

# Town of Manning

## BYLAW# 808-13

### Council Procedure Bylaw

“A Bylaw of the Town of Manning to regulate the procedure and conduct of Council and Council Committee Meetings”

WHEREAS: Council of the Town of Manning has the authority under section 145 of the Municipal Government Act, R.S.A. 2000 c.M-26, and related amendments, to enact bylaws respecting the establishment of council committees and other bodies; the procedure and conduct of council, 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 the council; and

WHEREAS: Council of the Town of Manning considers it expedient and desirable for effective governance to regulate the procedure and conduct of Council, Councillors and others attending Council and Council Committee Meetings in the Town of Manning;

NOW THEREFORE: the Council of the Town of Manning enacts as follows:

#### 1. CITATION

- a. This Bylaw may be cited as the “**Council Procedure Bylaw**” and applies to all members attending Council and Committee meetings established by the Council of the Municipality.
- b. All matters of Council and Council Committee procedures not specifically provided for in this Bylaw may be settled by reference to the latest addition of *Robert’s Rules of Order*.

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**2.0 DEFINITIONS:** In this Bylaw:

“Act” shall mean the Municipal Government Act, R.S.A. 2000 c.M-26, and related amendments;

“Acting CEO” shall mean the member of Council who is assigned by resolution of Council from time to time to act as CEO in the absence or incapacity of both the CEO and Deputy CEO;

“Agenda” shall mean the list of items and order of business for any meeting;

“Amend” shall mean a resolution to add context or details to currently debated resolution;

“Bylaw” shall mean a Bylaw of the Municipality;

“Call the Question” shall mean calling for a vote and immediately terminating debate.

“CAO” shall mean the Chief Administrative Officer having been duly appointed to the position by Bylaw of the Town and in accordance with Section 205 of the Act.

“CEO” shall mean the Chief Elected Officer in accordance with Section 150(1) of the Act, which shall be referred to as the Mayor;

“Chair” shall mean the person presiding over Council and or Council Committee meetings;

“Committee” shall mean a committee created by Council under Section 145 of the Act to provide, advise and make recommendations to Council (that is either a Standing Committee (without a time of dissolution) or an *ad hoc* Committee (established with a specific purpose and timeframe));

“Committee of the Whole” shall mean a committee consisting of all members of Council.

“Council” shall mean the CEO and members of Council of the Town of Manning elected pursuant to the provisions of the *Local Authorities Election Act*;

“Councillor” shall mean a Councillor elected to represent the Town of Manning and continuing to hold office under the terms of the Act;

“County” shall mean the County of Northern Lights.

“Delegation” shall mean any person or persons having formally requested to appear before Council, or a Council Committee to provide pertinent information and views about the subject before Council or Council Committee in accordance with this Bylaw;

“Deputy CEO” shall mean the member of Council who is appointed pursuant to Section 152 of the *Act* to act as CEO in the absence or incapacity of the CEO, which shall be referred to as the Deputy Mayor;

“Group” shall mean 2 or more persons gathered together by a common interest in any matter, one of whom shall be appointed as a spokesperson to solely responsible for presenting the points of view or position of the persons that they represent;

“In Camera” shall refer to all or part of a meeting that is closed to the public and the matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.

“Member” shall mean a Councillor, or Member at Large.

“Member at Large” shall mean a member of the public appointed by Council to a Committee of Council;

“Meetings” shall mean duly constituted regular or special meetings of Council and Council Committees;

“Motion” shall mean a request presented at Council or Council Committee, and may be used interchangeably with the definition of “Resolution”;

“Municipality” shall mean the Town of Manning, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality;

“Person” shall include an individual, partnership, association, body corporate, trustee, executor, administrator, or legal representative;

“Point of Information” shall mean a request directed to the Chair or through the Chair to another member or to Administration for information relevant to the business at hand and not related to the Point of Procedure;

“Point of Order” shall mean the raising of question by a member to call attention to the Chair of any departure from the Procedure Bylaw;

“Point of Procedure” shall mean a question directed to the Chair to obtain information of a matter of the rules of the Town bearing on the business at hand in order to assist a member to make an appropriate Resolution, raise a Point of Order, or understand the situation or the effect of a Resolution;

“Postpone” shall mean to delay the consideration of any matter either to a definite time when further information is to be obtained or indefinitely;

“Quorum” shall be a majority (50% + 1) of those members elected and serving on Council, except where Terms of Reference state differently in specific Council Committee policies;

“Raise from the Table” shall mean when a Member wishes to raise an item previously Tabled;

“Recess” shall mean a non-debatable resolution for a temporary cessation of Council or Council Committee business;

“Recording Secretary” shall mean the person assigned to recording minutes of the meeting;

“Resolution” shall mean a motion presented by a Councillor or member of a Council Committee and made to the Chair that requests some consideration of action by Council or Council Committee or Administration;

“Table” shall mean a resolution to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter;

“Terms of Reference” shall mean a written statement that defines the composition, term, reporting requirements, objectives and mode of operation of a Council Committee.

“Town” shall mean the Town of Manning, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Town;

“Urgency” – If an item is to be added to a previously distributed Agenda, then the Addendum shall pass a test of ‘Urgency’. If the Addendum is time-sensitive or where failure to provide immediate action may cause financial or other distress to the Town, Council or a Committee, then the Chair may authorize the addition of the Addendum to the Agenda.

**3.0 GENERAL**

3.1 In accordance with Section 204 of the Act, the municipal office shall be the Town of Manning Administrative Office located at #413 Main Street, Manning, Alberta, T0H 2M0.

3.2 Council of the Town of Manning shall consist of seven (7) elected officials, one of whom is the CEO as per established in the Act (Sec 143(1) & (2))

3.3 General duties of Councillors and the CEO are established in the Act. (Sec 153 - 156)

**4.0 SEVERABILITY**

4.1 If any portion of this Bylaw is declared invalid by a Court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw shall be deemed valid.

**5.0 MEETINGS**

**5.1 Inaugural Meetings**

5.1.a Council shall hold an Inaugural Meeting on the Wednesday in the first week after each general Municipal Election at a time and place fixed by the CAO.

5.1.b The Mayor, Deputy Mayor and Councillors shall take the Oath of Office pursuant to Section 156 of the Act.

5.1.c The Mayor shall determine the seating arrangements for Council Meetings.

**5.2 Organizational Meetings**

5.2.a An Organizational Meeting of Council shall be held annually no later than 2 weeks after the 3<sup>rd</sup> Monday in October as required by Section 192 of the Act.

5.2.b The Agenda of the Organizational Meeting shall be restricted to:

- i) Establishing regular meeting dates for Council for the next twelve months;
- ii) Establishing Council’s standing committee structure;
- iii) Establishing any *ad hoc* Council Committee;
- iv) Selection of Deputy Mayor by Council resolution;
- v) Appointment of Councillors to Council Committees;
- vi) Appointment of Councillors to external agencies, boards, commissions, and committees;
- vii) Appointment of Members at Large to any agencies, committees, boards to which Council has the right to appoint members;
- viii) Any such other business as is required by the Act.
- ix) Referring to Section 5.2.b,( vi and vii), the Mayor will provide a summary of appointment recommendations to Council by the following process:
  - The CAO shall cause blank lists of the standing and *ad hoc* committee assignments to be circulated to the Councillors, and the Councillors shall mark those assignments that they would prefer.
  - Councillors shall return those lists to the CAO, who shall compile a summary of those requests and forward that list to the Mayor.

- The Mayor shall by counselling with each Councillor and by using the Mayors' best judgement, create a list of appointment recommendations and bring that summary to the Organizational Meeting for ratification.
- Should a Councillor dispute or disagree with an appointment recommendation, Council as a whole shall debate the appointment and, by majority vote, complete the final determination.

5.3 Regular Council Meetings

5.3.a Notice of regularly scheduled meetings, as per Section 5.2.b.i, need not be advertised.

5.3.b If Council changes the date, time or place of a regularly scheduled meeting, the Municipality shall give at least 24 hours notice of the change:

i) To any member of Council not present at the meeting at which the change was made, and such notice shall be in accordance with Section 196(1) of the *Act*; and

ii) To the public, such notice shall be by means of posting a Notice on the front door of the Municipal Office.

5.3.c The time for a Regular Council Meeting shall be 5:15 p.m.

5.3.d Councillors are to inform administration twenty-four (24) hours before a scheduled meeting if they cannot attend.

5.4 Special Meetings

5.4.a Special Meetings shall be held as per Section 194 of the *Act*.

5.5 Committee Meetings

5.5.a Standing Committees of Council:

i) shall be established and governed by a Bylaw, per Section 145 of the Act, to provide, advise and make recommendations to Council.

ii) the Council must:

- name the Committee
- establish Terms of Reference
- establish the term of appointment, or direct that the Committee exist at the pleasure of Council; and
- establish requirement for reporting to Council.

5.5.b The Mayor shall be deemed to be a *defacto* member of all Committees of Council and all bodies to which Council has the right to appoint members under the Act , Section 154 (2).

i) When attending a Committee that the Mayor has not been specifically assigned as a representative, the Mayor shall have a right to vote only when an appointed Member of Council assigned to that Committee is absent and the Mayor has been asked, either formally or informally, to be the representative or alternate.

ii) Staff may be asked to participate as advisors to Council Committees.

5.5.c Committee Chairs:

i) Each Council Committee shall elect its' own Chair.

ii) For Council Committees , the position of Chair shall be selected by vote of the members appointed by Council, which may include Members at Large appointments.

- iii) Where the Town and the County share representation on the Committee or Board, the Members shall elect the Chair.
  - iv) *ad hoc* Committee's, though temporary in nature, shall operate as other committees, being public meetings, with minutes kept, and same procedures followed as Standing Committees.
- 5.5.d The Mayor may temporarily request any Councillor to take the place of any member of the Committee who is unable to attend a meeting of that Committee.
- 5.5.e All Councillors may request to attend any Standing or *ad hoc* Committee Meeting, and may be allowed to participate in debate, but shall not make resolutions or vote unless they have been appointed to that Committee.
- 5.5.f Committees shall meet at the call of the Chair, but notice must be provided to Committee Members and the Public pursuant to the requirements of this Bylaw and the *Act*.
- 5.5.g All Committees are advisory to Council unless authority to exercise or perform any power or duty has been specifically delegated by Council.
- 5.5.h The basic responsibilities of a Council Committee are as follows:
- i) to analyse all matters placed before them and submit recommendations to Council on ways and means of dealing with these matters or to expend monies for particular projects and items, or to use Town resources. Written reports or minutes of committee activities shall be submitted to the next Regular Council Meeting.
  - ii) to receive reports for information purposes. Reports received for information may be forwarded to Council at the discretion of the Committee, and must be forwarded to Council if required under any policy, bylaw or statute;
  - iii) to refer matters to Administration, through the CAO, for reports and provide direction on the preparation of these reports;
  - iv) in appropriate cases, to submit matters to Council without recommendations;
  - v) not to appropriate, expend, commit, or direct the expenditure of any money not provided for in the budget and authorized in Committee mandate by Council;
  - vi) not to bind its' actions on the Town unless power to take such action has been specifically delegated to the Committee by Council;
  - vii) not to give direct instructions to any Town employee except through the CAO.
- 5.5.i Committees must follow the procedural rules of Council as set out in this Bylaw except:
- i) there is no limit to the number of times a Member may speak to a question;
  - ii) information discussion of a subject is permitted when no resolution has been made.
- 5.6 'In Camera' Sessions
- 5.6.a Council recognizes that Section 198 of the *Act* provides for the public to be present at council meetings and council committee meetings conducted in public, and it is the intent and desire of Council to remain open, accountable and transparent to the public.
- 5.6.b 'in camera' sessions shall only be permitted -as per Sec 197(2) of the *Act*.
- 5.6.c The FOIP Coordinator shall approve the items on the "In Camera Agenda" in accordance with the provisions of the *Act* and the Freedom of Information and Protection of Privacy Act.
- 5.7 Public Hearings
- 5.7.a The conduct of any statutory Public Hearing shall be governed by this Bylaw.
- 5.7.b Whenever possible, persons interested in speaking at a Public Hearing should register with the Recording Secretary prior to the Public Hearing.

5.7.c The Chair shall declare the Public Hearing in session and shall outline the Public Hearing Procedures.

5.7.d The Chair may call upon the CAO to introduce the Bylaw or Resolution, and to briefly state the intended purpose.

5.7.e Where applicable, the CAO shall advise of any third party officially applying for the Bylaw or Resolution (for example, as in proposed Bylaws to amend the Land Use Bylaw).

5.7.f Immediately following the introduction of the Bylaw or Resolution, any Councillor who has pecuniary interest in the Resolution or Bylaw for which the Public hearing is being held shall declare this interest and shall be excused from the table.

5.7.g Upon leaving the table, the Councillor has the same rights as any other person attending the Public Hearing and may stay in attendance at the Public Hearing and make presentations. However, when the matter reviewed at the Public Hearing comes before Council for deliberation, the Councillor must adhere to all clauses of Section 9.0 of this Bylaw pertaining to Pecuniary Interest. (Sec 172 of the Act)

5.7.h Any presentation by the Town, its' departmental staff, or agents shall follow the introduction of the Bylaw or Resolution.

5.7.i The Chair shall request those who wish to make presentations to identify themselves so that their names can be recorded in the minutes.

## **6.0 MEETING PROCEDURES**

### **6.1 Quorum**

6.1.a As soon as there is a Quorum of Councillors after the hour fixed for the meeting, the Chair shall call the meeting to order.

6.1.b Unless a Quorum is present within thirty (30) minutes after the time appointed for the meeting, the meeting may, at the discretion of the Chair, 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.

6.1.c The Recording Secretary shall record the names of the Members of Council present at the expiration of the thirty (30) minute time limit and such record shall be appended to the next Agenda.

6.1.d The only action that can legally be taken in the absence of Quorum is to fix the time to which to adjourn (if more than 30 minutes is being allowed), adjourn, recess, or to take measures to obtain a Quorum.

6.1.e In the event that a Quorum is lost after a meeting is called to order, the meeting shall be suspended until Quorum is obtained. If Quorum is not obtained within 30 minutes, the meeting shall stand adjourned.

### **6.2 Conduct of Meetings**

6.2.a Each member or delegate, as the case may be, shall address the Chair but shall not speak until recognized by the Chair.

6.2.b The preparation and distribution of minutes of Council and Council Committees shall be the responsibility of the CAO and may be delegated to a Recording Secretary as per Section 208 of the Act.

### **6.3 Resolutions or Motions**

6.3.a A Resolution or Motion shall not require a seconder.



6.3.b A Resolution or Motion may be withdrawn at any time before voting, subject to no objection from any members, as the case may be.

6.3.c Any Councillor may require the Resolution or Motion to be read at any time during the debate, except when a Councillor is speaking.

6.3.d A mover of a Resolution or Motion must be present when the vote on the Resolution is taken.

6.3.e When a Resolution or Motion is under debate, no Resolution or Motion shall be received other than one to:

- i) **WITHDRAW:** When the mover wishes to withdraw the Resolution or Motion, or substitute a different one in its place. Note: Once the Resolution or Motion is withdrawn, the effect is the same as if it had never been made;
- ii) **TABLE:** When a Member wishes to decline to take a position on the main question - the Resolution or Motion is non-debatable and, when passed, may only be resurrected by a Resolution or Motion to Raise from the Table;
- iii) **CALL THE QUESTION:** That a vote must now be taken;
- iv) **POSTPONE:** (To a time or date certain) Debatable only on the merits of the postponement, not the Resolution or Motion itself;
- v) **REFER:** Generally used to send a pending question to a Council Committee or Administration so that the question may be carefully investigated and put into better context for Council to consider - and should include direction as to the Person or Group to which it is being referred;
- vi) **AMEND:**
  - i) Only one amendment at a time shall be presented to the main resolution. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the resolution as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from the amendment.
  - ii) The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to vote, unless a further amendment is proposed.
  - iii) Nothing in this section shall prevent other proposed amendments from being read for the information of the Members.
  - iv) When the resolution under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any Member, be taken separately.
- vii) **POSTPONE INDEFINITELY:** Should include a reason for postponement and is debatable - generally used as a method to dispose of a question without bringing it to a direct vote.

6.3.f **Motion to Rescind** a resolution or motion may be accepted by the Chair. If passed by a majority vote of the Members present, the previous resolution or motion referred to would be declared null and void.

6.3.g **Notice of Motion** should be used to give notice when an extended period of time is advisable prior to considering a subject.

- i) A Notice of Motion shall be recorded in the minutes and shall form part of the Agenda for the subsequent or future meeting as requested.

- ii) A Member may be present and describe a Notice of Motion for consideration at the next meeting or other meeting date specified by the mover.

6.3.h The following resolutions are non-debatable by Councillors:

- i) ADJOURNMENT;
- ii) CALL THE QUESTION;
- iii) DIVISION of a motion;
- iv) LIMIT OR EXTEND DEBATE on a matter before members;
- v) POINT OF ORDER;
- vi) POSTPONE the matter to a date/time certain (See 6.3.iv);
- vii) QUESTION OF PRIVILEGE;
- viii) RAISE FROM THE TABLE;
- ix) SET TIME TO ADJOURN
- x) TABLE the matter;
- xi) TAKE A RECESS.

#### **6.4 Rules of Debate**

6.4.a In Council, a Councillor wishing to speak on a matter that has been brought before Council shall indicate their intention by raising their hand to be recognized by the Chair, and should not speak more than once and for no more than 10 min until every Member of Council has had the opportunity to speak except:

- i) in the explanation of the material part of the speech which may have been misunderstood.
- ii) in reply, to close debate after everyone else, wishing to speak, has spoken.

6.4.b Through the Chair, a Councillor may ask questions of another Councillor or Administration on a Point of Information relevant to the business at hand.

6.4.c All questions or debate shall be directed through the Chair.

#### **6.5 Point of Order**

6.5.a The Chair shall preserve order and decide upon any Points of Order.

6.5.b A Councillor who desires to call attention to an infraction of procedure shall raise a Point of Order to the Chair. When the Councillor has been acknowledged, the Councillor shall state the Point of Order with a concise explanation and shall accept the decision of the Chair upon the Point of Order.

6.5.c The speaker in possession of the floor, when the Point of Order was raised, shall retain the right to the floor when debate resumes.

6.5.d A Councillor called to order by the Chair shall immediately vacate the floor until the Point of Order is dealt with and shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.

6.5.e The decision of the Chair shall be final, subject to an immediate appeal by a Councillor of the meeting.

6.5.f If a decision of the Chair is appealed (Section 25.5), the Chair shall provide concise reasons for the ruling and the Councillors shall, without debate, decide the question. The decision of the Councillors shall be final.

## **6.6 Voting on a Question**

6.6.a Every Member of Council present shall vote on every matter at a Council or Council Committee meeting at which they are present, unless they are required to abstain from voting under this or any other Bylaw, *Act*, or other legislation. (Ref. Section 174 of the *Act*).

6.6.b When a Resolution that a vote be taken (Call for Question) or presented, it shall be put to a vote without debate and, if carried by a majority vote of the Councillors present, the Resolution and any amendments thereto shall be submitted to a vote immediately without further debate.

6.6.c A Councillor present at a meeting shall make a request for a recess if, for any reason, the Councillor may be away from the Meeting during a time when a vote on a matter is imminent, unless that Councillor is excused from the voting pursuant to this Section.

6.6.d Votes shall be made by rising of the hand after the Chair has called for those in favour of the Resolution, or opposed to the Resolution.

6.6.e When a Chair, having ascertained that no further information is required, commences to take a vote, no Councillor shall speak to, or present another Resolution, until the vote has been taken on the current Resolution or amendment.

6.6.f Any Councillor who disagrees with the announcement made of the result of a Vote may immediately object to the declaration and Chair shall call for a Vote again. The determination of the Chair shall be final.

6.6.g Where a question under consideration contains distinct propositions, the Vote upon each proposition shall be taken separately when any Councillor so requests or when the Chair so directs.

6.6.h Whenever the Chair is of the opinion that a resolution is contrary to the rules and privileges of Council, the Chair shall inform the Councillor thereof immediately, before Calling the Question, and shall cite reasons applicable to the case without argument or comment.

6.6.i In all cases not provided for in the proceedings of the Council, a simple majority of Council shall determine to uphold the ruling of the Chair, or not, as the case may be.

6.6.j Any vote of Council that is not unanimous shall be recorded only as “Carried” or “Defeated” unless a member calls for a recorded vote before the actual vote.

6.6.k If there is an equality of votes for and against a resolution, motion, or Bylaw, then the resolution, motion, or Bylaw is defeated.

## **6.7 Adjournment of Meeting & Adjournment Time**

6.7.a The regular meeting of Council shall adjourn by 9:15 pm. If, at 9:00 pm, it is anticipated that Council will still be in session at 9:15 pm, adjournment can be extended by a unanimous vote of the members present. Such a motion may extend the time of adjournment to not later than 10:30 pm.

**6.8 Duties of the Chair**

6.8.a The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order, replying to Point of Procedure, and deciding on questions relating to the orderly procedure of the meeting, subject to an appeal by any Councillor from any ruling of the Chair.

6.8.b It shall be the discretion of the Chair, whether or not upon the request of any Councillor, to call for a short recess between Agenda items, at any meeting.

6.8.c The Chair shall make reasonable efforts, including calling for a recess, to ensure all Councillors in attendance at a meeting are present while a vote is being taken, unless a member is excused from voting in accordance with the *Act* or this Bylaw.

6.8.d In the absence or inability of the Mayor or Deputy Mayor to act as Chair of the Meeting, Council may appoint the Councillor attending, with the most seniority, as Acting Mayor as provided by the Section 152(3) of the *Act*.

6.8.e The Chair shall be expected to participate in debate and vote, without relinquishing the Chair.

**7.0 AGENDA AND ORDER OF BUSINESS**

7.1 The Agenda is a document used by Council or a Council Committee, therefore although the duty to collate the Agenda may be delegated, Council or the Council Committee shall have final determination as to what will or will not be included on the Agenda.

7.2 Prior to each meeting, the CAO shall prepare an Agenda of all matters to be brought before Council in consultation with the Mayor and Deputy Mayor. To enable the CAO to do so, all documents and notice of delegation intended to be submitted to the Council shall be received by the CAO no later than 12:00 p.m. on a business day at least five (5) working days before the meeting.

7.3 The CAO shall place at the disposal of each Councillor a copy of the Agenda and all supporting materials no later than 4:30 p.m., three (3) working days before the meeting.

7.4 Where the deadlines in Section 7.2 and 7.3 are not met, the Agenda and supporting materials shall be deemed to be acceptable when the Agenda is adopted at the meeting.

7.5 The business intended to be dealt with shall be stated in the Agenda after the manner as displayed in Schedule “A” attached.

7.6 The order of business established in Section 7.5 shall apply unless altered by the Chair with no objection from members, or otherwise determined by a majority vote of the members present, and the vote upon a matter of priority of business shall be decided without debate.

7.7 Addendums:

7.7.a Council will consider the urgency of any item(s) proposed to be added, or proposed to be deleted, before voting to adopt the Agenda “As Amended”.

7.7.b During the course of the meeting, should a Councillor deem that an item be added to the Agenda for Council’s consideration, the Councillor shall propose the Addendum by Resolution, after which the Chair shall rule on the urgency.

i) If the Chair rules that the Resolution stand, the Chair shall add the item to the end of the Agenda.

ii) If the Chair rules that the Resolution does not meet the test of urgency, the item shall be tabled and added to the next agenda.

7.8 The order of business at a meeting is the order of the items on the Agenda except:

7.8.a When the same subject matter appears in more than one place on the Agenda and Council decides, by resolution, to deal with all items related to the matter at the same time;

7.8.b When Council decides not to deal with an item on the Agenda and no resolution is made about it.

## 8.0 DELEGATIONS

8.1 A person or representative of any delegation or group of persons who wish to bring any matter to the attention of Council, or who wish to have any matter considered by Council, shall address a letter (or other written communication) to Council outlining the subject to be discussed. The letter shall be signed in the correct name of the writer; the address of the writer, and delivered (by hand, mail, fax or email) to the CAO. The letter must arrive prior to 12:00 p.m. at least five (5) business days before the meeting at which it is to be presented. If the person wishes to appear before Council on the matter it shall be stated in the letter.

8.2 Delegates shall be granted a maximum of fifteen (15) minutes to present the matter outlined in the letter. Where the Chair determines that additional time shall be granted to a delegation, the length of the extension shall be specified, and the Chair may limit the time.

8.3 Delegations that have not submitted a letter in accordance with Section 8.1 of this Bylaw may be granted a brief opportunity to outline the matter they wish to present to Council and, following that outline, the Chair and Councillors shall determine if the delegation is to be granted time under Section 8.1 to present the matter outlined.

8.4 Matters of confidential nature, as referred to in Section 5.6 of this Bylaw, shall not be discussed during public presentations to Council.

8.5 Information presented by a Person or Group shall relate only to the subject matter for which the presentation was originally requested.

8.6 Each Person or Group will be given an opportunity to make a public presentation only once in respect to a given issue. Council or the Committee may waive this restriction if it is of the view that there have been significant new developments in respect of the issue or if sufficient time has elapsed such that Council, or the Committee, is prepared to consider the issue again.

8.7 Extensions of time limits for any verbal presentations during the public presentation to Council or the Committee may be granted by consent of Council or the Committee, based on one or more of the following:

8.7.a The issue or Bylaw under discussion is deemed by Council or the Committee to be contentious or complex and the allotted time is not sufficient, in the opinion of Council or the Committee, to give the matter due consideration;

8.7.b The granting of an extension of time will not prejudice the rights of other presenters to their allotted presentation time as prescribed by this Bylaw.

8.8 Where a Delegation requests support from Council, requiring a resolution of Council, Council shall first refer the matter to Administration, who shall bring back more information and a recommendation at a subsequent meeting.

## 8.9 OPEN FORUM / PUBLIC DELEGATIONS

8.9.a As part of the Council Agenda, the Chair shall also call for and recognize members of the general public in attendance that may desire an opportunity to speak to Council or Council Committee.

8.9.b A member of the public may be recognized by the Chair and granted a maximum of fifteen (15) minutes to present their matter. Where the Chair determines that additional time shall be granted to the public delegation, the length of the extension shall be specified and the Chair may limit the time.

8.9.c Where a member of the public requests support from Council, requiring a resolution of Council, Council shall first refer the matter to Administration, who shall bring back more information and a recommendation at a subsequent meeting.

## 9.0 PECUNIARY INTEREST

9.1 Councillors who reasonably believe that they have a pecuniary interest (as defined in the *Act* Sec 169 – 173) in any matter before Council, any Committee of Council, or any Board, Commission, Committee or Agency to which they are appointed as a representative of Council, shall, if present, declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter, and shall remove themselves from the table while the matter is before Council for deliberation as per section 5.7.g of this Bylaw.

9.2 The minutes shall indicate the declaration of disclosure, the time at which the Councillor left the table, and the time the Councillor returned.

9.3 If a Councillor is unsure of whether or not they may be in a ‘*conflict of interest*’ situation with regard to an upcoming issue or vote, the Councillor shall be encouraged to discuss the matter with the CAO.

9.4 If, after discussing the issue with the CAO (Section 9.3), the Councillor may wish to obtain legal advice on whether or not there is a conflict of interest situation with regard to an upcoming issue or vote. The Councillor will be reimbursed for the costs of obtaining legal counsel, of their choice, limited to 1 hour of advice. Council may authorize an extension to the limit if it so desires.

## 10.0 BYLAW PROCEDURES

10.1 Where a Bylaw is presented to a meeting for enactment, the CAO or designate shall cause the number, short title and brief description of the Bylaw to appear on the Agenda. (As per Section 187 of the *Act*, all Bylaws shall have three distinct and separate readings. The Resolution to move a Bylaw to the Table shall be the First Reading).

10.2 The following shall apply to the passage of a Bylaw:

10.2.a A Bylaw shall be introduced for First Reading by a Resolution that it be Read a First Time specifying the number and short name of the Bylaw;

10.2.b After a Resolution 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;

10.2.c Any proposed amendments shall be put to vote, if required, and, if carried, shall be considered as having been incorporated into the Bylaw at First Reading;

10.2.d When all amendments have been accepted or rejected, the Chair shall Call the Question on the Resolution for First Reading of the Bylaw;

10.2.e When a Bylaw is subject to a statutory Public Hearing, a Public Hearing date and time shall be established following First Reading;

10.2.f When a Bylaw must receive approval of a Minister of the Crown, it must be forwarded for such approval prior to proceeding to Second Reading;

10.2.g All aspects of the passage of a Bylaw at First Reading shall apply to Second or Third Reading of any Bylaw.

**11.0 PRIOR BYLAWS**

11.1 This Bylaw shall supersede and take precedence over all previously passed bylaws that refer to the setting out of rules for governing the Municipality, pertaining to the procedures for Council Meetings, Committee Meetings, Public Hearings, the conduct of Councillors, Committee Members, and the establishments of Council Committees, as well as any previously passed resolutions that may be in conflict with this Bylaw. Town of Manning ByLaw #785-09 is hereby repealed.

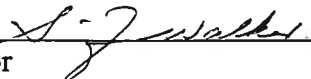
**12.0 EFFECTIVE DATE**

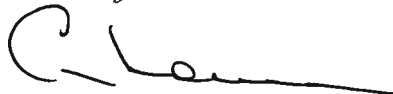
12.1 This Bylaw shall take effect on the date of the third and final reading.

READ a first time in Council this 8th day of December, 2013.

READ a second time in Council this 8<sup>th</sup> day of December, 2013.

READ a third and final time in Council this 8<sup>th</sup> day of January, 2014.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**Schedule “A” – Agenda Format**

**Town of Manning  
Agenda of a Regular Council Meeting  
DATE  
5:15 PM**

- 1. Call to Order**
- 2. Adoption of the Agenda**
- 3. Adoption of the Minutes**
- 4. Presentations**
  - 1. Delegation**
  - 2. Open Forum**
- 5. Department Reports**
  - 1. CAO**
  - 2. Public Works & Utilities (2nd meeting of the month)**
- 6. Reports**

**Councillor Reports**

  - 1. Mayor**
  - 2. Deputy Mayor**
  - 3. Councillor**
  - 4. Councillor**
  - 5. Councillor**
  - 6. Councillor**
  - 7. Councillor**
- 7. Strategic Plan Review (2<sup>nd</sup> Regular Meeting of the Month)**
- 8. Business**
  - 1. Old Business**
  - 2. New Business**
- 9. Information in Council Read File**
- 10. Items to be held “In Camera”**
- 11. Matters relating to Presentations**
- 12. Next Meeting Date**
- 13. Adjournment**

**Supper Break @ 6:00 PM**



**Schedule “A” – Agenda Format**

**Town of Manning  
Agenda of a Regular Council Meeting  
DATE  
5:15 PM**

- 1. Call to Order**
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  - 1. CAO**
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**Councillor Reports**

  - 1. Mayor**
  - 2. Deputy Mayor**
  - 3. Councillor**
  - 4. Councillor**
  - 5. Councillor**
  - 6. Councillor**
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**Supper Break @ 6:00 PM**