

SUMMER VILLAGE OF ARGENTIA BEACH

PROCEDURAL BYLAW NO. 180

A bylaw of the Summer Village of Argentia Beach, in the Province of Alberta, established for the purpose of providing for the proper and orderly conduct of a council meeting.

WHEREAS Section 145 of the *Municipal Government Act*, being Chapter M26.1 of the Revised Statutes of Alberta 2000 provides that Council may make rules and regulations for called meetings governing its proceedings and the conduct of its members; and

WHEREAS Council of the Summer Village of Argentia Beach, in the Province of Alberta, consider it desirable to adopt a procedural bylaw.

NOW THEREFORE, Council of the Summer Village of Argentia Beach, in the Province of Alberta, duly assembled, hereby enacts as follows:

Part I: BYLAW TITLE

1. This bylaw may be cited as "The Procedural Bylaw".

PART II: DEFINITIONS and INTERPRETATIONS

2. In this bylaw:
 - a) **"Act"** means the *Municipal Government Act*, Chapter M.26, RSA 2000
 - b) **"Administrator"** means the Chief Administrative Officer of the Summer Village of Argentia Beach
 - c) **"Agenda"** means the agenda for a Regular or Special Council Meeting.
 - d) **"Bylaw"** means a bylaw of the Summer Village of Argentia Beach.
 - e) **"Council"** means the Mayor, Deputy Mayor and Councillor of the Summer Village of Argentia Beach.
 - f) **"Deputy Mayor"** means the member who is appointed by Council at the annual Organizational Meeting, to act as Mayor in the absence of or incapacity of the Mayor.
 - g) **"Mayor"** means the member who is appointed by Council at the annual Organizational Meeting.
 - h) **"Member"** means a member of Council, duly elected and continuing to hold office.
 - i) **"New Business"** means business dealing with a matter which has not been introduced at the same or a previous meeting and of which no notice has been given of the intention to present it.
 - j) **"Quorum"** means the majority:
 - i) of the valid, subsisting members of Council, or
 - ii) in the case of the Committee, Board, Commission or other organized and recognized group, a majority of the members thereof.
 - k) **"Summer Village"** means the corporation of the Summer Village of Argentia Beach, in the Province of Alberta and, where the context so requires, means the area included within the boundaries of the Summer Village and its property.
 - l) **"Unfinished Business"** means business which has been raised at the same or a previous meeting and which has not been completed.

PART III: APPLICATION OF BYLAW

- 3.1 This bylaw to be binding on all members of Council, staff, visitors and delegates attending a Council Meeting.

- a) This bylaw applies to:
 - i) all Regular and Special Council Meetings, and
 - ii) the conduct of the Meetings of all Committees of Council.

**PART IV:
ORGANIZATION MEETING OF COUNCIL**

- 4.1 The Organization Meeting of Council shall be held annually, the time and place of which shall be fixed by the Municipal Administrator in accordance with Section 192 of the *Act*.
- 4.2 Every member of Council and the Mayor shall make and subscribe to the official Oath prescribed by the *Oaths of Office Act* before entering upon the duties of Council and shall deposit the Oath with the Municipal Administrator.
- 4.3 Unless Council shall by a unanimous vote taken at a previous Council Meeting determine that a subsequent meeting of Council shall be held at a different place, all Council Meetings including the Annual Organizational Council Meeting shall be held at the Council Chambers, at the Summer Village Office in Argentia Beach. If it is decided to hold any Council Meeting at a location other than the Council Chambers, the Municipal Administrator shall affix a notice of such change of location to the agenda for the meeting when the same is delivered to the members of Council.
- 4.4 The Administrator shall call the meeting to order.
- 4.5 The Administrator shall call for nominations for the positions of Mayor, Deputy Mayor, and members of Council to the standing committees of the Council and the Council shall vote to appoint a Mayor, Deputy Mayor and a member of Council for standing Committees of Council.
- 4.6 Citizen members of the various other Commissions, Committees, Boards and other bodies which are within Council's jurisdiction shall be appointed by Council.

**PART V:
GENERAL RULES OF COUNCIL**

- 5.1 Council shall hold as many meetings in each year as are considered necessary to adequately deal with the business of the Summer Village.
- 5.2 Regular Council Meetings shall be determined by Council and posted according policy #03-2002.
- 5.3 Regular Council Meetings shall commence as posted and shall adjourn no later than 3 hours from commencement, unless a unanimous motion is passed by Council to continue the Council Meeting. Unfinished business shall be carried forward to the next council meeting.
- 5.4 The Mayor may call a Special Council Meeting in accordance with Section 194 of the *Act*.
- 5.5 As soon after the hour of the Meeting as there shall be a quorum present, the Mayor shall take the chair and call the members to order.
- 5.6 If there is no quorum present within half an hour after the time appointed for the Council Meeting, the Administrator shall call the roll and take down the name of the members present, and Council shall stand adjourned until the next Regular Council Meeting, unless a Special Council Meeting be duly called in the meantime.
- 5.7 Either the Administrator or a person delegated by the Administrator shall record the minutes of the Council Meeting.

- 5.8 The Mayor or presiding officer shall preserve order and decorum, and decide questions of order. Subject to an appeal of Council, the decision of the Mayor or other presiding officer shall be final.
- a) A member called to order by the Mayor or other presiding officer shall immediately discontinue speaking and the debate shall be suspended until the point of order is decided, but the member shall be allowed to explain.
 - b) The person presiding at any Council Meeting may cause to be expelled and excluded any person who has been guilty of improper conduct at the Council Meeting.
- 5.9 All of Council shall vote on every matter or motion unless:
- a) disqualified from voting by reason of pecuniary interest, which shall be duly noted in the Minutes, and the recording secretary shall, whenever a recorded vote is demanded by a member of Council, record in the Minutes the name of each member of Council present and whether the member voted for or against the matter, and
 - b) 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.
- 5.10 Any bylaw or resolution upon which there is an equality of votes shall be deemed to be decided in the negative.
- 5.11 The recording secretary shall record the time of arrival and departure of Council members at Council Meetings should a member of Council arrive late at a meeting or depart prior to completion of the meeting.

**PART VI:
AGENDAS AND PROCEEDINGS AT MEETINGS**

- 6.1 Unless otherwise specified in this bylaw the order of business for a Regular Council Meeting shall be contained in the Agenda for the Council Meeting. Copies of all reports, correspondence, Minutes, Financial Statements or other communications to be dealt with shall be placed at the disposal of Council.
- a) the Agenda shall clearly state the date, time and place of the Council Meeting and shall be mailed or delivered to Council so as to be received by them at least three days prior to the Council Meeting, or
 - b) in the case of a Special Council Meeting , as outlined in Section 194 of the *Act*.
- 6.2 The Order of Business in the Agenda shall be as follows:
- a) Adoption of Agenda
 - b) Adoption of Minutes of the Previous Council Meeting(s)
 - c) Delegations and Visitors
 - d) Reading of Bylaws
 - e) Reports from Staff/Resolutions
 - f) Council Committee Reports/Discussion Items
 - g) Financials
 - h) Correspondence and Information Items
- 6.3 The Order of Business established in the foregoing shall apply unless Council otherwise shall, by Resolution, change the order so as to deal with a matter of priority.
- 6.4 Member of Council wishing to include an item on the Agenda shall advise the Administrator in writing not less than 7 business days before the scheduled meeting.
- 6.5 No new business shall be decided on unless it is of an emergent nature.
- 6.6 A person or a representative of any delegation of a group of persons, who wishes to bring any matter to the attention of Council, or who wishes to have any matter considered by Council shall address a letter or other communication to Council outlining the subject to be discussed. The

letter shall be signed by the correct name of the writer and must be delivered to or received at the office of the Administrator before Noon the previous Friday to the scheduled Council Meeting.

- a) Council reserves the right to implement closure by limiting presentations to 10 minutes.
- 6.7 When a group or person wishes to present to Council a petition on any matter within its jurisdiction, the petition shall be typed or legibly written, shall clearly set out the matter at issue, and shall be signed by at least two persons whose signatures shall be in accordance with the *Act*. The petition shall indicate if a representative wishes to address Council on the subject matter of the petition.
 - a) Council may refer the petition to any appropriate standing committee, receive it for further consideration, or if the petition concerns a matter Council deems urgent, Council may consider it and take immediate action.
 - 6.8 Any business of Council requiring action or decision shall be conducted by the making of a motion or resolution requiring a vote by Council:
 - a) notwithstanding Section 7.6, no motion need to be seconded, and
 - b) members may not speak more than once to any motion or question.
 - 6.9 All motions shall be clearly stated and shall be noted by the recording secretary before a vote is taken.
 - 6.10 After a motion is read or stated by the Mayor or another presiding officer, it shall be deemed to be in the possession of Council, but may be withdrawn at any time before debate or decision with the permission of Council.
 - 6.11 A motion to refer, until it is decided, shall preclude all amendments to the main question.
 - 6.12 When a motion has been made and is being considered by Council, no debate and no other motion may be made and accepted, except:
 - a) a motion to refer the main question to some other person or group for consideration, or
 - b) a motion to amend the main question, or
 - c) a motion to table the main question, or
 - d) a motion to postpone the main question to some future time, or
 - e) a motion for the previous question, or
 - f) a motion to adjourn the meeting, provided that a motion to table shall not be debated except as to the time when the matter will again be considered.
 - 6.13 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 Mayor or other presiding officer so directs.
 - 6.14 Members shall take their places when any vote is called for, and shall remain in their places until the Mayor or other presiding officer has declared the result of the vote.
 - 6.15 The Administrator in supervision of the preparation of minutes shall see that they include the proper place, date and time of the meeting, the roll of the Council present and absent, the roll of staff members present, the roll of visitors and delegations, and record faithfully and without comment the proceedings of the meeting.
 - 6.16 The Mayor shall present the minutes to Council with a request for a motion for the minutes adoption.
 - a) Unless requested by a majority of the members the minutes of the previous meeting need not be read aloud but each member shall have a copy of the minutes for perusal.

- 6.17 If there are any corrections or if a majority of the members of Council deem any correction or corrections to be necessary for the accuracy of the minutes, it or they shall be incorporated therein.
- 6.18 In the event a member of Council is absent from the meeting in which minutes are passed which he considers requires corrections, he may address the correction.
- 6.19 The Administrator shall cause the minutes of each Regular and Special Council Meeting to be prepared, copied and distributed to the member of Council for the next subsequent Council Meeting.

**PART VII:
READING OF PROPOSED BYLAWS AND PROCEEDINGS THEREON**

- 7.1 Every bylaw shall have three readings.
- 7.2 Every proposed bylaw should be introduced on a motion specifying in general terms its intent. When a proposed bylaw is read in Council, the Municipal Administrator shall certify the reading and the date of the reading on the face thereof.
- 7.3 A bylaw appearing upon a Council Agenda when listed as ready for first reading shall be introduced by a member "that Bylaw No. (quoting the bylaw number) be now read a first time". After first reading, the bylaw may be debated, referred or laid over. If a bylaw fails to receive first reading, then it may be struck from the Agenda.
- 7.4 A bylaw shall receive second reading by a member making a motion "that Bylaw No. (quoting the bylaw number) now be read a second time". The bylaw shall then be open to debate and amendment before it is ordered for a third reading. When a bylaw is reported without amendment, it shall forthwith be ordered to be read a third time at such time as may be appointed by Council.
- 7.5 Every bylaw shall be read a third time before it is signed by the Mayor or Deputy Mayor. If a bylaw fails to receive third reading, it shall remain on the Agenda to be dealt with at the next Regular Council Meeting. However, if a bylaw fails to receive third reading at three consecutive Regular Council Meetings, it shall be deemed to have failed and shall be struck from the Agenda.
- 7.6 Unless the members present at a meeting unanimously agree that a bylaw may be presented to Council for a third reading at the same meeting at which it has received two readings, the bylaw shall not be given more that two readings at one meeting.
- 7.7 If Council unanimously agrees that a bylaw may be presented for a third reading at a meeting at which it has received two readings, the third reading requires no greater a majority of affirmative votes to pass the bylaw than if it had received a third reading at a subsequent meeting.
- 7.8 Every bylaw of general application shall be printed or otherwise duplicated so as to be available to all interested parties; other bylaws shall be recorded and filed as well as amendments thereto, and the Administrator shall retain the original of every bylaw on file and properly record any amendments thereto, and the Administrator shall retain them when a bylaw has been read a third time and finally passed.
- 7.9 Every bylaw which has passed Council shall immediately after being sealed with the seal of the Corporation, and signed by the Mayor and Administrator, be securely deposited by the Administrator.

**PART VIII:
PRESIDING OFFICER RULES**

- 8.1 In all cases not provided for in the proceedings of Council or in Committee the decision of the Mayor or other presiding officer shall be final and accepted without debate.

**PART IX:
EFFECTIVE DATE**

- 9.1 This bylaw shall come into effect upon the date of final reading.

Read a first time this 7th day of April, 2005, A.D.

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Read a second time this 7th day of April, 2005, A.D.

Given unanimous consent to proceed to third reading this 7th day of April, 2005, A.D.

Read a third time this 7th day of April, 2005, A.D.

**Murray Olsen, Mayor
Summer Village of Argentia Beach**

**Peter Irwin, Administrator
Summer Village of Argentia Beach**