

**TOWN OF BOWDEN
PROVINCE OF ALBERTA**

BYLAW 04/2007

A Bylaw of the Town of Bowden, in the Province of Alberta, pursuant to provisions of the Municipal Government Act, being Chapter M-26 of the revised statutes of Alberta 2000 and amendments thereto, for the purpose of Regulating the Procedure and Conduct of Council and Council Committee Meetings and to rescind Bylaw 690, the Council Procedural Bylaw, and any amendments thereto.

WHEREAS given that the Council of the Town of Bowden 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 Bowden.

NOW THEREFORE the Council of the Town of Bowden hereby enacts as follows:

Citation

1. This Bylaw may be cited as “The Procedural Bylaw”.

Definitions

2. In this Bylaw

- a) “adjournment” means to affix the time to which the assembly shall adjourn.
- b) “CAO” means the Chief Administrative Officer or his/her delegate, for the municipality.
- c) “delegation” means any person that has permission of Council to appear before Council or a Committee of Council to provide pertinent information and view about the subject before Council or Council Committee.
- d) “division of a question” means motion is used to separate a main motion or amendment into parts to be voted on individually.
- e) “limit debate on a matter before members” means to reduce or increase the number and length of speeches permitted or limit the length of debate on a specific question.
- f) “member” means a Councillor or person at large appointed by Council to a Committee of Council.
- g) “meetings” means meetings of Council and Council Committees.
- h) “Municipality” means the Town of Bowden, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality.
- i) “point of order” means to ask for the chair to follow the Agenda.

- j) “postpone the matter to a certain time” means the assembly needs more time to make a decision.
- k) “question of privilege” means to bring an urgent request or a main motion relating to the rights of either the assembly or an individual up for immediate consideration.
- l) “quorum” means the majority of all the Councillors that comprise the Council.
- m) “recess” means a short interruption which does not close the meeting.
- n) “table the matter” means for assembly to set aside the pending motion in order to attend to more urgent business.

Applicable

3. This Bylaw applies to all members attending meetings of Council and Committees established by Council of the Municipality.

Severability

4. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Meetings

5. The Mayor shall be appointed as chair of the meetings. In the absence of the Mayor, the Deputy Mayor shall be appointed chair. In the absence of both Mayor and Deputy Mayor, the Chief Administrative Officer shall assume the chair, and call for nominations of Council members in attendance and conduct a vote to elect a Chair.

6. The regular meeting of Council shall be established by resolution of Council at its annual organizational meeting.

7. Special meetings of Council shall be established as required by Council according to the provisions of the Municipal Government Act and the public shall be given notice.

8. The meetings of Council Committees shall be established by resolution of each Committee and the public must be given notice by advertising on a Public Notice Board or in the Town newsletter at least 24 hours before the meeting.

9. Regular meetings of Council shall be at 7:30 pm

10. The times for the beginning of Council Committee meetings shall be set by resolution of each Committee.

11. If a quorum is not present within thirty (30) minutes after the time fixed for the meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.

12. Any meeting that goes past three hours must obtain unanimous consent of Council. Failure to achieve unanimous consent, the meeting shall resume at 7:30 pm the next evening unless Council through a majority decision consents to an alternate evening.

Conduct of Meetings

13. Any matter of meeting conduct, which is not herein provided for, shall be determined in accordance with the Municipal Government Act, “Robert’s Rules of Order” or Roger’s Law of the Municipal Corporation, in that order.

14. Each member or delegate, as the case may be, shall address the chair but shall not speak until recognized by the chair.

15. The presiding officer with the approval by resolution of the members may authorize a person in the public gallery to address members only on the topic being discussed at that time and within the time limits specified by the presiding officer.

16. A resolution does not require a seconder.

17. A resolution may be withdrawn at any time before voting subject to no objection from any member.

18. The following resolutions are not debatable by members:

- a) adjournment
- b) to take a recess
- c) question of privilege
- d) point of order
- e) to limit debate on a matter before members
- f) on division of a question
- g) postpone the matter to a time certain
- h) to table the matter
- i) quorum

19. Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member so requests or when the presiding chair so directs.

20. Whenever the presiding officer is of the opinion that a motion is contrary to the rules and privileges of Council, he/she shall inform the member thereof immediately, before putting the questions, and shall cite his reasons applicable to the case without argument or comment.

21. In all cases not provided for in the proceedings of the Council, a two-thirds majority of Council shall determine to uphold the ruling of the presiding officer or not as the case may be.

22. The mayor or presiding officer shall have authority to set a time limit and the number of times that a member may speak on the same question or resolution having due regard to the importance of the matter.

23. After any question is finally put by the mayor 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 mayor or other presiding officer as to whether the question has been finally put shall be conclusive.

24. The mayor, when present, and every member of council, shall vote on every matter unless they are excused by resolution from voting or unless disqualified from voting by reason of pecuniary interest.

25. An equality of votes on any matter shall be deemed to be decided in the negative.

26. 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 presiding officer.

27. The CAO shall whenever a recorded vote is demanded by a member of the council before a vote is taken, record in the minutes, the name of each member of council present and whether the member voted for or against the matter.

28. The CAO shall record in the minutes each time a member of council excuses himself by reason of pecuniary interest.

29. A special committee may be appointed at any time by the council or by the mayor acting upon the instructions of the council, providing that a motion has been adopted specifying the matters to be dealt with by the committee.

30. It shall be the duty of the chairman of each standing or special committee or in case of his illness or absence from the town, it shall be the duty of the CAO to summon a special meeting of any such committees whenever requested in writing to do so by a majority of members of any such committee.

Delegations

31. A person or a 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 the Council outlining the subject to be discussed. The letter shall be signed by the correct name of the writer; the address of the writer, and delivered or mailed to the CAO.

The letter must arrive at least by 1:00 pm on a business day at least five (5) days immediately preceding 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. Delegations that have not submitted a letter in accordance with section 20 may be granted a brief opportunity to outline the matter they wish to present to Council, and following that outline, the presiding officer and members shall determine if the delegation is to be granted time under section 32 to present the matter outlined.

32. Delegates shall be granted a maximum of five (5) minutes to present the matter outlined in the letter. Where the presiding officer determines that additional time shall be granted to a delegation the length of the extension shall be specified and the presiding officer may limit the time.

Agenda and Order of Business

33. Prior to each meeting, the CAO shall prepare a statement of the order of business to be known as the "Agenda" of all matters to be brought before Council. 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 not later than 1:00 pm on a business day at least five (5) calendar days before the meeting.

34. The CAO shall place at the disposal of each member a copy of the Agenda and all supporting materials not later than 12:00 noon three (3) calendar days before the meeting.

35. Where the deadlines in sections 31, 33 and 34 are not met, the Agenda and support materials shall be deemed to be acceptable when the Agenda is adopted at the meeting.

36. The businesses intended to be dealt with shall be stated in the Agenda in the following order where applicable:

1. Call to Order
2. Additions/Deletions to the Agenda & Adoption of the Agenda
3. Adoption of the Previous Minutes
4. Public Hearings
5. Delegations
6. Business Arising From the Minutes
7. Bylaws & Policies
8. New Business
9. Financial Statements (*items accepted as one motion*)
10. Correspondence & Information (*items accepted as one motion*)
11. Committee of the Whole (*confidential items*)
12. Adjournment

37. The order of business established in section 36 shall apply unless altered by the presiding officer 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.

38. Standing Committees of Council shall be established and governed by policy or Bylaw approved by Council. Where appropriate authority is delegated to a Standing Committee, such Committee and its mandate shall be established by Bylaw.

39. Bylaw 690 and all amendments thereto are hereby rescinded.

Read a first time this ____ day of _____, 2007

Read a second time this ____ day of _____, 2007

Read a third time this ____ day of _____, 2007 and finally passed.

Cody Berggren, Mayor

Dan Proctor, Chief Administrative Officer