

**VILLAGE OF BOYLE
BYLAW 01-17**

BYLAW 01-17, BEING THE BYLAW OF THE VILLAGE OF BOYLE, IN THE PROVINCE OF ALBERTA, REGULATE THE PROCEEDINGS OF THE COUNCIL OF THE VILLAGE OF BOYLE AND THE COMMITTEES THEREOF.

WHEREAS Pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M26 and amendments thereto, the Council may pass Bylaws in relation to the procedure and conduct of Council; and

WHEREAS The Council of the Village of Boyle desires to establish a procedural and conduct Bylaw;

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF BOYLE, DULY ASSEMBLED, ENACTS AS FOLLOWS:

PART I – BYLAW TITLE

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

PART II – DEFINITIONS

1) In this bylaw, unless the context otherwise requires:

- a) “Council” shall mean the Municipal Council of the Village of Boyle.
- b) “CAO” means the Chief Administrative Officer for the Village of Boyle or duly appointed designate.
- c) “Chair” shall mean the Mayor, Deputy Mayor or any other duly appointed Presiding Officer at a constituted meeting.
- d) “MGA” means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M26 and amendments thereto.
- e) “Peace Officer” means a Member of the Royal Canadian Mounted Police, A Community Peace Officer, or Sheriff.
- f) “Village” means the Village of Boyle.

PART III – MEETINGS OF COUNCIL

- 2) The regular meeting of Council shall be held in the Council Chambers of the Village on the days and times established, by resolution of Council, at the annual Organizational Meeting of Council. Regular Meetings of Council may be canceled or rescheduled by resolution of Council at any duly constituted meeting.
- 3) Minutes of the meeting shall be made available to the public as soon as it is practical after the minutes have been adopted.
- 4) Special meetings of Council must be called pursuant 194 of the MGA.
- 5) The Council of the Village shall hold an annual Organizational Meeting of Council pursuant to Section 192 of the MGA.
- 6) Appointments of Council members to committees shall be for a term of one year, unless otherwise specified and reviewed at the Organizational Meeting.

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- 7) The Mayor shall be an ex-officio member of all Council committees and bodies which Council has a right to appoint members under the MGA. (Does not apply to certain Committees, ex, SDAB, ARB, etc....)
- 8) Appointed Council members shall keep the rest of Council informed of the actions of committees or boards to which they are appointed by Council by providing regular activity highlights through their report and statements.
- 9) Notice to the public of Special and Council Committee Meetings shall be deemed to be given by the CAO posting notice of all meeting dates and times at the Village Office or advertising the meeting dates and times in the Villages Newsletter or on its website.
- 10) The CAO shall record the time of arrival and/or departure of Council members at meetings should a member of Council arrive late at a meeting or depart prior to the completion of a meeting.
- 11) If a Quorum is not present within 15 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.
- 12) In the event that the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the hour 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, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
- 13) Pursuant to Section 154 (1)(a) of the MGA, The Mayor shall preside at meetings of Council. The Deputy Mayor shall preside in the absence of the Mayor. The Mayor may also delegate any Councillor to assume the chair for an entire or part of a meeting.

PART IV – CONDUCT OF MEETINGS

- 14) Each member of Council shall address the Chair but shall not speak until recognized by the Chair.
- 15) A delegate, scheduled to address Council on a topic, shall address the Chair upon recognition by the Chair. The Scheduled delegate shall be limited to a 15 minute presentation unless such time is extended by permission of the Chair.
- 16) The Council shall address any questions to the delegation upon completion of the presentation and such questions may only be with respect to clarification of the issue being discussed.
- 17) No motion or resolution shall be made during the delegation portion of the meeting and any discussion forthcoming shall be referred to the appropriate section of the agenda of the current or subsequent meeting.
- 18) The Chair may, upon request, authorize a person in the public gallery to address Council only on the topic being debated at the time in the meeting, and the Chair shall specify the time limit provided to the person wishing to address the matter.
- 19) A 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.
- 20) Following debate on the motion under consideration, the Chair may call for a vote on the motion. The Motion may be:

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- a) amended
 - b) Carried
 - c) Defeated
 - d) Withdrawn by the presenter subject to there being no objection by a member of Council;
 - e) Tabled to another meeting
- 21) When a member moves to amend a motion, the Chair shall state the original motion followed by the amendment and then shall propose the question of the amendment to Council.
- a) If such a question is resolved in the negative, the Chair shall again propose the main question and debate may ensue thereon, or other amendments may be submitted by members other than the member that moved the defeated amendment.
 - b) If such a question is passed in the affirmative, the Chair shall then propose the main question as amended. It shall be competent for a member to move other amendments subject to the limitation set forth in the following section.
- 22) Only one amendment shall be allowed to an amendment, and an amendment, once negated by the Council, cannot be moved a second time.
- 23) The Chair shall put amendments to the Council in the reverse order to that in which they are moved, that is to say, when there is a main motion, an amendment and an amendment thereto; the motion and appendages shall be put to the council in the following order.
- a) The amendment to the amendment;
 - b) The amendment to the main motion;
 - c) The main motion
- 24) No motion shall be offered that is substantially the same as one that has already been expressed during the same meeting.
- 25) When any member of Council desires to speak, they shall address their remarks to the Chair, confine themselves to the question, and avoid personality. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
- 26) All motions shall be voted upon by all members of Council in attendance unless abstention by a member is duly noted in the minutes for reasons of conflict of interest.
- 27) The Chair shall declare a motion carried, carried unanimously or defeated. All votes shall be considered and reported as recorded votes.
- 28) A motion on first reading of a bylaw shall be decided without amendment or debate.
- 29) Pursuant to the MGA, every proposed bylaw shall receive three separate readings but not more than two on the same day, unless the members of the Council present unanimously agree to consider third reading. It shall be read twice before it is committed and engrossed, and the third time before it is signed by the Mayor and CAO. The CAO shall include the date of the passing upon every bylaw.

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- 30) If the bylaw does not receive third reading within two (2) years from the date of the first reading, the readings are deemed to have been rescinded.
- 31) When any one of second or third readings is defeated, the bylaw is considered to be rescinded in its entirety.
- 32) After any question has been decided, any member of Council who votes in the majority may at the same meeting or at the next meeting, move for reconsideration thereof. If reconsideration is approved by Council, the question to be considered may be dealt with immediately if all members of Council are present who voted on the question originally; otherwise the question shall be tabled to the next regular meeting of Council and dealt with at that time.
- 33) Should any issue pertaining to procedure or process arise that is not covered under this bylaw, it shall be decided by a majority of Council. If there are an equal number of Council members in attendance and the matter voted upon results in a tie, the Chair shall make the final decision.
- 34) No member shall resist the rules of Council or disobey the decision of the Council on points of order or practice, or upon the interpretation of the rules of Council.
- 35) In any case any member shall so resist or disobey, the Chair may order that the member leave their seat for that meeting, and in case of refusing to do so, the Chair may order a Peace Officer to remove that member from the meeting.
- 36) In case of ample apology being made by the offender, the Council may, by a simple majority vote, permit that member to retake their seat forthwith.
- 37) The Chair or any member may call another member to order while the latter is speaking.
- 38) An appeal may be taken by a member of the Council from the decision of the Mayor respecting any rule or order of procedure, in which case the question shall be immediately put by the member and decide without debate, namely "Shall the Chair be sustained?" and the Chair shall be governed by the majority of the members of the Council then present (exclusive of the Chair) and the names of the members of the Council voting for or against the question shall be recorded in the minutes, and in the event of the votes being equal, the question shall pass in the affirmative.
- 39) When any session of the Council has exceeded 3 hours, the Chair shall call for a review of the agenda and Council will determine that the meeting may be in recess, the time and date of resumption of the meeting shall be by the majority vote of Council.

PART V – AGENDA AND ORDER OF BUSINESS

- 40) Prior to each Regular Meeting of Council, the CAO shall prepare a statement of the order of business, to be known as the "Agenda". To enable the CAO to do so, all documents and notice of delegations shall be placed in the hands of the CAO no later than 12:00 pm on the Monday prior to the Regular Meeting of Council. The Mayor and CAO may meet to review the agenda prior to compiling the agenda package.
- 41) No further additions to the agenda will be presented by the CAO unless they determine that the addition is of an emergent nature and the Mayor is in agreement.
- 42) The CAO shall place at the disposal of each member of Council and the public, a copy of the Agenda and all supporting materials no later than 4:30 p.m. local time on the Monday prior to the Regular Meeting of Council.
- 43) The order of Business in the agenda shall be as follows:

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1. Call to Order
2. Agenda
3. Delegations
4. Minutes
5. Staff Reports
6. Business Arising
7. Monthly Stmt.
8. Accts. Payable
9. New Business
10. By-laws/Policies
11. Information
12. Council Committee Reports
13. In Camera
14. Other Business
15. Adjournment

44) The order of business established in 43) shall apply unless Council otherwise determines by a majority vote of the members in attendance and the vote on the matter of priority of business shall be decided without debate.

45) A person or representative of a delegation of persons who wish to bring any matter to the attention of Council shall address correspondence to Council outlining the matter to be discussed. The correspondence shall clearly state the matter at issue and the request made of Council in respect thereof. One person shall be identified as the spokesperson on behalf of the delegation in the correspondence.

PART VI – DEPUTY MAYOR

46) At the annual Organizational Meeting immediately following a general municipal election, the Council shall by resolution establish a schedule of four (4) time periods of twelve (12) month duration each for which members of Council shall serve as Deputy Mayor over the next four-year period. Should a member not be able to fulfill their responsibility and serve as Deputy Mayor for their allotted time period, Council shall appoint by resolution a new Deputy Mayor for that time period.

PART VII – MEETING THROUGH ELECTRONIC COMMUNICATION

47) Council members may attend a Council Meeting by means of electronic communication. Acceptable alternatives include: through the use of a telephone (with the speaker on), ensuring that dialogue is available for both parties; through the use of personal computer; or other means of technology advances.

48) A Council member may attend Regular or Special Council meetings by means of electronic communications a maximum of three (3) times per calendar year, unless otherwise approved by Council.

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- 49) A Council member shall be permitted to attend a meeting using electronic communication if that location is able to support its use, ensuring that all Council members participating in the meeting area are able to communicate effectively.
- 50) A Council 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.
- 51) The Chair shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic communication.
- 52) When a vote is called, Council members attending the meeting by means of electronic communications shall be asked to state their vote only after other Council members present at the meeting have cast their votes by a show of hands.

PART VIII – ETHICAL GUIDELINES OF MEMBER CONDUCT

- 53) As outlined in the Ethical Guidelines of Conduct for members of Council previously adopted by Council, members of Council shall:
- a) Govern their conduct in accordance with the requirements and obligations set out by the MGA;
 - b) Not use confidential information for the personal profit of themselves or any other person;
 - c) Not communicate confidential information to anyone not entitled to receive same;
 - d) Do not use their position to secure special privileges, favors, or exemptions for themselves or any other person;
 - e) Preserve the integrity and impartiality of Council.
- 54) When making public statements, members shall endeavor to identify whether or not opinions being expressed are of the official opinion of Council, or in fact, personal opinions.
- 55) For a period of twelve (12) months after leaving office, the past member shall abide by the ethical standards of conduct listed above, except those related to confidential information that shall apply perpetuity.
- 56) Members of Council shall not assume that any unethical activities not covered by or specifically prohibited by these ethical guidelines of conduct, or by any legislation, are therefore condoned.

PART IV – REPEAL

- 57) That Bylaws 10-92, 05-00 and 05-02 are hereby repealed.

PART X – SEVERABILITY


- 58) Should any provision of this bylaw be invalid, then such invalid provision shall be severed and the remaining By-law shall be maintained.

PART XI – EFFECTIVE DATE


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

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READ FOR A FIRST TIME THIS 17TH DAY OF JANUARY, A.D. 2017.




BOB CLARK – MAYOR




CHARLIE ASHBEY – CAO

READ FOR A SECOND TIME THIS 1ST DAY OF FEBRUARY, A.D. 2017.




BOB CLARK – MAYOR




CHARLIE ASHBEY – CAO

READ FOR A THIRD AND FINAL TIME BY UNANIMOUS CONSENT THIS 1ST DAY OF
FEBRUARY, A.D. 2017.



BOB CLARK – MAYOR



CHARLIE ASHBEY – CAO