report; or

6.10.2.1.3 Vote on an amended Motion as formulated through debate and presented by a Council member.

6.10.3 *Inquiries for further Information*

6.10.3.1 Any member of Council may make a request for information to be provided to Council on any matter within the Administrative, Agency and Progress Reports.

6.10.3.2 The CAO or other Management Personnel, as designated by the CAO, will provide an answer to the inquiry at the next Council meeting or, if that is not possible will provide a progress report indicating when the answer to the inquiry may be expected.

6.11 Business Arising out of Minutes

6.11.1 Business which was on the Agenda of a previous meeting and was not completed, will have all information relative to the issue brought forward subject to its availability, as Business Arising out of Minutes.

6.11.2 Items on the Agenda under Business Arising out of Minutes must include all information relative to the issue including the expected Motion.

6.12 Correspondence

6.12.1 Correspondence addressed to the Mayor and/or Council will be included in the Agenda package and all content shall be subject to the Freedom of Information and Privacy Act.

6.12.2 Council action may only be:

6.12.2.1 Questioned only for clarification;

6.12.2.2 Received as information without debate; or

6.12.2.3 Referred to a Committee of Council or the CAO by majority vote without debate.

6.13 Committee Reports

6.13.1 Minutes of Committee of Council will be included in the Agenda package and Council action may only be:

6.13.1.1 Questioned only for clarification;

6.13.2 If there are no errors or omissions, Council must adopt the minutes as circulated.

6.13.3 Minutes that require amendments must be amended and returned at the next meeting for approval.

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6.14 Bylaws

6.14.1 A bylaw may be debated or amended at any time prior to the vote by Council on third reading for the bylaw. Unanimous consent of Council is required to proceed to 3rd reading if all three readings are being requested at the same meeting.

6.14.2 A Bylaw appearing on the Council Agenda when listed as ready for first reading shall be introduced by the Presiding Officer “that first reading be given to Bylaw (quoting Bylaw number)”. After a Member of Council has made a Motion for the first reading of a Bylaw, Council may:

16.14.2.1 Debate on the substance of the Bylaw; and

16.14.2.2 Propose and consider amendments to the Bylaw.

When all amendments have been accepted or rejected, the vote for first reading of the Bylaw, as amended, shall be taken.

6.14.3 Proposed Bylaws after first reading may be referred, to Affiliated and/or Non Affiliated Organizations.

6.14.4 A Bylaw shall be introduced for second reading by the Presiding Officer “...that second reading is given to Bylaw (quoting the Bylaw number)”. After a Member of Council has made a Motion for the second reading of a Bylaw, Council may:

16.14.4.1 Debate on the substance of the Bylaw; and

16.14.4.2 Propose and consider amendments to the Bylaw.

When all amendments have been accepted or rejected, the vote for second reading of the Bylaw, as amended, shall be taken.

6.14.5 A Bylaw shall be introduced for the third reading by the Presiding Officer “...that third reading be given to Bylaw (quoting the Bylaw number)”. After a Member of Council has made a Motion for third reading of a Bylaw, Council may:

16.14.5.1 Debate on the substance of the Bylaw; and

16.14.5.2 Propose and consider amendments to the Bylaw.

When all amendments have been accepted or rejected, the vote for third reading of the Bylaw, as amended, shall be taken.

6.14.6 Every Bylaw which has been given three readings by the Council shall, as soon as reasonably possible after third reading, be signed by the Presiding Officer and the Municipal Clerk, sealed with the Corporate Seal, and be deposited with the Municipal Clerk for storage.

6.15 Notice of Motion

6.15.1 A Notice of Motion is made to serve notice of intent. It also affords Council some time to think through what is being proposed. It can also provide Administration time to search out the relevant background to the issue.

6.15.2 A Notice of Motion must give sufficient detail that the subject of the Motion and any proposed action can be determined, and it must state the date of the meeting at which the Motion will be made. A notice must be given without discussion of the matter, but any written copies distributed may include explanatory paragraphs.

6.15.3 Any member of Council may make a Motion introducing any new matter of municipal business only if:

16.13.3.1 The member of Council has given a Notice of Motion at a meeting of Council held at least seven days before the meeting at which the Motion is to be debated; or

16.13.3.2 Council passes a Motion by majority vote dispensing with notice.

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6.15.4 A Council member who submits a written Notice of Motion to the CAO, to be read at a meeting, need not be present during the reading of the notice.

6.15.5 When notice has been given, the CAO will include the proposed Motion in the Agenda of the meeting for the date indicated in the Notice of Motion.

6.15.6 If the Council Member is not present for the indicated date, the Motion will be deferred to the next regular Council meeting. If the Council Member is not present at the next regular Council meeting the Motion will be removed from the Agenda and may only be made by a new Notice of Motion.

6.16 Other Business

6.16.1 Business that is precluded from other Agenda categories will have all information relative to the issue brought forward subject to its availability, as Other Business.

6.16.2 Council action may only be:

6.16.2.1 Questioned only for clarification;

6.16.2.2 Received as information without debate; or

6.16.2.3 Referred to a Committee of Council or the CAO by majority vote without debate.

6.16.2.4 Debated if by a majority vote a Motion is passed to allow a Motion to be made without notice.

6.16.3 Items on the Agenda under Other Business must include all information relative to the issue including the expected Motion.

6.17 Council Member Reports

6.17.1 Council Member Reports provides time for each member of Council an opportunity to speak on matters relating to their attendance at meetings, events, workshops, and conferences.

6.17.2 The time frame for each Council Member to provide his/her Council Member Report is five (5) minutes.

6.18 Public Input Period

6.18.1 Public Input Period provides time for an individual or representative of a Non-Affiliated Organization an opportunity to present an issue or ask questions of Council relative to a Municipal issue.

6.18.2 The time frame for public input is ten (10) minutes.

6.18.3 Responses may be provided by Council or Administration at the meeting or referred to Administration for further information.

6.19 Media Question Period

16.19.1 Provides time for Media Representatives to direct questions to the Presiding Officer relative to the meeting content.

16.19.2 Responses may be provided by Council or Administration at the meeting, or referred to Administration for further information.

6.20 In Camera

6.20.1 All In Camera discussions are confidential discussions between Members of Council, Administration and invited persons. No minutes, notes or recordings of those discussions will be prepared and Council Members must be physically in attendance during the In Camera session.

6.20.2 In Camera Agenda items must include the topic to be discussed and the reason(s) why they must be In Camera.

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6.20.3 No Motion related to the matter discussed In Camera will be allowed to follow the In Camera discussion unless the item was placed on, or included in, the approved Agenda.

7 CONDUCT OF BUSINESS

7.1 The Presiding Officer shall preserve order, decorum, and decide questions of procedure subject to an appeal of Council; and the decision of the Presiding Officer shall be final unless reversed by a majority vote of the members present, without debate.

7.2 During Council sessions, internet access will be limited to log-in of the Agenda Package and related materials. Electronic devices will be turned off. Email access and communication during Council Meetings is strictly prohibited.

7.3 Council Members will ask permission of the Presiding Officer to leave during any meeting in session.

7.4 Questions from the public regarding Municipal matters may be asked during Public Input Period or Media Question Period at Regular Business Meetings. Responses may be provided by Council or Administration at the meeting, or referred to Administration for further information.

7.5 When any Point of Order, Point of Procedure, or Question of Privilege arises, it shall be immediately taken into consideration.

7.6 When the Presiding Officer is called upon to decide a Point of Order, Point of Procedure, or Question of Privilege the point shall be stated, succinctly and the Presiding Officer shall when giving his/her decision on the point cite the rule or authority applicable to the same.

7.7 When a Point of Information is raised, the Presiding Officer shall answer the question or direct the question to the appropriate Member of Council, or Administration.

7.8 When a Point of Order, Point of Procedure, or Question of Privilege is raised or when a Member of Council is called to order by the Presiding Officer, the Member of Council speaking shall immediately cease speaking until the Presiding Officer decides the point raised.

7.9 When a Point of Privilege arises, the Presiding Officer shall rule upon the admissibility of the question and, if the Presiding Officer rules favorably, the Member of Council who raised the Point of Privilege shall be permitted to pursue the point.

7.10 The Presiding Officer shall give each Member of Council, who wishes to speak on a matter on the Council Agenda, an opportunity to do so before calling the question. No Member of Council shall speak without first being recognized by the Presiding Officer; and being granted the floor. No Member of Council shall speak twice to the same item, without the leave of Council, until every member of Council has an opportunity to speak except to make an inquiry or an explanation that may have been misconstrued; and no Member of Council having first received their opportunity to speak.

7.11 No Member of Council shall speak to the same question, or in reply, for longer than ten (10) minutes.

7.12 Every Member of Council, and every member of Administration present at the meeting, in speaking to any question or Motion, shall address himself only to the Presiding Officer.

7.13 When a Member of Council is addressing Council, that member shall:

7.13.1 Speak respectfully;

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7.13.2 Not use offensive, or unkind words in referring to any Member of Council, or to any official or staff member of the Municipality or any member of the Public;

7.13.3 Not make disparaging comments about the motives of members of Council who make a Motion or who vote in support of a Motion.

7.13.4 Not shout or raise her/his voice or use profane, vulgar or offensive language;

7.13.5 Assume personal responsibility for any statement of fact quoted to Council and upon request by Council shall advise Council as to the source from which the facts were taken.

7.14 The Presiding Officer may rule any Member of Council out-of-order for failing to observe any of the above-noted restrictions; and any Member of Council so ruled out-of-order shall immediately cease to speak.

7.15 When two or more Members of Council desire to speak to a matter, the Presiding Officer shall establish the priority.

7.16 A Member of Council called to order shall immediately cease to speak, but may afterwards explain, and the Council, if appealed to, shall decide the same without debate; if there be no appeal, the decision of the Presiding Officer shall be complied with. During the reading of the Minutes, reports, communications or other papers, and when a Member of Council or any other person is addressing Council, silence shall be observed and no person shall be allowed to disturb the meeting. A Member of Council that is called to order shall immediately cease to speak but may, if the Member Challenges the decision of the Presiding Officer calling that Member to order, offer an explanation of their actions and Council shall decide on the Challenge without debate.

7.17 If the member of Council that is called to order does not Challenge the order of the Presiding Officer the member shall comply with the order of the Presiding Officer.

7.18 Any Member of Council may require the question, or Motion under discussion to be read at any time during the debate, but not so as to interrupt a Member of Council while speaking.

8 ORDER OF PROCEEDINGS IN CAMERA

8.1 Pursuant to section 197(2) of the Municipal Government Act, the Council may by Resolution move into In Camera and the meeting:

8.1.1 Shall be held in private;

8.1.2 May exclude any person or persons there from; and

8.1.3 Shall prohibit Council's ability to make any decision by Resolution, except a Motion to revert into open session.

9 COMMITTEES OF COUNCIL

9.1 Council may establish Committees consisting of one or more of the Members of Council and Public Members; and may delegate to any such Committee any of Council's powers, duties, or functions; excepting:

9.1.1 The power to enter into contracts;

9.1.2 The function of publicly expressing or communicating any opinion that may be construed as being Council's opinion; and

9.1.3 Those duties and responsibilities that Council cannot delegate, pursuant to the Municipal Government Act.

9.2 A Committee to which a duty or power is delegated may exercise or perform it in the like manner and with the same effect as Council.

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9.3 All Committee Members shall be appointed by Council at the annual Organization Meeting of Council.

9.4 At the annual Organization Meeting of Council and Pursuant to Section 154 (2) and (3) of the Municipal Government Act the Mayor:

9.4.1 Identified by personal name is an Ex-officio to all Affiliated Organizations that are advisory, to allow for ad hoc participation without the powers and privileges provided to a member.

9.5 In the case where an Elected Official is a Member of a Committee of Council and/or Affiliated Organization is unable to attend a meeting, it shall be the responsibility of that elected official to make every effort possible to have an alternate Member of Council attend the meeting.

9.6 The alternate Member of Council shall have all the powers, rights, and duties as a member of the Committee concerned as if appointed by Council thereto.

9.7 A Special Committee may be appointed at any time by Council or by the Mayor acting upon the instructions of Council, providing only that a Motion has been adopted specifying the matters to be dealt with by the Committee, and including the term of the Committee.

9.8 The membership of the Committees shall be subject to revision on a yearly basis at the Organizational Meeting of each year of a Council's term of office.

9.9 Each proposed change to the membership of a Committee of Council will be voted upon and decided by a majority vote.

9.10 Committees of Council shall perform the duties prescribed by Council in the bylaw establishing the Committee of Council.

9.11 All Committee meetings shall be open to the public.

9.12 Notice of Council and Committee meetings shall be by any one or more of the following methods:

9.12.1 Posted on the Municipality's website; or

9.12.2 Through advertisement or notice in a weekly newspaper circulating in the community; or

9.12.3 Through posting of a notice at the Municipal Office; or

9.12.4 Through advertisement or public notice on a radio station operating in the Municipality of Crowsnest Pass

9.13 The Deputy Mayor shall be appointed on a bi-monthly basis at the Organizational Meeting with the expectation that each Councillor will serve a two month term during the following twelve (12) months.

10 GENERAL

10.1 Precedence of the rules governing procedure of Council will be determined as follows:

10.1.1 Municipal Government Act;

10.1.2 This Bylaw;

10.1.3 Current edition of Robert's Rules of Order.

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10.2 No Member of Council shall direct or interfere with the performance of any work for the Municipality, and shall seek all information through the office of the Chief Administrative Officer or their designate.

10.3 Any member of the public who, while in the Council Chambers, interrupts and disturbs the proceedings of Council by words or actions and who, when so requested by the Presiding Officer, refuses to end such interruption or to leave the Council Chambers if so requested, shall be subject to removal from Council Chambers.

10.4 The Presiding Officer at any meeting may expel from Council Chambers any person guilty of improper conduct.

10.5 Members of Council shall subscribe to the Alberta Urban Municipalities Association Ethical Guidelines of Conduct for Members of Council. In addition to these Guidelines, Members of Council shall refrain from uttering malicious or libelous comments with respect to each other or Members of Administration, either in Council Chambers or in the community at large.

10.6 A breach of the Section of the Bylaw by any Member of Council may place the Member of Council in the position of censure by Council.

10.7 Public Hearings, when required or requested by Council, will be held prior to second reading. Public Hearing shall be conducted in accordance with the procedures set out in Appendix A.

10.8 Motions of Council and any questions of parliamentary procedures shall be dealt with in the manner established in Appendix B.

10.9 If any Member of Council wishes to have a Recorded vote, the request for a recorded vote must be made prior to the vote being taken and recorded in the meeting minutes. (Section 185 MGA).

11 ELECTRONIC COMMUNICATIONS

11.1 Electronic recordings of Council Meetings will be allowed by and through an official Municipal recording program unless authorized by Council. The Municipal sound recording is the official sound recording and the approved minutes are the official transcript. Information taken from unofficial recordings and/or transcripts will not be recognized nor considered.

11.2 In accordance with Section 199 of the Municipal Government Act, a Council or Committee Meeting may be conducted by means of electronic or other communication facilities if:

11.3 Notice is given to the public of the meeting, including the way in which it is to be conducted;

11.4 The facilities enable the public to watch or listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place; and

11.5 The facilities enable all the meeting's participants to watch or hear each other.

11.6 A Council Member or Public Member participating in a meeting held by means of a communication facility are deemed to be present at the meeting of Council or a Committee of Council.

11.7 If technological problems prevent participation, the Council Member or Public Member shall be marked absent.

11.8 If communication is lost during the meeting and cannot be reconnected, the meeting minutes shall reflect when the Member left the meeting.

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11.9 Agenda packages will be delivered to Members participating electronically, if possible.

11.10 Acceptable Circumstances for Use:

11.10.1 A Member of Council may participate in a specific Agenda item(s) at a Committee of Council Committee meeting by using a Communication Facility if:

11.10.1.1 The Member of Council is in a location outside the Municipality of Crowsnest Pass for any reason;

11.10.1.2 The Member of Council is in a location within the Municipality, but is unable to attend a meeting for medical reasons of himself or herself, or an immediate family member;

11.10.1.3 There is a Quorum of other Members of Council situated in the actual meeting place to ensure the meeting could continue if the Communication Facility failed;

11.10.1.4 The Chief Administrative Officer is present at the place specified in the notice to the public about this meeting.

11.10.2 Public Participation (Delegation-Public Hearing):

11.10.2.1 Any person may participate in a meeting of Committee of Council using communication facilities if:

11.10.2.1.1 The costs of such participation are paid for by the person wishing to use the communication facility; and

11.10.2.1.2 That person is in a location outside the Municipality of Crowsnest Pass.

11.11 Notice of Proposed Use:

11.11.1 Any person who wants to use a communication facility must:

11.11.1.1 Notify, in writing or by email, Mayor, Chair for Committee, and CAO that he or she intends to participate on a specific item(s) by means of a communication facility with a request that this item be made time specific; and

11.11.1.2 Member of the public must give two days notice, and

11.11.1.3 Advise the CAO of the phone number at which he or she will be available throughout the meeting.

11.12 In the event a Member of Council is out of the Municipality of Crowsnest Pass at the time a Special Meeting of Council is called, the CAO will use best efforts to contact the Councillor, at the phone number(s) or email address(es) left with the CAO at the time of the Councillor's departure, to notify him or her of the meeting.

11.13 Initiating Use of a Communication Facility:

11.13.1 The CAO or designate will telephone the person at the pre-arranged number when the item actually comes up for discussion or at the beginning of the meeting, depending on the request in the notice.

11.14 Voting:

11.14.1 When a vote is called on a Motion, the Member of Council who is participating in the meeting by means of a communication facility will vote verbally.

11.14.2 If the meeting is a meeting of Council occurring in Council Chamber,

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the Councillor who is not physically in attendance at the meeting location shall state his or her vote for all to hear and will then be recorded in the meeting minutes;

11.14.3 The Councillor who is not physically in the meeting location will indicate his or her vote only after all other Councillors have voted by a show of hands.

11.15 Exceptions:

11.15.1 Council may consider requests for exceptions from this procedure when exceptional circumstances exist.

11.16 Live Streaming (Meeting Webcasts) of Council and Governance and Priority Committee Meetings

11.16.1 Video and Audio streaming may be available during all public Council and Committee meetings held in Council Chambers should Council deem at its Annual Organizational Meeting to do so. If a meeting is held in another location, video and audio streaming will not be available.

12 SEVERABILITY

12.1 In the event that any provisions of this Bylaw are found to be unlawful or outside the jurisdiction of the Municipality, such provision or provisions, as the case may be, will be severed from the Bylaw and the remaining provisions will continue to be in force.

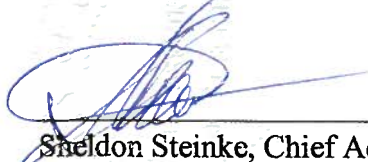
Read a first time this 4th day of November, 2014.

Read a second time this 25th day of November, 2014.

Read a third time and finally passed this 25th day of November, 2014.



Blair Painter, Mayor



Sheldon Steinke, Chief Administrative Officer

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APPENDIX A

THE PROCEDURES TO BE FOLLOWED
AT THE PUBLIC HEARING ARE AS FOLLOWS:

1. Introduction
The Presiding Officer will introduce the first item on the Agenda and advise the public that all documents presented at this hearing are deemed to be public documents unless stated on the document that it is confidential.
2. Administrative Briefing
A member of Administration will provide a brief context for, and background of the application. Content of the Application is not discussed at this point.
3. Applicants Presentation
The applicant (or a member of Administration in the case of a Municipal sponsored application) will be permitted to make a presentation on the substance and content of the item. The presentation shall not exceed ten (10) minutes unless Council provides consent for a longer presentation. This is the applicant's only opportunity to speak.
4. Administrative Comments
If the applicant is not the Municipality, then a member of Administration will provide the Municipal's initial assessment, summarizing the presentation made to Council when the Public Hearing was scheduled.
5. Questions of Clarification
The Presiding Officer will ask if there are any questions of clarification from the public.
6. Public Submissions
The Presiding Officer will invite members of the public to speak to the item. All members of the public that wish to speak shall be afforded an opportunity to speak. All speakers shall be given a 5 minute time frame unless Council provides consent for a longer presentation. Speakers may indicate if they are supportive, not supportive or neutral to the item. The Public Hearing may be adjourned to a later time and date to accommodate all members of the public that wish to speak. Members of Council will ask questions of clarification if required.
7. Written Submissions
The Presiding Officer will ask the recording secretary to read into the record or summarize the written submissions made by the public. At a minimum, the names and general tone (supportive/not supportive/neutral) of those providing written submissions shall be read into the record by the Administration.
8. Final Comments after all Presentations and Submissions
Prior to asking Administration for final comments, the Presiding Officer will ask those in attendance if any of the information disclosed in the course of the Public Hearing is new information that they would like to address.
The individual will be asked to identify the new information and if determined by the Presiding Officer that the information is new to the individual, the individual may be given a further ten (10) minutes to comment on the new information.

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9. Final Administrative Comments

Administration will be provided an opportunity to provide any final closing comments based on verbal and written submissions. Questions of clarification from Council will be addressed.

10. Closing

The Presiding Officer will close the public hearings.

11. Control and Conduct of Meeting

The Presiding Officer will advise persons addressing the Council that they should give their name and address, and indicate if they are speaking on their own behalf, or for a client, company, community association, club, organization or other group.

11.1 No person shall address Council:

11.1.1 Without the permission of the Presiding Officer (or Presiding Officer);

11.1.2 More than once and for more than ten (10) minutes, unless permission is granted by Council for a longer presentation.

11.2 During a Public Hearing Members of the Public:

11.2.1 Shall speak in a respectful manner and shall address Council;

11.2.2 Shall directly address the item and not repeat themselves or address matters irrelevant to the Public Hearing;

11.2.3 Shall maintain order and quiet;

11.2.4 Shall not interrupt any speech or action of Members of Council or any other member of the public that is addressing Council.

11.3 The Presiding Officer may, at any Public Hearing, cause to be expelled and excluded any person who creates any disturbance or acts improperly during a meeting.

12. Appendix A will not be applied when Council is dealing with statutory appeals and is acting in a quasi-judicial capacity pursuant to the Municipal Government Act.

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APPENDIX B

PARLIAMENTARY PROCEDURE, PRIVILEGE AND MOTIONS

PARLIAMENTARY PROCEDURE AND PRIVILEGE

1. “Challenge” means an appeal of a ruling of the Presiding Officer.
2. “Point of Information” means a request or statement directed to the Presiding Officer or through the Presiding Officer to another Member of Council or to the Administration, for or about information relevant to the business at hand, but not related to a Point of Procedure.
3. “Point of Order” shall mean the raising of a question by a Member of Council to call attention to any departure from the Procedural Bylaw or the customary modes of proceedings in debate, or in the conduct of Council’s business.
4. “Point of Privilege” means all matters affecting the rights and exemptions of Council collectively or the position and conduct of Members of Council in their respective character as elected representatives.
5. “Point of Procedure” means a question directed to the Presiding Officer to obtain information on a matter of the rules of Council regarding the business at hand in order to assist a Member of Council to make an appropriate Motion, raise a point of order, or understand the parliamentary procedure, or understand the effect of a Motion.
6. “Question of Privilege” is the raising of a matter by a Council Member which occurs while the Council is in session, where:
 - 6.1 the rights, privileges, decorum, or dignity of the Council collectively or the rights and privileges of a Council Member individually have been affected;
 - 6.2 a Council Member believes that another member has spoken disrespectfully toward them or the Council; or
 - 6.3 a Council Member believes their comments have been misunderstood or misinterpreted by another Council Member of Members; or
 - 6.4 a Council Member believes that comments made by the member, outside of the Council Chamber, have been misrepresented or misunderstood by the Community, the public, or the news media, in order to clarify his or her position.
7. A Motion shall be expressed in the affirmative, even where its purpose and effect are negative.
8. Any Motion made in the negative shall be ruled out of order.
9. All Motions shall be recorded in writing by the recording secretary. When a Motion is stated, and upon request by any Member of Council, it shall be read by the Presiding Officer before a debate.

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10. After a Motion has been moved and read by the Presiding Officer, it is the property of Council but may be withdrawn at any time before decision or amendment with the permission of all the Members of Council present. All amendments shall be put in the reverse order to that in which they are moved; and every amendment shall be decided upon or withdrawn before the main question is put to a vote. Only one amendment to the main Motion at one time shall be allowed, and only one sub-amendment shall be allowed to an amendment at one time.
 - 10.1 A sub-amendment should not enlarge the scope of the amendment, but should deal with matters not covered by the amending Motion.
 - 10.2 An amendment proposing a direct negative to the original Motion is out of order.
 - 10.3 When all amendments have been voted on, the Presiding Officer shall ask for a vote on the main Motion, incorporating any carried amendments.

11. “Motion to Accept as Information” means a Motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration and of having the item, report or recommendation placed in the records of Administration for future reference with no additional action being taken at the present time.

12. “Motion (substantive or main)” means a formal proposal placed before Council at a Council meeting in order that it may be debated to a conclusion and voted upon and is subject to subsidiary Motions to:
 - 12.1 Postpone indefinitely
 - 12.2 Limit Discussion
 - 12.3 Amend
 - 12.4 Refer
 - 12.5 Table

- 13 “Motion (subsidiary) means a Motion that affects the disposition of a substantive or main Motion by bringing it to an immediate vote or by delaying or deferring a decision thereon.

- 14 “Notice of Motion” means a Motion by which a member of Council brings business before Council. It is to serve notice of intent at one meeting to then be brought forward for discussion at a subsequent meeting.

- 15 No Motion shall be offered on items that are not on the Council meeting agenda as adopted.

- 16 No Motion shall be offered that is substantially the same as one on which the judgement of the Council has already been expressed during the same meeting.

- 17 “Motion to Refer” means a Motion that directs the substantive or main Motion be sent from Council to be considered by a Committee of Council or the Administration.

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- 18 A Motion to Refer precludes all amendments to the substantive or main Motion and is open to debate on the limited point as to whether or not the substantive or main Motion should be referred.
- 19 “Motion to Table” means a Motion by which a member of Council seeks Council approval to direct that a main or substantive Motion be set aside and not considered by Council until a specified time or until brought back to Council for consideration by Notice of Motion.
- 20 “Motion to Postpone” is a Member of Council moving a Motion to Postpone any matter shall include:
- 20.1 A reason for the postponement;
 - 20.2 A specific time as to when the matter is to be considered;
 - 20.3 A Motion to postpone is debatable
- 21 “Motion to Reconsider” means a Motion by which a member of Council seeks Council approval to delay consideration of a main or substantive Motion.
- 21.1 Must be made by a member who voted on the prevailing side of the Motion in question;
 - 21.2 Must be made on the day the vote to be reconsidered was taken, or the next business meeting;
 - 21.3 Is debatable;
 - 21.4 Can be postponed until a specific time;
 - 21.5 Requires a majority vote of Council is necessary to pass a Motion to Reconsider an action of Council may be offered at any time subsequent to the meeting at which the original Motion was passed, upon service of a Notice of Motion by the member of Council intending to seek rescission of the Motion.
- 22 A Motion containing more than one distinct proposition will require a separate vote upon each proposition. It then becomes unnecessary to vote upon the whole Motion.
- 23 “Motion to Rescind” is a Motion to rescind an action of Council may be offered at any time subsequent to the meeting at which the original Motion was passed, upon service of a Notice of Motion by the Member of Council intending to seek the rescinding of the Motion;
- 23.1 Any Member of Council may make the Motion to rescind;
 - 23.2 A majority vote of Council is necessary for the passage of a Motion to rescind.
- 24 A Member of Council may move a Motion to Adjourn at any time except when:
- 24.1 Another Member of Council has the floor;
 - 24.2 A call for a vote has been made;
 - 24.3 The Members of Council are voting;
 - 24.4 Council is In Camera;
 - 24.5 A previous Motion to Adjourn has been defeated, and no other intermediate proceedings have taken place.

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- 25 A Motion to Adjourn shall be voted upon without comment or debate; and a Motion to Adjourn cannot be reconsidered.
- 26 After the question is read by the Presiding Officer, and debate has concluded, no Member of Council shall speak to the Motion nor shall any other Motion be made until after the result of the vote has been declared.
- 27 Whenever the Presiding Officer is of the opinion that a Motion offered to Council is contrary to the rules and privileges of Council, the Presiding Officer shall apprise the Members of Council thereof immediately, before putting the Motion, and shall cite the rule or authority applicable to the case without argument or comment.