

**BYLAW 1168
OF STARLAND COUNTY
IN THE PROVINCE OF ALBERTA, CANADA**

A Bylaw of Starland County to establish procedures for Council, Council Committees and other bodies established by Council in this Bylaw, also known as the Meeting Procedural Bylaw.

WHEREAS Section 145 of the Municipal Government Act, RSA 1980 Chapter M-26.1 and amendments thereto, authorizes the passing of bylaws to regulate the proceedings and conduct of meetings of Council, Council Committees, and other bodies established by Council;

THEREFORE, the Council of Starland County enacts as follows:

1. Title

This bylaw shall be known as the Meeting Procedural Bylaw of Starland County.

2. Definitions

2.1 "Agenda" is a list of items and order of business for any meeting.

2.2 "Bylaw" is a bylaw of Starland County

2.3 "CAO" is the Chief Administrative Officer for Starland County

2.4 "Chairperson" is the person presiding at meetings, and, when in attendance at the Council meeting, shall mean the Reeve.

2.5 "Council" is the Councillors of Starland County elected pursuant to the provisions of the Local Authorities Election Act, as amended from time to time.

2.6 "Deputy Reeve" is the Councillor who is appointed pursuant to Section 152 of the Municipal Government Act Chapter M-26.1, as amended from time to time, to act as Reeve in the absence of the Reeve.

2.7 "Ex-Officio" member of a committee is a member by virtue of the right to hold a public office such as Reeve and has the right to make motions and vote.

2.8 "Gender neutral" - in all cases throughout this bylaw reference to he/she shall mean males and females equally.

2.9 "Closed Session" is a Council or Committee session which is held in private pursuant to the provisions of the Municipal Government Act Chapter M-26.1, as amended from time to time, and may include any person or persons invited to attend by Council.

2.10 "Member at Large" means a member of the public appointed by Council to a Committee of Council.

2.11 "Point of Order" refers to calling attention when there is failure to observe rules.

2.12 "Question of Privilege" refers to all matters affecting the rights and privileges of Council collectively or any of its members individually.

2.13 "Quorum" is:

- a. a majority of those Councillors or Members at Large elected or appointed to a Board or Committee and as set out in Section 5.4 of this Bylaw; or

BYLAW 1168 OF STARLAND COUNTY

- b. a majority of all Councillors that comprise the Council, or if there is a vacancy on the Council and the Council is not required to hold a by-election, a majority of the remaining Councillors that comprise the Council.

2.14 "Recorded Vote" is the calling by a member of Council, prior to the vote on a motion, for a record to be kept of the members voting for and against a motion.

2.15 "Reeve" refers to the Chief Elected Official of the Municipality as set out in Sections 154 and 155 of the Municipal Government Act Chapter M-26.1, as amended from time to time.

3. Application

3.1 The Bylaw shall govern the proceedings of Council and Committees established by Council and shall be binding upon all Committee members whether Councillors or Members at Large in a Committee meeting, and upon all Councillors in a Council meeting.

3.2 When any matter relating to meeting proceedings is not addressed in this Bylaw, Roberts Rules of Order, if applicable, shall apply.

3.3 In the event of a conflict between the provisions of this Bylaw and Roberts Rules of Order, the provisions of this Bylaw shall apply.

3.4 In the absence of any statutory obligation, any provision of this Bylaw may be waived by resolution of Council if the majority of all members of Council present vote in favour of waiving the provision and addressing the matter under consideration in some other manner.

3.5 A resolution waiving any provision of the Bylaw is only effective for the meeting during which the resolution is passed.

3.6 In the absence or inability of the Reeve and Deputy Reeve to act, Council shall appoint any other Councillor as Acting Reeve for the meeting, as provided in Section 152 of the Municipal Government Act Chapter M-26.1, as amended from time to time.

4. Roles:

4.1 In accordance with Sections 207 and 208 of the Municipal Government Act and in accordance with Bylaw XXX which created the position of Chief Administrative Officer, the CAO is required to advise and inform Council in writing of its legislative responsibilities and ensure that the municipality's policies and programs are implemented as well as to advise Council on the operation and affairs of the Municipality.

4.2 The Reeve, when present, shall preside as Chairman over all meetings of Council, unless otherwise provided for in this Bylaw.

4.3 The Deputy Reeve chairs Council meetings when the Reeve is absent or unable to act as Reeve and shall have all the powers and responsibilities of the Reeve under this Bylaw.

4.4 The Chairman's official duties are:

- a. Check if a quorum is present and open the meeting at the prescribed time.
- b. Announce the business in the proper sequence.
- c. Recognize members entitled to the floor.
- d. State and put questions to a vote.
- e. Enforce the rules of order and decorum.

- f. Refuse to recognize frivolous motions.
- g. Protect the rights of members and the assembly.
- h. Expedite business and requests for administrative action to the CAO.
- i. Decide questions of order and respond to parliamentary inquiries.
- j. Close debate on order of the meeting.
- k. Declare the meeting adjourned.

5. Quorum

5.1 As soon as there is a quorum of Councillors (Committee Members) after the hour fixed for the meeting, the Chairperson shall take the Chair and call the meeting to order. Whenever a quorum is present and the Reeve or Deputy Reeve (Chair or Vice-Chair) is not in attendance within 15 minutes after the designated start time for a Council meeting, the Chief Administrative Officer shall call the meeting to order and a Chairperson shall be appointed by the Councillors (Committee Members) present, who shall then preside during the meeting, or until the arrival of the Reeve or Deputy Reeve (Chairperson or Vice-Chairperson).

5.2 Unless a quorum is present within thirty minutes after the time appointed for the meeting, the meeting shall 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. The Chief Administrative Officer shall record the names of the Councillors (Committee Members) present at the expiration of the thirty-minute time limit and such record shall be appended to the next Agenda. The only action that can legally be taken in the absence of a quorum is to fix the time to which to adjourn (if more than thirty minutes is being allowed). Notice of adjournment shall be posted outside the door of the meeting area. Council (Committee) may adjourn from time to time to a fixed future date, any regular or special meetings of Council (Committee) which has been duly convened but not terminated. The purpose of adjourning is to finish the business for which the meeting was called to transact in the first place, but which has not been completed.

5.3 In the event a quorum is lost after the meeting is called to order the meeting shall be suspended until a quorum is obtained. If a quorum is not obtained within thirty (30) minutes, the meeting shall stand adjourned.

5.4 In the event that a quorum of a Standing Committee of Council as set out in Section 10 is lost during a meeting, or not available at the start of a meeting, any Councillors not appointed to the Standing Committee but in attendance will be considered voting and full members of the Standing Committee until such time that an appointed Council member of the Standing Committee is in attendance and a quorum is reached.

6. Organizational Meeting of Council

6.1 An Organizational Meeting of Council shall be held annually pursuant to the Municipal Government Act.

6.2 The Chief Administrative Officer shall fix the time, date and place of the Organizational Meeting.

6.3 The agenda for the Organizational Meeting shall be restricted to:

- a. The administration of the Oath of Office.
- b. The introduction of new Councillors and Members at Large.
- c. The election of the Reeve and Deputy Reeve.
- d. The establishment of membership on committees and boards.

e. Any other business as required by the Municipal Government Act.

6.4 At the Organizational Meeting, the Chief Administrative Officer shall:

- a. Call the Meeting to Order.
- b. Preside over the Meeting until the Reeve has been elected and has taken the oath of office as Reeve.

7. Regular Council Meetings and Public Hearings

7.1 The date and time of regular meetings of Council shall be established by resolution at the Organizational Meeting or at such other Meeting of Council. Regular meetings of Council and Committees shall commence at 9:00 a.m. and shall adjourn no later than 5:00 p.m., unless there is a motion of Council or Committee to proceed past that time.

7.2 The agenda for each regular and special meeting shall be completed by the Chief Administrative Officer and distributed to Councillors 2 days prior to the meeting.

7.3 Request to make Presentations to Council

- a. Delegations are scheduled at the discretion of the CAO (or designate), subject to the volume of material on any given agenda, the number of requests for a specific meeting date and urgency of request, or subject matter.
- b. The written submission will indicate the following information:
 - i. complete name of the presenter(s) and contact information (ie. Mailing address, e-mail, telephone/fax number) and the organization they are representing (if applicable);
 - ii. nature and purpose of the delegation and the material to be covered/presented;
 - iii. any PowerPoint presentation or other material to be used or presented at the meeting.
- c. Presentations will be directed to the Chair and will be limited to thirty (30) minutes with an additional ten (10) minutes for questions for clarification by members and administration. The Chair may extend the time limits as necessary.
- d. Information presented by the delegation will be restricted to the topic noted in the written submission and recorded on the meeting agenda. Subsequent deputations from the same individual/group concerning a topic on which they have previously presented or spoken will not be permitted unless there is significant new information to be brought forward.
- d. Delegations will not be heard regarding matters involving current or pending litigation, insurance claims, matters beyond the jurisdiction of Council, or Municipal Freedom of Information and Protection of Privacy Act issues.
- f. Delegations will not be permitted to speak regarding topics that will be the subject of an upcoming public meeting pursuant to the Municipal Government Act, unless exceptional circumstances apply which have been reviewed and approved by Council. Persons wishing to speak about such matters are requested to present their concerns and opinions at the scheduled public meeting where their comments can be considered along with all other submissions.

7.4 Placing an item on the Agenda

- a. Items to be included on the Agenda must be received by the CAO five days prior to the Council Meeting date.

- b. Under extraordinary circumstances, emergent items shall require a motion of Council at the onset of the meeting to place it on the Agenda with a designated Agenda number.

7.5 Management Reports shall be written to assist the Recording Secretary.

8. Special Meetings

8.1 Special meetings shall be held in accordance with the Municipal Government Act as amended from time to time.

8.2 A Special or Ad-hoc Committee may be appointed at any time by the Council or by the Reeve acting upon the instruction of the Council, providing that a motion has been adopted specifying the matters, duration of the Committee, and terms of reference to be dealt with by the Committee.

8.3 Agendas shall be completed in accordance with the procedures of Starland County.

9. Public Hearings

9.1 The Chairperson will call for a motion to go into Public Hearing.

9.2 Administration will confirm the Hearing has been advertised in accordance with applicable Statutes.

9.3 Written Submissions for Public Hearings:

- a. Public Hearings are advertised for two consecutive weeks. From the first advertised date the public will have fifteen days to get their written submissions to the Municipal Secretary for inclusion into the Agenda. This deadline to receive submissions will be included in the advertisement.
- b. Letters received in accordance with the Public Hearing shall be included in the appropriate staff report.
- c. Council will not accept any additional letters for a Public Hearing unless it is submitted during the Public Hearing presentation to Council by the author, with the appropriate number of copies (8) and is limited to a two-page summary.

9.4 Staff will present their report first.

9.5 After identifying him/herself, the Applicant will be requested to present his/her application within a reasonable time period.

9.6 After identifying themselves, persons or representatives of any group or persons in favour of the application may address Council in turn. Council reserves the right to abbreviate repetitious oral submissions. Individuals may speak for a maximum of ten minutes. One spokesperson per petition or group may speak for a maximum of ten minutes. Persons signing such petitions are deemed to have had their position advanced by the petition and accordingly they may not speak unless they remove their names from the petition.

9.7 Individuals who have submitted a letter may only address Council on new non-repetitious information not contained in the letter.

9.8 With Council approval, any individual or group submitting a letter or petition as part of their presentation at the Hearing, must submit eight (8) copies of same at start of their presentation.

9.9 Any person speaking in favour of an application may rebut information presented by those in opposition. No new information is permissible. Only the applicant and those in favour may speak in rebuttal at the Hearing.

BYLAW 1168 OF STARLAND COUNTY

9.10 The use of slides, maps, videos, etc. is permitted, and these along with written submissions become the property of Starland County as exhibits to the Hearing.

9.11 Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or for a group and address the Chair when responding to questions or providing information.

10. Standing Committees

10.1 Council will review a list annually of Standing Committees they are required to appoint members to.

10.2 The members of these Committees shall be appointed by Council each year at the Organizational Meeting. The Committee will elect a Chairperson and Deputy Chairperson at the first committee meeting following the annual Organizational Meeting. Section 3(1) Agricultural Service Board Act, requires Council to appoint the Chairperson.

10.3 All Councillors who have not been appointed to the Committee will have the right to attend any meeting of the Standing Committees, but only as a non-voting member, except as set out in Section 5.4 when a quorum is lost or not available. The Reeve is ex-officio at all meetings.

10.4 It shall be the duty of the Chairperson of each Standing Committee, or in the absence of the Chairperson, the Chief Administrative Officer 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.

10.5 Regular meetings shall be established by motion of Council.

10.6 All appointments of Council and Members-at-Large are at the pleasure of Council. Council has the right to terminate any members of the Committees.

11. General

11.1 All Councillors will be circulated agendas for all Committee Meetings.

11.2 All meetings will be held in strict compliance with the requirements of the Municipal Government Act, as amended from time to time.

11.3 After a motion has been put to a vote by the Chairperson, no member shall speak to the question, nor shall any other motion be made until after the results of the vote have been declared. The decision of the Chairperson as to whether the question has been finally put to a vote shall be final.

11.4 If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.

11.5 The Municipal Secretary shall record in the minutes each time a member of Council requests to be excused by reason of a potential conflict of interest or approved absence or other reasons as outlined in the Municipal Government Act.

11.6 All Councillors shall vote on every motion by either raising of the hand in such a clear manner that they may be easily counted by the Chairperson, or, by secret ballot as authorized by a majority vote of Council.

11.7 The rules of Council in this Bylaw shall apply to each and every member of any delegation, or the general public.

11.8 The public may only address Council during appointments or public hearings. During other business items the majority consent of Council is required.

11.9 When a public hearing on a proposed bylaw or resolution is held, a Councillor:

BYLAW 1168 OF STARLAND COUNTY

- a. must abstain from voting on the bylaw or resolution if the Councillor was absent from all of the public hearing,
- b. may abstain from voting on the bylaw or resolution if the Councillor was only absent from a part of the public hearing.

11.10 The use of audio and video recording devices and cameras by the press or the public is prohibited.

11.11 Once approval is given to draft minutes and they become the official record, copyright to recordings of Council meetings made available on the County's website is owned by Starland County. No part of the recorded materials posted on the County's website may be reproduced.

12. Point of Order

12.1 A Member who desires to call attention to a possible violation of the meeting rules and procedures shall ask leave of the Chairperson to raise a Point of Order.

12.2 When leave is granted by the Chairperson, the Member shall state the Point of Order with a concise explanation and shall abide by the decision of the Chairperson upon the Point of Order.

12.3 A Member called to order by the Chairperson shall immediately relinquish the floor until the Point of Order is dealt with and shall not speak again without the permission of the Chairperson except to appeal the ruling of the Chair.

12.4 The speaker in possession of the floor when the Point of Order was raised shall have the right to the floor when debate resumes.

13. Motions

13.1 Motions of Council and Committee Meetings are not required to be seconded.

13.2 A motion to rescind a previous motion may be accepted by the Chairperson and if passed by a majority vote of the Members present, the previous motion referred to would be declared null and void.

13.3 A recorded vote must be requested prior to the vote being called. Any member of Council may request a recorded vote.

13.4 After a motion has been voted upon, any Member who voted with the prevailing side may move for reconsideration and shall state his or her reason therefore.

13.5 Reconsideration shall then be open to debate, voted upon and shall require the votes of a majority of Members present to pass.

13.6 If a motion for reconsideration is moved at a subsequent Meeting it shall be preceded by a Notice of Motion and shall require a majority vote of the Members present to carry. Once a decision of Council is made an item cannot be reconsidered until the third meeting of Council after the motion was passed.

13.7 If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business unless the motion calls for a future definite date. Debate on the matter to be reconsidered shall proceed as though it had not previously been voted upon.

13.8 Debate on a motion for reconsideration must be confined to reasons for or against the purpose for reconsideration.

13.9 A motion that has been approved for reconsideration and passes, automatically suspends the previous motion.

BYLAW 1168 OF STARLAND COUNTY

13.10 Motions need not be made on a report or presentation submitted for information by staff, Councillors, or the public, if no action is contemplated.

13.11 Motions should be submitted in writing especially if they are lengthy in nature.

13.12 A Council member who has put forth a motion may withdraw the motion up until a vote on the motion is called by the Chairperson. The Recording Secretary will record withdrawn motions in the minutes.

13.13 Once debate has begun on a motion, amendments proposed may be accepted by the mover. Amendments not accepted by the mover may be decided by a majority vote of Council.

13.14 A motion on a reading of a bylaw cannot be reconsidered.

14. Notice of Motion

14.1 Notice of Motion shall be used to give notice when an extended period of time is advisable prior to considering a subject.

14.2 A Notice of Motion may be presented and described prior to the closing of the meeting by the Council Member reading the Notice of Motion. This shall be recorded in the minutes and shall form part of the Agenda for the subsequent or appointed meeting.

15. Rules of Formal Debate

15.1 Members speak only after being recognized by the Chairperson: Recognition is on a "first -come-first-served" basis, except:

- a. The maker of the motion has the right to speak on it for the first time in preference to other members.
- b. To speak a second time on a motion, a member must wait for those who wish to speak on it for the first time.
- c. If possible, the Chairperson alternates between proponents and opponents of the motion.

15.2 Rules of Decorum:

- a. Councillors Shall not:
 - i. Use offensive words or unparliamentary language in the meeting and shall refrain from abusive conduct, personal attacks or verbal attacks upon the character or motives of other Councillors of Council, boards, commissions, committees, staff or the public;
 - ii. Disobey the rules of the meeting or disturb the proceedings;
 - iii. Disobey the decision of the Chairman or of Councillors on any question of order, practice or interpretation;
 - iv. Interrupt a Councillor while speaking, except to raise a Point of Order.
- b. Calling a Councillor to Order:
 - i. When a Councillor has been warned about breaches of conduct but continues to engage in them, the Chair may name the Councillor by starting the Councillor's name and declaring the offence.
 - ii. The offence must be noted in the minutes.
- c. Effect of Naming a Councillor:
 - i. If a Councillor who has been named apologizes for breach of conduct and withdraws any objectionable statements, then:

BYLAW 1168 OF STARLAND COUNTY

- a. That Councillor may remain and continue participating in the meeting; and
 - b. The Chair may direct that the notation of the offence be removed from the minutes; or
- ii. If a Councillor who has been named fails or refuses to apologize, then;
- a. Council may pass a motion to:
 - i. Censure the Councillor; or
 - ii. Require that Councillor to immediately leave Council Chambers for the remainder of the meeting or until the Councillor apologizes and withdraws the objectionable statements.
 - b. Council must, without debate, vote on the motion under this Section.
- d. Removal of a Councillor
- i. If a Councillor has been expelled pursuant to Section 15.2.c, that Councillor must leave Council Chambers immediately.
 - ii. The Chair may request a Community Peace Officer or member of the Royal Canadian Mounted Police to remove an expelled Councillor if that Councillor does not leave voluntarily.
- e. Disturbance by Public
- i. The Chair may order any member(s) of the public who disturbs the proceeding of council by words or actions to be expelled.
 - ii. The Chair may request a Community Peace Officer or a member of Royal Canadian Mounted Police to remove the person(s).

15.3 If a person is speaking for himself, he may speak for 10 minutes or for a group 20 minutes.

15.4 If a member of Council wishes to speak on a debatable motion, he can speak up to a maximum of two times with each speech being a maximum of five minutes.

15.5 Closing Debate:

- a. The decision to close debate is not a decision of the Council member or the Chairperson, it is the decision of Council and can be done by majority consent, if Council considers it appropriate if there is repetitive debate.
- b. The mover has the right to close debate.

16. Closed Session

16.1 The *Municipal Government Act* permits Council or Committee to close all or part of the meeting to the public if a matter to be discussed is within one of the exceptions to disclosure contained in Division 2 Part 1 of the *Freedom of Information and Protection of Privacy Act*

16.2 Before closing all or any part of the meeting to the public, a Council or Council Committee shall pass a motion:

- a. that includes the basis for which that part of the meeting is to be closed and;
- b. the related section of FOIP that applies, under the Exception to Disclosure in Division 2 of Part 1 (Section 16 to 29) or under the regulations under subsection (7).

16.3 When a meeting is held in closed session, no Motion or Bylaw may be passed except a Motion to revert to a meeting held in public.

16.4 Where a Council or Council Committee closes all or part of a meeting to the public, the Council or Council Committee may allow one or more other persons to

attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend.

16.5 A Subdivision Authority, Development Authority or Subdivision and Development Appeal Board established under Part 17 of the *Municipal Government Act* may deliberate and make its decision in a meeting closed to the public.

16.6 After the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.

16.7 In accordance with the MGA, Section 153 and the FOIP act, all members are required to keep in confidence matters discussed in closed session until the item is discussed at a meeting held in public.

17. Meeting through Electronic Communication

17.1 Pursuant to the *Municipal Government Act* a meeting of Council or Committee may be conducted by means of electronic or other communication facilities if:

- a. notice is given to the public of the meeting, including the way in which it is to be conducted;
- b. the facilities enable the public to watch and/or listen to the meeting at the place specified in the notice and a designed officer is in attendance at that place; and
- c. the facilities enable all the meeting's participants to watch and/or hear each other.

17.2 Councillors participating in a meeting held by an electronic or other communication facility are deemed to be present at the meeting.

17.3 Councillors may participate electronically in up to 3 regular or special Council meeting per year unless a resolution of Council is passed exempting a Councillor from this rule.

17.4 A Member of Council may participate in a Council or Committee meeting through electronic or other communication facility if:

- a. The Member is in a location outside of Starland County for any reason;
- b. The Member is in a location within Starland County but is unable to attend a meeting for medical reasons for himself or herself, or an immediate family member;
- c. There is quorum of other Members of Council situated in the actual meeting place to ensure the meeting could continue if the communication facility failed or should the meeting go into closed session;
- d. The CAO (or designate) is present at the Council meeting;
- e. If that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
- f. The location is secure, appropriate for Council interaction and public viewing, and free from outside distractions.

17.5 The number of people participating by using the electronic or communication facility will be limited by the system's capacity.

17.6 The use of electronic or other communication facility cannot be implemented during a closed session.

BYLAW 1168 OF STARLAND COUNTY

17.7 The Chair shall announce to those in attendance at the Council meeting that a Council member or Administration member is attending the meeting by means of electronic or other communication facility.

17.8 The Chair has the sole authority to deny the use of the electronic meeting location if in his/her opinion the location is disruptive to the Council meeting, is in his/her opinion not secure, and is in his/her opinion located in any place deemed inappropriate.

17.9 Notice of Proposed Use

- a. Advise the CAO (or designate) of the phone number at which he or she will be available throughout the meeting.
- b. Contact the Administration Office a half (1/2) hour before the start of the meeting to receive the electronic or other communication facility meeting codes.

18. Coming into Force

18.1.1 This Bylaw shall come into force and take effect upon receiving third reading.

First Reading on motion of Councillor Marshall, this 24th day of March, A.D., 2021.

Second Reading on motion of Councillor Rew, this 24th, day of March, A.D., 2021.

Third and final reading on motion by Deputy Reeve Sargent, this 24th day of March, A.D., 2021.

Done and finally passed in Council, duly assembled, this 24th day of March, A.D., 2021.



Deputy Reeve:
Robert Sargent



Chief Administrative Officer:
Shirley Bremer