

**BYLAW 008:2022  
of the TOWN OF IRRICANA  
in the PROVINCE OF ALBERTA**

**Being a bylaw of the Town of Irricana, in the Province of Alberta to regulate the proceedings and conduct of Council meetings.**

**WHEREAS** the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, provides that a Council may pass bylaws in relation to the procedure and conduct of Council, and may regulate the conduct of Councillors;

**AND WHEREAS** Council has deemed it necessary to regulate the procedure and conduct at meetings of Council;

**AND WHEREAS** should any issue pertaining to procedure or process arise that is not covered under this Bylaw, the MGA or any other enactment will take precedence. Failing that it shall be decided by a majority of Council.

**TITLE:**

This bylaw may be cited as the “**Council Procedural Bylaw**”.

**PART I – DEFINITIONS**

- 1) In this bylaw, unless the context otherwise requires:
  - a. “Administration” shall mean an employee or employees of the Town of Irricana.
  - b. “Agenda” means the list and order of business items for any meeting of Council.
  - c. “Agenda Package” shall mean the Agenda accompanied with all reports and communication to be presented during the meeting.
  - d. “CAO” shall mean the Chief Administrative Officer of the Town of Irricana or duly appointed designate.
  - e. “Chair” shall mean the Mayor, Deputy Mayor or any other duly appointed Presiding Officer at a constituted meeting.
  - f. “Council” shall mean the Municipal Council of the Town of Irricana.
  - g. “Councillor” shall mean the same as Member of Council.
  - h. “Council Chambers” shall mean the location in which a Public Meeting is being held.

- i. "Delegation" shall mean an individual or an organization addressing the Council about a specific item on the agenda of a meeting that falls within the body's jurisdiction, but does not include those speaking to a bylaw for which a public hearing has been held or is scheduled.
- j. "Emergent Item" means a situation demanding prompt action that poses an immediate risk to health, life, property, environment, or town finances/operations.
- k. "Friendly Amendment" is an amendment to a motion under debate that is perceived by all parties as an enhancement to the original motion, often only as clarification of intent.
- l. "Member of Council" shall mean a person elected to office in the Town of Irricana.
- m. "MGA" means the Municipal Government Act, Revised, Statutes of Alberta 2000, Chapter M-26 and amendments thereto.
- n. "On the floor" is when a motion is under debate.
- o. "Pecuniary Interest" is something that causes or may cause either a negative or positive financial impact for an individual.
- p. "Public Gallery" shall mean members of the public who attend a Public Meeting as an observer.
- q. "Public Meetings" shall mean Regular Meetings of Council, Special Meetings of Council, or Committee Meetings.
- r. "Quorum" is the majority of all Council Members, three (3) of the five (5) Council Members.
- s. "Regular Meetings" shall mean meetings called pursuant to Section 193 of the Municipal Government Act, RSA 2000, Chapter M-26.
- t. "Special Meetings" shall mean meetings called pursuant to Section 194 of the Municipal Government Act, RSA 2000, Chapter M-26.
- u. "Town" means the Town of Irricana.

## **PART II – MEETINGS OF COUNCIL**

- 2) The Regular Meetings of Council shall be held in the Council Chambers or the Irricana Community Hall, in the Town of Irricana on the first and third Monday of each month at 7:00 pm. Should a Meeting Day fall on a Statutory Holiday, the meeting will occur on the next regular business day.
  - 3) Notwithstanding the above, Council may elect to adopt an alternate schedule, by way of resolution, at its discretion.
  - 4) The Council of the Town of Irricana shall hold an annual Organizational Meeting of Council pursuant to Section 192 of the MGA.
  - 5) Notice to the public of Regular Meetings of Council, Special Meetings of Council, and Committee Meetings shall be deemed to be given by posting notice of all meeting dates and times on the Town's website.
  - 6) Pursuant to section 208 of the MGA the CAO shall ensure:
    - a. All minutes of council meetings are recorded in the English language, without note or comment;
    - b. The names of the Councillors present at council meetings are recorded;
    - c. The minutes of each council meeting are given to council for adoption at a subsequent council meeting.
  - 7) If a Quorum is not present within thirty (30) minutes after the time fixed for a Regular or Special Meeting, the CAO shall record the names of the members of Council present and the Council shall stand adjourned until the next Regular Meeting or another Special Meeting is called.
  - 8) If Quorum is lost for more than fifteen (15) minutes during the course of a meeting, the meeting shall be dissolved and noted in the minutes by the CAO. Issues under discussion at the time of the loss of quorum shall be raised at the next meeting.
  - 9) Pursuant to Section 154 (1)(a) of the MGA, the Mayor shall preside as Chair at meetings of Council. In the event that the Mayor is not in attendance the meeting shall be chaired by the Deputy Mayor shall preside.
  - 10) Should neither the Mayor nor Deputy Mayor be in attendance within fifteen (15) minutes after the time of a scheduled meeting and a quorum is present, the CAO shall call the meeting to order and a Chairperson shall be selected by the Council members in attendance. The selected Chairperson shall preside until the arrival of either the Mayor or Deputy Mayor.
  - 11) Pursuant to Section 199 of the MGA council meetings may be conducted by means of electronic or other communication facilities.
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- 12) The Mayor shall be an ex officio member of all Town Committees

### **PART III – CONDUCT OF MEETINGS**

- 13) Each member of Council shall address the Chair, shall not speak until recognized by the Chair, address their remarks to the Chair, and confine themselves to the question. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
- 14) A Delegation, scheduled to address Council on a topic, shall address the Chair. Upon recognition by the Chair the scheduled delegate shall be limited to a ten (10) minute presentation. The Chair may, at their own discretion or by resolution of Council, extend the time limit.
- 15) The Chair, at their sole discretion, may authorize a person in the Public Gallery to address Council on the topic being discussed at the time in the meeting and the Chair shall specify the time limit for the comment. This interruption in the meeting, if permitted, is to allow a possible new perspective for Council to consider. Debate with the Public Galley is not permitted.
- 16) Any Member of Council may present a motion for consideration. The motion does not require a seconder. The motion shall be recorded and the motion shall be deemed to be “on the floor” and open for formal discussion and debate.
- 17) Debate on a motion shall be limited to no more than ten (10) minutes. The Chair may, at their own discretion or by resolution of Council, extend the time limit.
- 18) Prior to a vote being called by the Chair on a motion that is on the floor, a Friendly Amendment, if agreed upon by the originator of the motion, can be heard.
- 19) A vote on a motion can only result in the Chair declaring the motion being:
  - a. Carried
  - b. Defeated
  - c. Tabled
- 20) All Motions shall be voted upon by all Members of Council in attendance unless abstention by a Member of Council is duly noted in the minutes or for reasons of Pecuniary Interest.
- 21) A Member of Council wishing a recorded vote on a motion shall make such request of the Chair prior to the calling of the vote.
- 22) If there is an equal number of votes for and against, the motion is defeated.

- 23) After a motion has been voted on, at any time during the remainder of the meeting in progress or during the next regular meeting, any Member of Council who voted with the prevailing side may make a motion to reconsider and shall state the reason for making a motion to reconsider.
- 24) Debate on a motion to reconsider must be confined to reasons for or against reconsideration.
- 25) Council must not reconsider a motion if any action has been taken based on the original motion.
- 26) A motion to reconsider that is carried, automatically suspends the reconsidered motion.
- 27) If a motion to reconsider is carried, the original motion becomes the next order of business in the meeting in progress, unless a majority of Council agrees to table the original motion to the next Regular Meeting of Council.
- 28) A motion to reconsider that is tabled results in the motion to reconsider being added to the next Regular Meeting of Council.
- 29) A motion to reconsider that is defeated is not debatable for at least 7 months or 213 days, whichever is higher of the defeat.
- 30) Any Councillor may submit a motion to reconsider any motion that was defeated, at least 7 months or 213 days, whichever is higher from the motion to reconsider.
- 31) A motion to rescind a motion must be made in the same way as the original motion.
- 32) Should any issue pertaining to procedure or process arise that is not covered under this bylaw, the MGA or any other enactment will take precedence.
- 33) Any Councillor may present a motion for a ten (10) minute recess provided it is not called when another person has the floor.
- 34) Regular Meetings shall adjourn by 10:00 PM unless Council passes a motion to extend the meeting.
- 35) Pursuant to Section 197 of the MGA, the public may attend and observe Public Meetings.

- 36) The use of audio / video recording devices by the public or the media during a meeting is prohibited unless authorization is provided by the Chair and Chief Administrative Officer.
- 37) Pursuant to Section 198 of the MGA, the Chair may expel a person from the meeting for improper conduct. Improper conduct includes:
- a. Interrupting or causing distraction during a speech or action by a Member of Council, Administration, or any person or Delegation addressing Council;
  - b. Addressing the Members of Council or Administration without permission of the Chair;
  - c. Engaging in demonstration or protest within Council Chambers;
  - d. Wearing or displaying of materials that are inappropriate for a community setting or are deemed by the Chair to be offensive;
  - e. Any activity or behaviour that, in the opinion of the Chair, is inappropriate or distracts from the completion of business.
- 38) A person expelled by the Chair for improper conduct shall be provided with five (5) minutes to vacate the building in which the meeting is being held.
- 39) Any person, having been expelled by the Chair for improper conduct, who refuses to vacate the premises is guilty of an offence and is liable to a fine of no less than \$250.00 and no more than \$1,000.00, on an escalating scale:

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|------------------------|-----------|
| First Offence:         | \$250.00  |
| Second Offence:        | \$500.00  |
| Subsequent Offence(s): | \$1000.00 |

- 40) The escalating scale shall reset one (1) year after all fines have been paid.

#### **PART IV – AGENDA AND ORDER OF BUSINESS**

- 41) Prior to each Regular Meeting of Council, the CAO shall prepare an “Agenda”.
- 42) All proposed Agenda items for a Regular Meeting of Council must be submitted in writing to the CAO no later than 12:00 pm local time the Monday prior to the Regular Meeting of Council.
- 43) Any Councillor may make a request to have an item added to the Agenda through the Mayor. The proposed agenda item must be of a nature which requires action by Council. If the item is a question for Administration, the Mayor may request that Administration prepare a report for Council.

- 44) If Administration determines that a Council inquiry will cost more than \$500 or cannot be accommodated within the operational budget, Administration will present a budget request at the next Regular Meeting of Council.
- 45) Agenda items proposed by Councillors may not be deferred more than once without the consent of the requestor.
- 46) Administration shall prepare and submit a draft Agenda to the Mayor no later than 4:30 pm local time the Wednesday prior to the Regular Meeting of Council.
- 47) The Mayor and CAO shall review and approve the agenda no later than 4:30 pm local time the Thursday prior to the Regular Meeting of Council. Once approved, no item may be added to the Agenda until the Regular Council Meeting begins.
- 48) An Emergent Item may be added to the Agenda if:
  - a. the request to be heard is accompanied by a brief explanation, from Administration or a Member of Council, which demonstrates urgency; and
  - b. a majority of Council agree that the item be heard.
- 49) Administration shall provide each Member of Council with one (1) printed and one (1) electronic copy of the Agenda Package no later than 4:30 pm local time on the Friday prior to the Regular Meeting of Council.
- 50) Administration shall post the Agenda Package to the Town's website no later than 4:30 pm local time on the Friday prior to the Regular Meeting of Council.
- 51) Agenda preparation for Special Meetings of Council will follow the same procedures as listed above, however, timeframes may be adjusted at the mutual agreement of the Mayor and the CAO.
- 52) The order of business on the Agenda shall be as follows:
  - A. ATTENDANCE
  - B. CALL TO ORDER
  - C. AGENDA
  - D. PRESENTATIONS
  - E. MINUTES
  - F. CORRESPONDENCE FROM PREVIOUS MEETING
  - G. COMMITTEE REPORTS
  - H. OLD BUSINESS
  - I. NEW BUSINESS
  - J. COMMUNICATION / INFORMATION
  - K. COUNCILLOR UPDATE

- L. CLOSED SESSION
- M. ADJORN

- 53) The Chair may alter the order of business to accommodate requests from Delegations or Administration, or as determined by a resolution of Council.
- 54) A representative of a Delegation may request, in writing, to be included on an Agenda. The request must be submitted in writing and shall:
  - a. include a brief summary of the topic to be presented;
  - b. include all supporting information (letters, presentations, etc) that will be presented to Council;
  - c. be received by Administration no later than noon on the Monday the week before the next Regular Meeting of Council is being held.
- 55) Delegation presentations shall be limited to ten (10) minutes, excluding the time required to answer questions from Council. The Chair may, at their own discretion or by resolution of Council, extend the time limit.
- 56) During the Councillor Update, each Member of Council shall be given five (5) minutes to introduce information to Council. The Chair may, at their own discretion or by resolution of Council, extend the time limit.
- 57) The Chief Administrative Officer shall provide a summary report to Council at the second Regular Meeting of Council each month.
- 58) Administration shall post the minutes of the meeting to the Town's website within two (2) weeks of their approval.
- 59) The Mayor may designate a Councillor or other person to act as Sergeant-at-Arms during Public Meetings. The Sergeant-at-Arms is to enforce time limits, maintain order, and return the floor to the Chair.

**PART VI – SEVERABILITY**

- 60) Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

**PART VI – REPEAL**

- 61) This Bylaw hereby repeals Bylaw 003:2022 in its entirety.



**PART VII – EFFECTIVE DATE**

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ for a First time this 5<sup>th</sup> day of December, 2022.

READ for a Second time this 5<sup>th</sup> day of December, 2022.

TO BE Given Unanimous Consent for a Third and Final Reading this 5<sup>th</sup> day of December.

READ for a Third and Final time this 5<sup>th</sup> day of December 2022.

“Original Signed”

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Jim Bryson  
Mayor

“Original Signed”

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Doug Hafichuk  
Chief Administrative Officer