

# **BYLAW NO. 789C**

OF THE  
TOWN OF KILLAM  
IN THE PROVINCE OF ALBERTA

**BEING A BYLAW OF THE TOWN OF KILLAM, IN THE PROVINCE OF ALBERTA, ~~FOR TO~~ REGULATE THE PROCEEDINGS OF COUNCIL MEETINGS, COMMITTEES OF COUNCIL, AND OTHER BODIES ESTABLISHED BY COUNCIL AND THE TRANSACTING OF BUSINESS BY COUNCIL, FOR THE MUNICIPALITY.**

**WHEREAS** Pursuant to Section 145 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, authorizes the establishment and functions of Council committees and other bodies and procedures to be followed by Council, Council committees any other bodies established by Council; and

**WHEREAS**, It is the Council of the Town of Killam's desire to establish and follow a process and procedure of municipal governance that reflects an open, transparent government where decisions are made after all information has been provided, and this Procedural Bylaw hereby established the following rules and regulations for the order and conduct in which all Council and committee meetings shall transact its business.

## **SECTION 1: TITLE**

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

## **SECTION 2: DEFINITIONS**

1. Agenda – the business which is to be dealt with at any particular meeting
2. Chief Administrative Officer (CAO) – Means the person appointed to that position by the Town of Killam Council as per Bylaw 674 and under the provision of the MGA.
3. Chief Elected Official – Means the person elected or appointed as chief elected official under Section 150 of the MGA.
4. Closed Session (formerly In Camera) – Means a confidential portion of a meeting that is closed to the public pursuant to Section 197 of the MGA and at which only members of Council and other persons designated by Council may attend.
5. Committee – Means any committee, board or other body established by Council under the MGA.
6. Committee Representative – the person who has been given authority by motion of Council to represent the Town of Killam on any given Committee.
7. Council – Means the Council of the Town of Killam.
8. Councillor – Means all members of Council including the Mayor.
9. Delegation – Means an individual acting independently or a group of persons chosen to represent others on a matter before Council or a Committee.

10. Deputy Mayor – Means the Member who is appointed by Council pursuant to Section 152 of the MGA to act as Mayor in the absence or incapacity of the Mayor.
11. Electronic Communications – Means sending and receiving communications through a telephone equipped with a speaker, a personal computer or mobile device, or other electronic means as technology advances but does not include emails, text messages or other written methods.
12. Emergent Resolution – Means a resolution that is deemed to be necessary to take an expedient action for the benefit of the municipality that should happen before the next regularly scheduled Council meeting.
13. Majority – Means a number greater than half of the total.
14. Mayor – Means the Chief Elected Official of the Town of Killam.
15. Meeting – Means any regular, special or other meeting of Council or of a committee, as the context requires.
16. Member – a member of Council or of a committee, as the context requires.
17. MGA – Means the Municipal Government Act, Revised Statutes of Alberta 200, Chapter M-26, and amendments thereto.
18. Orders of the Day – the written order of business and time schedule for a meeting of Council
19. Organizational Meeting – Means a meeting of Council held in accordance with Section 192 of the MGA.
20. Person – includes a corporation or representative of an organization
21. Point of Order –Means a statement of a Member to call attention to departure from the Procedural Bylaw.
22. Point of Procedure –Means a question directed to the Presiding Officer to assist a Member to:
  - a) make an appropriate motion
  - b) raise a Point of Order
  - c) understand a procedure
  - d) understand the effect of a motion.
23. Postpone – to delay the consideration of any matter either to a definite time, for example, when further information is likely to be obtained, or indefinitely
24. Presiding Officer – Means the Mayor or in the absence of the Mayor, the Deputy Mayor or in the absence of the Deputy Reeve any other member of Council chosen to preside at a meeting.
25. Public Hearing – Means a meeting of Council convened to hear matters as required by the MGA and/or other pertinent legislation or matter that Council otherwise directs to be heard at a Public Hearing through their own authority.
26. Question – Means a subject or point of debate or a proposition to be voted on in a meeting.
27. Quorum – Means the majority of all members of Council, being fifty (5) percent plus one (1) pursuant to the MGA.
28. Recorded Vote – Means the making of a written record of the name and vote of each member who votes on a question and each member present who does not vote.

- 29. Special Meeting – Means a meeting called by the Mayor pursuant to the MGA.
- 30. Table – a motion 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.
- 31. Town – Means Town of Killam.

### **SECTION 3: APPLICABLE**

- 1. This bylaw applies to all members attending meetings of Council and committees established by Council.

### **SECTION 4: REFERENCE SOURCE**

- 1. If a question relating to the procedures of Council is not answered by this Bylaw, or the MGA, the answer is to be determined by referring to the most recent revision of Roberts Rules of Order Newly Revised.

### **SECTION 5: ORGANIZATIONAL MEETING**

- 1. Council shall hold an organizational meeting annually not later than two (2) weeks after the third (3<sup>rd</sup>) Monday in October in accordance with the MGA.
- 2. The meeting shall be held at a time and place fixed by the CAO who shall give written notice of the day, time and place of the meeting to each Member of Council.
- 3. At the organizational meeting, Council shall establish by resolution for the forthcoming year:
  - a) The dates, times of commencement and locations of Regular Council Meetings.
  - b) Appointment of Deputy Mayor
  - c) Appointments to Boards and Committees
  - d) Review the Councillor Code of Conduct.
  - e) Any other business required by the MGA
  - f) Additional items following an election year:
    - i) Administering the Oath of Office – Each member of Council must take the official oath of office prescribed by the Oaths of Office Act and required by the MGA in Section 156.
    - ii) Review the Procedural Bylaw
- 4. At the first meeting following a by-election for one councillor:
  - (a) The new councillor must take the Oath of Office
  - (b) Council should review Committee representation, and, where necessary make appointments.

### **SECTION 6: COMMITTEES & BOARDS**

- 1. Council shall appoint Council representatives to such committees and boards as required by legislation, agreement or bylaw as they deem necessary. Unless an immediate appointment is required mid-term, these appointments shall be made on an annual basis at the Organizational Meeting.
- 2. When a new committee is formed, a Terms of Reference will be created.

3. The Mayor shall be an ex-officio member of all Council Committees and bodies which Council has a right to appoint members to under the MGA.
4. Appointed members shall keep Council informed of the issues of the committees or boards to which they are appointed by providing regular activity highlights at regular Council meetings.
5. In the case where a member (or the alternate) of a committee is absent or otherwise unable to attend meetings of the committees of which he/she is a member, the Mayor may appoint a member of Council to attend the meetings of the committee concerned. Such appointment is restricted to one meeting unless authorized by Council. The member so appointed by the Mayor shall, during the term of the appointment, have all the powers, privileges and duties of the regularly appointed member.

### **SECTION 7: GENERAL DUTIES OF COUNCIL**

Pursuant to MGA Section 153, Council is responsible to:

1. Consider the welfare and interests of the municipality as a whole and to bring to Council's attention anything that would promote the welfare or interests of the municipality;
2. Promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
3. Participate generally in developing and evaluating the policies and programs of the municipality;
4. Participate in Council meetings and Council committee meetings and meetings of other bodies to which they are appointed by Council;
5. Obtain information about the operation or administration of the municipality from the CAO or a person designated by the CAO;
6. Keep in confidence matters discussed in private at a Council or Council committee meeting until discussed at a meeting held in public;
7. Adhere to the code of conduct established by the Council;
8. Perform any other duty or function imposed on Councillors by this or any other enactment or by the Council;

Members shall not engage in any of the following:

1. Council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the CAO or a Designated Officer;
2. Council may not delegate:
  - a) Its power or duty to pass a bylaw;
  - b) Its power to make, suspend or revoke the appointment of a person to the position of CAO;
  - c) Its power to adopt budgets under Part 8 of the MGA;
  - d) Its power with respect to taxes under Part 10 of the MGA; and
  - e) Its duty to decide appeals imposed on it by this or another enactment or bylaw, whether generally or on a case-by-case basis, unless the delegation is a Council committee<sup>4</sup> and authorized by bylaw.

### **SECTION 8: GENERAL DUTIES OF THE MAYOR AND/OR PRESIDING OFFICER**

1. The Mayor shall preside when in attendance at a Council meeting;
2. The Mayor or Presiding Officer shall preserve order and decorum at all times.
3. He/she shall, if necessary, call a Member to order and rule on Points of Order and Points of Procedure.
4. It shall be the duty of the Mayor or Presiding Officer, whenever he/she understands a motion introduced to be contrary to the rules of the Council or inconsistent with the matter to which it is intended to refer, to apprise the Council thereof before such motion is debated upon or put to a vote, citing the rule applicable to the case.
5. The Mayor shall act as spokesperson for the Town and co-ordinate the presentation of the Town's position to the public and to other external public bodies, agencies and organizations.
6. It shall be the duty of the Mayor and/or Presiding Officer, with respect to any meetings over which he/she presides, to:
  - a) Receive and submit to a vote all motions presented by the Members of Council, which do not contravene the rules and regulations of committee or Council;
  - b) Announce the results on a vote on any motions so presented;
  - c) Authenticate by his/her signature, when necessary, all bylaws, minutes and resolutions of committee or Council;
  - d) Adjourn the meeting when business is concluded;
  - e) Adjourn the meeting without a question being put or suspend or recess for a time to be named if considered necessary;
  - f) Represent and support Council, declaring its will and implicitly obeying its decisions on all things; and
  - g) Perform other duties when directed to do so by resolution of Council.

### **SECTION 9: GENERAL DUTIES OF THE DEPUTY MAYOR**

1. The Deputy Mayor must act as the Mayor when the Mayor is unable to perform the duties of the Mayor, or if the office of the Mayor is vacant, and while so acting in the place and stead of the Mayor, shall have and may exercise all rights, powers and authority of the Mayor in his/her absence.

### **SECTION 10: REGULAR AND SPECIAL COUNCIL MEETINGS**

1. Regular Council Meetings
  - a) Council will hold regular meetings on the dates established at the Organizational Meeting.
  - b) All regular meetings of Council shall be held in the Council Chambers of the Town administration building, unless otherwise agreed to by a majority of Members.

## 2. Special Council Meetings

- a) The Mayor may call a Special Council meeting whenever he/she considers it appropriate to do so; and
- b) The Mayor must call a Special Council meeting if he/she receives a written request for the meeting, stating its purpose, from a majority of the Members. This meeting must be held within fourteen (14) days after the date that the Mayor receives the request, or any shorter period provided for by bylaw.
- c) The Mayor calls a Special Council meeting by giving at least twenty-four (24) hours notice in writing to each Councillor and the public stating the purpose of the meeting, date, time and place at which it is to be held.
- d) A Special Council meeting may be held with less than twenty-four (24) hours notice to all Councillors and without notice to the public if at least two-thirds of the whole Council agrees this in writing before the beginning of the meeting.
- e) No matter other than that stated in the notice calling the Special Council meeting may be transacted at the meeting unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.

## 3. Cancellation of Regular or Special Council Meetings

- a) A Regular or Special Council meeting may be cancelled
  - a. By vote of the majority of Members at a previously held meeting
  - b. If Council changes the date, time or place of a regularly scheduled meeting, 24 hours notice of the change must be given to any Member not present at the meeting at which the change was made, and to the public.
  - c. Notice of a cancelled or rescheduled Council meeting will be posted on the Town of Killam website, posted on the Notice Board at the Town Office and if time permits, advertised in the local newspaper.

## 4. Meetings through Electronic Communications

- a) Members may attend a regular or special Council meeting by means of electronic communication.
- b) A Member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year, unless otherwise approved by Council.
- c) A Member shall be permitted to attend a meeting using electronic communications if that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
- d) A Member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.

- e) The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at a Council meeting that a Member is attending the meeting via electronic communications.
- f) When a vote is called, Members attending the meeting via electronic communications shall be asked to state their vote only after all Council Members present at the meeting have cast their vote by a show of hands.
- g) When a Member attends a closed meeting (In Camera) session via electronic communications, they will be required to confirm that they have attended the session alone in keeping with the definition of "Closed Meeting (In Camera)". The Mayor, Deputy Mayor or Presiding Officer will request a verbal confirmation from each Member prior to the closed meeting (In Camera) session commencing.

### **SECTION 11: AGENDA**

1. Administration shall prepare the agenda of Council together with copies of all pertinent correspondence, statements, reports and communications to be dealt with at each regular meeting to each Member with every reasonable effort to be no later than 4:00pm, three (3) days prior to the meeting.
2. Items initiated by members of Council to be included in the agenda, are submitted through the officer of the CAO and shall be submitted at least five (5) full working days prior to a Council meeting. Emergent items for inclusion in the upcoming meeting that are received after the deadline may be considered by the CAO. All submissions shall contain adequate information to the satisfaction of the CAO to enable the Members to consider the Matter.
3. No item shall be considered by the Members if the item has not been placed on the agenda unless Members present, by a two-thirds majority vote, agree to the item being placed on the agenda. The Mayor, any Member or the CAO shall be given an opportunity to state why an item shall receive consideration on the agenda because of its emergency nature before the motion is put to a vote.
4. Any member of Council may, at the meeting at which an answer to an enquiry is given, move that the subject matter of the inquiry and the answer thereto, or any part of the inquiry or the answer thereto, be then debated and the Mayor or presiding officer shall put the matter to Council without comment. If a majority of members of Council present vote in favour of the motion, the subject of the motion shall be open for discussion.
5. Council must vote to adopt the agenda prior to transacting other business and may:
  - (a) add new items to the agenda by resolution;
  - (b) delete any matter from the agenda by unanimous vote.
6. The general order of business on the agenda for a regular Council meeting shall be as follows, however, the actual order may be adjusted by the CAO or Council as necessary:
  - a) Call To Order
  - b) Adoption of the Agenda
  - c) Public Hearings

- d) Delegations/presentations
- e) Adoption of Minutes
- f) Business Items
- g) Correspondence
- h) Council Committee Reports
- i) Department updates/information
- j) Financial Information
- k) Closed Sessions (In Camera)
- l) Adjournment

## **SECTION 12: MINUTES**

1. Council minutes must be prepared, which are to include:
  - a) All decisions and other proceedings;
  - b) Names of Council members present or absent from the meeting;
  - c) Names of Council members who request that their vote be recorded on any specific motion;
  - d) Any abstention pursuant to declaration of pecuniary interest, or any other abstention permitted by statute;
  - e) Signatures of the presiding officer and the Administrator to be signed after the minutes have been approved.
2. The minutes of each Council meeting must be distributed to the Council members prior to the meeting at which they are to be adopted.
3. The minutes must be adopted. If there are any errors or omissions, Council must:
  - (a) Pass a motion to amend the minutes and adopt the minutes as amended;
  - (b) If there are no errors or omissions, Council must adopt the minutes as circulated.

## **SECTION 13: GENERAL PROCEEDINGS OF A COUNCIL MEETING**

### **1. Quorum**

- a) When quorum is present at the time set for commencement of a Council meeting, the Mayor, or other Presiding Officer, shall take the chair and call the meeting to order.
- b) If there is a quorum present at the time set for commencement of a Council meeting, by the Mayor or Deputy Mayor are not in attendance within fifteen (15) minutes after the time set for commencement, the CAO shall call the meeting to order and shall call for a Presiding Officer to be chosen by resolution who shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.
- c) If there is no quorum presented within thirty (30) minutes from the time set for commencement of a Council meeting, The CAO shall record the names of all Members present and adjourn the meeting. Notice of adjournment should be posted on the outside of access to Council Chambers.
- d) At any time during a meeting, quorum is lost, the meeting shall be recessed and if quorum is not achieved within fifteen (15) minutes, the meeting shall be adjourned.



**2. Attendance**

- a) If a Member of administration arrives late, leaves before the meeting is adjourned, or is temporarily absent from a meeting where a vote has been recorded, it shall be so recorded in the minutes.

**3. Voting**

- a) Voting on all matters shall be done by a show of hands or verbally if required, in such a clear manner that the Mayor or other Presiding Officer may easily count them.

**4. Recorded Vote**

- a) In the case of a recorded vote, the vote shall be recorded in the minutes by name. Request for a recorded vote must be made by a Member prior to the call of the question.

**5. Pecuniary Interest**

- a) If a Member has a pecuniary interest (as defined in Section 170 of the MGA) in a matter before Council, the Member shall, in such case, report his/her status to Council, shall not discuss or vote on the matter and leave Council Chambers until the vote has been completed. In all other cases, every Member who is present in Council Chambers when the question is put forth, shall vote.
- b) The Recording Secretary shall record in the minutes each time a Member excuses him/herself by reason of pecuniary interest.

**6. Conduct**

No Member shall:

- a) Speak disrespectfully of The Sovereign or any other of the Royal Family, Governor General, Lieutenant Governor or persons administering the Government of Canada or the Province of Alberta;
- b) Use offensive or Profane words in or against Councillor against any Member thereof;
- c) Speak to a subject, except upon the question in debate;
- d) Reflect upon any vote of Council except for the purpose of moving that such a vote be rescinded or reconsidered;
- e) Resist the rules of this Bylaw, disobey the decision of the Mayor or Presiding Officer or Council on any question or order or practice upon the interpretation of the rules of this Bylaw and/or the Robert's Rules of Order. In case any Member shall so resist or disobey, they may be ordered by a majority of vote to leave their seat for that meeting and in case of their refusing to do so, they may, on order of the Mayor, Deputy Mayor or other Presiding Officer, be removed by a peace officer or the police. In case of ample apology being made by the offender, they may, by vote of Members, without debate, be permitted forthwith to take their seat.

**7. Motions**

- a) All motions shall be recorded by the Recording Secretary and be read upon request;
- b) After a motion is moved, it becomes property of Council;
- c) The Mayor or Presiding Officer cannot make a motion;
- d) A motion submitted to Council does not require a seconder;
- e) No Member shall speak to a question or motion until recognized by the chair;
- f) The Mayor and every Member shall vote on every matter unless, in a specified case, The Mayor or Member is excused from voting by resolution or by reason of pecuniary interest;
- g) If a Member refuses or fails to vote on an issue, he/she shall be deemed to have voted in the negative on the matter and shall be so recorded;
- h) A tied vote shall be deemed as defeated;
- i) Motions shall be recorded in the minutes as “carried” or “defeated”.

**8. Amendments to Motions**

- a) An amendment must be relevant to the question on which it is proposed. Any amendment offered that raises a new question can only be considered as a new distinct motion.
- b) An amendment must not propose a direct negative which would be considered out of order.
- c) All amendments shall be put in the reverse order to that in which they are moved. Every amendment must be decided upon or withdrawn before the main question is put to a vote. Only one amendment shall be allowed on a main motion or to an amendment at one time.
- d) There shall be no amendments to any motions for the appointment of any person to any office.

**9. Friendly Amendments**

- a) A friendly amendment is defined as a change that strengthens the original motion by clarifying its intent without affecting the substance of the motion.
- b) A friendly amendment may be proposed by any Member and adopted if the mover approves.
- c) Only the motion as amended by the friendly amendment shall appear in the minutes.

**10. Motion to Reconsider**

- a) A motion to reconsider shall not be allowed unless a majority of Members present agree and it must be made by a Member who voted on the prevailing side.

- b) No question shall be reconsidered more than once at any one meeting of Council.

**11. Motion to Rescind**

- a) A motion to rescind an action of Council may be offered at any time subsequent to the original motion.
- b) Any Member may make a motion to rescind.
- c) A majority vote of two-thirds of the Members is necessary for the passage of a motion to rescind.

**12. Motion to Refer**

- a) Means the opportunity to postpone the issue being addressed either to another time in the meeting or to another meeting. The resolution to refer allows for debate and amendment.

**13. Withdrawal of Motion**

- a) The mover may withdraw his/her motion at any time before decision or amendment with the permission of all Members present. If a Member voices an objection to the withdrawal, the Mayor shall put the matter to a vote. Majority of vote shall permit withdrawal of the motion. Withdrawn motions shall not be recorded in the minutes.

**14. Motion to Table**

- a) Means the removal of an issue being addressed by Council indefinitely.

**15. Emergent Resolutions**

- a) Members may state the content of an emergent resolution by addressing the Chair and describing its nature.
- b) The Mayor or Presiding Officer shall allow Council to decide if the resolution may be presented.
- c) A majority of vote of the Members shall allow the presentation of the resolution.
- d) Should the vote to allow the presentation be defeated, then the Mayor may request the resolution be added to the agenda of the next regular meeting.

**SECTION 14: RULES GOVERNING DEBATE**

1. The Chair will determine the speaking order when two or more Council members wish to speak.
2. Every member in speaking to any question or motion shall address himself only to the Mayor or presiding officer.
3. During the reading of the minutes, reports, communications or other papers, and when a member or any other person is addressing the Council, silence is to be observed and no one is to be allowed to disturb the meeting.
4. Each Councillor will be given an opportunity to speak to a motion before it is put to a vote, unless a motion is passed to limit or end debate.

5. Any member may require the question or motion under discussion to be read at any time during debate but not so as to interrupt a member while speaking.
6. When a Council member wishes to leave the Council Chambers while a meeting of Council is in progress the member wishing to leave shall await formal acknowledgement of the Mayor or other presiding officer before leaving.

#### **SECTION 15: CLOSED SESSION (FORMERLY REFERRED TO AS IN CAMERA)**

1. As part of the regular Council Agenda or Council Committee meeting, an opportunity is provided to conduct a Closed Meeting Session in order that deliberations may take place where only members of Council, appropriate staff, Council authorized members of the public and subject matter experts or Committee members may be in attendance.
2. Pursuant to Section 197 of the MGA, Council and Council committees may close all or part of their meetings to the public if a 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, as follows:
  - a) FOIP Section 16 – disclosure harmful to business interests of a third party
  - b) FOIP Section 17 – disclosure harmful to personal privacy
  - c) FOIP Section 18 – disclosure harmful to individual to public safety
  - d) FOIP Section 19 – confidential evaluations
  - e) FOIP Section 20 – disclosure harmful to law enforcement
  - f) FOIP Section 21 – disclosure harmful to intergovernmental relations
  - g) FOIP Section 22 – Cabinet or Treasury Board confidences
  - h) FOIP Section 23 – local public body confidences
  - i) FOIP Section 24 – advice from officials (including advice, proposals, recommendations, analyses or budgetary decision, or aspects related to negotiations)
  - j) FOIP Section 25 – disclosure harmful to economic and other interests of a public body
  - k) FOIP Section 26 – testing procedures, tests and audits
  - l) FOIP Section 27 – legal and other privileged information of a public body
  - m) FOIP Section 28 – disclosure harmful to the conversation of heritage sites, etc
  - n) FOIP Section 29 – information that is or will be available to the public
3. When a meeting is closed, no resolution or bylaw may be passed at the meeting, except a resolution to revert to the meeting held in public.
4. Before closing all or any part of a meeting to the public, a Council or Council committee must by resolution:
  - a) The part of the meeting that is to be closed, including the time and the names of those in attendance and;
  - b) The basis on which, under an Exception to Disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, the part of the meeting is to be closed.
5. 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.

6. The Mayor or Deputy Mayor and the CAO must pre-approve any Closed Meeting submissions for the Council Agenda or Committee of the Whole prior to inclusion on the agenda. These matters may be added to the agenda subject to Council's approval.

#### **SECTION 16: PUBLIC ATTENDANCE AT MEETINGS**

1. The MGA states that the public has a right to be present at all Council or Council committee meetings.
2. Notice of all committee and board meetings shall be posted on the Town website. This shall constitute notice to the public.
3. Council meetings will be held in public and no person may be excluded except for improper conduct.
4. Members of the public are bound by the same rules of conduct as Council members, and may be ordered by the Mayor or other presiding officer to leave the meeting if they break the code of conduct. The Mayor or other presiding officer may order the RCMP to remove a member of the public if the person does not leave voluntarily when ordered to do so.
5. A member of the public may address an issue only if they have previously indicated their item of business and been placed on the agenda prior to the agenda being printed and circulated.
6. The public may attend all public Council meetings as observers, but may not address the meeting unless they have previously been placed on the agenda. When Council deals with "Closed Session" business, the public will be required to leave the Council Chambers.
7. Members of the public may not approach or speak to any Council member during a Council meeting, except with the permission of the Chair.

#### **SECTION 17: BYLAWS**

1. In accordance with the MGA, Council has the power to enact bylaws. This shall be done in accordance with Division 9, Section 187 to 191 of the MGA.
2. Notice of the proposed bylaw must appear by title and number on the agenda of the meeting at which it is to be considered.
3. When a proposed bylaw is read in Council, the Recording Secretary shall certify the reading and the date of the reading on the face thereof. When a bylaw has been read the third time and finally passed, Administration shall keep on file correct copies thereof including amendments, if any.
4. A proposed bylaw must be introduced at Council meeting by a motion that "Bylaw number (assigned number) be read for a first time." Council may hear an introduction of the proposed bylaw from the administration, but there shall be no debate during First Reading.
5. After a motion for second reading has been made, Council may:
  - (a) debate the substance of the bylaw

- (b) propose and consider amendments to the bylaw.
- 6. When a bylaw is being considered for third reading, any amendments which have been carried prior to the motion for third reading, will be considered to have been given first and second reading, and will be incorporated into the proposed bylaw. If amendments to the proposed bylaw have been carried:
  - (a) all Council members must be given an opportunity to review the full text of the amendments, and
  - (b) the Chair must put the question that "Bylaw Number (specify number) as amended, be given third reading."
- 7. If a bylaw fails to receive third reading, it shall remain on the agenda to be dealt with at the next regular meeting of Council.
- 8. A proposed bylaw must not have more than two (2) readings at a Council meeting unless the Members present unanimously agree to consider third reading at the meeting.
- 9. Every bylaw which is passed the Council shall immediately after being sealed with the Town of Killam Seal of the Corporation, and signed by the Mayor and the Administrator, be securely deposited by administration.

#### **SECTION 18: COMMUNICATIONS FOR COUNCIL**

- 1. Any written communication intended for Council must be:
  - (c) legible and coherent;
  - (d) signed by at least one person who provides a printed name and address;
  - (e) on paper;
  - (f) not libelous, impertinent or improper.
- 2. If the requirements of Section 12.1 are met, the administrator shall:
  - (a) inform the Council of the communication;
  - (b) if it relates to an item already on the agenda, deliver a copy of the communication to Council members with the Agenda or at the meeting;
  - (c) send a copy or a summary of it to all Council members for information; take any other appropriate action on the communication.
- 3. The Administrator shall make reasonable efforts to respond to the person sending communication, and to advise that person of any action taken on the subject of the communication.

#### **SECTION 19: PRESENTATIONS & DELEGATIONS TO COUNCIL**

- 1. As part of the regular Council Agenda, an opportunity is provided for presentations and delegations to Council. Presentations shall be limited to ten (10) minutes in duration.
- 2. All presenters or delegates must submit a request in writing for a presentation or delegation appointment to the administrator at least three (3) days in advance of the Council Meeting date on the prescribed form in Schedule A of this bylaw, and further follow the presentation Procedure on page 2 of the form.
- 3. Delegations requesting reappearance on a specific matter shall only be permitted to do so if the information to be presented is new or a significant addition to that which was previously presented.

4. In asking questions to presenters or delegates, at the Council Meeting, whether statutory or otherwise, members of Council will ask only those questions which are relevant to the subject of the appointment and will avoid repetition of questions. Likewise, presenters or delegates speaking to a subject will be restricted to speaking on the subject matter only.

#### **SECTION 20: PETITIONS**

1. Council will consider only petitions that have been submitted to the administration and found to be sufficient under the regulations of the Municipal Government Act.

#### **SECTION 21: COUNCIL RELATIONSHIP TO ADMINISTRATION**

1. No member of Council shall have the power to direct or interfere with the performance of any work for the town unless directed or required by any legislation or regulation or when health and safety may be affected. Employee(s) shall be accountable only to the CAO and to the whole Council.
2. Formal Council enquiries shall be directed to the CAO who will determine the appropriate department(s) to respond.
3. The CAO shall act as the reception and distribution point for the communication network between Council and Administration.
4. All responses to enquiries made by Council (individually or as a whole) shall be distributed to all members of Council.
5. If an enquiry requires a substantial amount of research or involves a complex issue, the CAO may bring the enquiry forward to Council for additional or more specific direction.

#### **SECTION 22: PUBLIC HEARINGS**

1. Public Hearings shall be held in accordance with Section 230 (Public Hearings) and Section 692 (Planning Bylaws) of the MGA.
2. Public Hearings shall be advertised to the public as a minimum in 2 issues of a local newspaper immediately prior to the Public Hearing in accordance with MGA Section 606 and 606.1.
3. Public Hearings will normally be the first item of business on the Council Agenda of a Regular Council Meeting following the Approval of the Agenda and will normally be held in Council Chambers. On the advice of administration, and if the Council deems it appropriate the Public Hearing may be held in a venue other than Council Chambers.
4. Council may change the date, time, and place of a Public Hearing by Resolution. If any of this information is changed, the Public Hearing must be re-advertised.
5. Council may cancel a Public Hearing by Resolution.
6. On the advice of administration and should Council deem it appropriate, a Non-Statutory Public Hearing may be held at a date, time and place approved by Council Resolution.
7. The procedures for the conduct of a Non-Statutory Public Hearing shall be the same as those for a Statutory Public Hearing.

8. Conduct of a Statutory Public Hearing:
  - (a) The Mayor shall chair all Public Hearings.
  - (b) Once the Mayor has called the Public Meeting to order and identified the matter to be discussed, he shall review the process to be followed ensuring that the public is clear on the expectations relating to public feedback, rules for speaking, timelines and the process for decision making following the Public Hearing.
  - (c) Administration shall introduce the matter and provide background material.
  - (d) After administration has introduced the matter, the Mayor shall invite interested parties and members of the public to speak to the matter. If there is more than one person who wishes to speak, the Mayor shall establish the order of speaking.
  - (e) Members of the public who wish to speak shall be asked to speak from the podium and register their names on the sheet provided at the podium. The record of names is to ensure each speaker is identified correctly in the minutes.
  - (f) All those who wish to speak to a matter (for or against) may only speak once and shall be limited to 10 minutes. The Mayor shall advise the speaker when 9 minutes time has elapsed so that the speaker may sum up.
  - (g) The decision of the Mayor with regard to time limits to speak and the order of speaking shall be final.
  - (h) A delegation of more than one member shall be considered to be one person for the purposes of a Public Hearing and only a spokesperson shall be entitled to speak once only for a limit of 10 minutes regardless of the number of members of the delegation who may be present.
  - (i) The Council shall not debate an issue with any speaker, but each member of Council may ask a question for clarification of each speaker. All questions must be directed through Mayor.
9. Council may accept a written submission in lieu of a verbal presentation as long as the document is signed, dated and shows residence address of the person making the submission.
10. When all persons who wish to speak to an issue have been given their opportunity to speak, the Mayor shall declare the Public Hearing closed.
11. Once closed, a Public Hearing may not be reopened. Council may hold a second Public Hearing on the subject; however, it is subject to the same requirements of advertising and rules for speaking as the initial Public Hearing.
12. If a second Public Hearing is held on the same subject, and although Council may wish to encourage the receipt of new information, Council may not close debate solely on the basis that the information being given is the same as that received in the initial Public Hearing.

Bylaw No. 789 is hereby amended by this Bylaw 789B.

**READ** a first time this 22<sup>nd</sup> DAY OF April, AD 2024.



**READ** a second time this 22<sup>nd</sup> DAY OF April, AD 2024.

**READ** a third and final time and finally passed this this 22<sup>nd</sup> DAY OF April, AD 2024.

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Mayor

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Chief Administrative Officer



## SCHEDULE A – BYLAW 789C



# Request Form

## Delegation/Public Presentation to Town of Killam Council

*Please complete both pages of the request form and submit it to the Chief Administrative Officer. You will be contacted at the receipt of your request to schedule a date and time for your presentation, as well as to address any additional concerns, questions and accommodations you may have or require.*

### PART A: COLLECTION OF INFORMATION

#### CONTACT INFORMATION

Name:

Organization (If Applicable):

Address:

Primary Phone:

Secondary Phone:

Email:

#### PURPOSE & NATURE OF YOUR REQUEST

Please provide details of your request:

(If more space is required, please attach additional information)

Will your presentation include any visual aids (ie; PowerPoint Presentation)? If so, please specify.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

The personal information collected will be used to process your request for a Public Presentation to Town of Killam Council and is collected under the authority of the Freedom of Information and Protection of Privacy Act. Your information will form part of a file available to the public. If you have questions about the collection and use of this information, please contact the Town of Killam CAO at 4923-50<sup>th</sup> Street, Killam, AB T0B 2L0 (780) 385-3977.

**PART B: DELEGATION/PUBLIC PRESENTATION PROCEDURE**

*Please read the following specifications carefully and initial to acknowledge that you have read and understand them. They are instructions regarding Council procedure and expectations that will assist you with your Request and Presentation. Further information is available within the Town of Killam Procedural Bylaw 789B.*

<p>Requests for Public Presentations shall be made to the Chief Administrative Officer in writing at least three (3) business days prior to a Regular Meeting. Requests received less than three (3) days before a meeting of Council shall be included on the Agenda for the next Regular Meeting immediately following.</p>	<p>Initials _____</p>
<p>Verbal presentations including question and answer shall be limited to ten (10) minutes in length unless there is consent prior to establishment of the Agenda or by Council at a Regular Meeting to extend the time for a presentation.</p>	<p>Initials _____</p>
<p>Debate concerning matters raised during public presentations shall take place at the discretion of Council.</p>	<p>Initials _____</p>
<p>Personal presentations to Council shall not be allowed with regard to undisclosed matter which has been subject of a Public Hearing.</p>	<p>Initials _____</p>
<p>When a person or representative of a delegation or group wishes to address Council on a matter which is not on the agenda, the council may refer the matter to any appropriate committee, appoint a special committee to deal with the matter, or deal with the matter itself at the meeting, if proceeding is approved by 2/3 majority of vote of council.</p>	<p>Initials _____</p>
<p>Council and Committee Meetings are public in nature and it is understood that an individual writing or submitting items to a Councillor or to Administration of the Town of Killam has a reasonable expectation that their correspondence/presentations, which may include personal information (ie name) or business information could be disclosed at a public Council Meeting and/or Committee Meeting and as part of the Council Agenda Package on the Town of Killam Website.</p>	<p>Initials _____</p>

**MAIL OR HAND DELIVERY**  
**Attn: Chief Administrative Officer**  
**Town of Killam**  
**4923-50<sup>th</sup> Street**  
**Box 189**  
**Killam, AB T0B 2L0**

**PHONE**  
**780.385.3977**  
**EMAIL**  
**[cao@town.killam.ab.ca](mailto:cao@town.killam.ab.ca)**  
**FAX**  
**780.385.2120**

The personal information collected will be used to process your request for a Public Presentation to Town of Killam Council and is collected under the authority of the Freedom of Information and Protection of Privacy Act. Your information will form part of a file available to the public. If you have questions about the collection and use of this information, please contact the Town of Killam CAO at 4923-50<sup>th</sup> Street, Killam, AB T0B 2L0 (780) 385-3977.