

BYLAW NO. 1005-25
OF THE
TOWN OF VAUXHALL

**A BYLAW OF THE TOWN OF VAUXHALL IN THE PROVINCE OF ALBERTA, REGARDING
THE PROCEDURE AND CONDUCT OF COUNCIL AND OTHER BODIES ESTABLISHED BY
COUNCIL**

WHEREAS, council may pass bylaws to establish a process and procedure of the municipal governance that reflects an open, and transparent government and conduct of Council, and other bodies established by the Council;

AND WHEREAS, To provide a standard, familiar format for council meetings and to make it clear for members of council, staff, the media and the public to understand the decision making process.

NOW THEREFORE, Council of the Town of Vauxhall, in the Province of Alberta, hereby enacts as follow.

Bylaw Title

1. This Bylaw may be cited as the **"Procedure Bylaw"**.

Definitions

2.
 - 2.1 "Adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting.
 - 2.2 "Agenda" means the items of business of a meeting and the associated reports, bylaws or other documents and includes the order of business and time for said meeting.
 - 2.3 "CAO" means the person appointed to the position of Chief Administrative Officer by Council of the Town of Vauxhall and includes any person the Chief Administrative Officer may appoint as his/her designate for purpose of carrying out responsibilities under this Bylaw, and further includes any person that may be appointed to act in the absence of the Chief Administrative Officer.
 - 2.4 "Chair" means the Mayor, Deputy Mayor or other person who has authority to preside over a meeting
 - 2.5 "Closed Meeting" means the portion of the meeting at which only members of the of Council and other persons designated by Council may attend.
 - 2.6 "Conflict of Interest" is as defined in Section 170(1) (b) of the *Municipal Government Act* A matter is considered conflict of interest if the matter could affect a private interest of the Councillor or an employer of a Councillor, or if the Councillor knows or should know that the matter could affect a private interest of the Councillor's family.
 - 2.7 "Council" means elected officials of the Town of Vauxhall, including Mayor and Councillors.

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- 2.8 "Council Committee" means an Ad Hoc or Standing Committee, or any other body established by Council. Council Committee does not include an assessment review board established under section 454 or a Subdivision and Development Appeal Board established under section 627.
- 2.9 "Councillor" means a member of Council and includes the chief elected official.
- 2.10 "Delegation" means a person or group of persons wishing to appear before the Council to address specific matter.
- 2.11 "Deputy Mayor" means the person appointed to act as Mayor in the absence or incapacity of the mayor.
- 2.12 "Limit Debate on the Matter before Council" means is a rule in the parliamentary law that sets a limit on how long a delegate or gallery member may speak or how many speeches maybe made,
- 2.13 "Mayor" means the person elected as the chief elected official.
- 2.14 "Meeting" means a meeting of Council where all members are eligible to attend and quorum is maintained throughout the meeting.
- 2.15 "Minutes" means the record of decisions of any meeting recorded in the English language without note or comment.
- 2.16 "Municipality" means the Town of Vauxhall, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the municipality.
- 2.17 "MGA" means the Province of Alberta Municipal Government Act and any amendments thereto.
- 2.18 "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
- 2.19 "Point of Order" means a demand by a Councillor that the Chair enforce the rules of procedure.
- 2.20 "Pecuniary Interest" is as defined in Section 170(1) (a) of the *Municipal Government Act*. A matter is considered pecuniary interest if the matter could monetarily affect a Councillor or an employer of a Councillor, or if a Councillor knows or should know that the matter could monetarily affect the Councillor's family.
- 2.21 "Public Hearing" means a public meeting of Council convened to hear matters on a purposed bylaw or resolution; matters pursuant to the *Municipal Government Act*, or any other Act, or any other matter at the direction of Council.
- 2.22 "Table" means to set a matter aside until a majority decides to address the item again by means of a motion to take from the table.
- 2.23 "Question of Privilege" means pointing to an issue that affects the conform of members, such as noises, uncomfortable room temperature and other distractions.

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2.24 "Quorum" means the minimum numbers of members that must be present at a meeting for business to be legally transacted as set out in the *Municipal Government Act*. If there is a vacancy on Council and the Council is not required to hold a by-election under the **MGA**, a quorum shall consist of the majority of the remaining Councillors that comprise of Council.

2.25 "Special Meeting" means a meeting called by the Mayor or member who is appointed pursuant to the Act in the absence or incapacity of the Mayor.

General

3.

3.1 This Bylaw shall govern all meetings of Council, public hearings and any other meetings as may be directed by Council.

3.2 Council Committees shall be established and governed by policy or bylaw approved by Council. Where appropriate authority is delegated to a Council Committee, such committee and its mandate shall be established by bylaw.

3.3 The precedence of the rules governing the procedure of Council is:
a.) The Province of Alberta Municipal Government Act
b.) Other Provincial Legislation
c.) Town of Vauxhall Procedure Bylaw and any amendments thereto
d.) Robert's Rule of Order

3.4 The Mayor, when present, shall preside as Chair over all meetings of Council, unless otherwise provided for in this bylaw.

3.5 The Deputy Mayor shall Chair council meetings when the Mayor is absent or unable to act as Mayor and shall have the powers and responsibilities of the Mayor under this Bylaw.

3.6 If both the Mayor and the Deputy Mayor, are unable to perform the duties, council may appoint a councillor as an acting chief elected official.

3.7 As a rule, the Chair does not make any motion but shall be able to voice what they see as a useful motion and seek someone to move the motion.

3.8 Direction to administration by Council shall be limited to Council as a whole directing the CAO only.

3.9 Council or any meetings may be filmed or recorded by accredited media on permission of council.

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First Meeting of Town Council

OATH OF OFFICE

4.

- 4.1 The first Meeting of Council after a general election shall be held on the date and time established at the pervious year's Organizational Meeting.
- 4.2 A Councillor does not carry out any power, duty or function until that person has taken the official oath prescribed by the *Oath of Office Act or Solemn Affirmation*.
- 4.3 The CAO shall call the meeting to order and shall preside over the meeting until every member of Council present has made and subscribed to the official oath as prescribed by the *Oath of Office Act or Solemn Affirmation*.
- 4.4 Immediately upon completion by every Member of Council present making and subscribing the official oath or solemn affirmation, the CAO shall retire from the Chair, and the Mayor shall take Chair.

Notice of Council Meetings

5.

- 5.1 As a rule, regular council meetings are held the First (1st) Monday at 6:00 p.m. and the Third (3rd) Monday at 6:00 p.m., of each month, notwithstanding any deviations as established at the annual organizational meeting.
- 5.2 The annual organizational meeting shall be held no later than two weeks after the Third (3rd) Monday in October of each year.
- 5.3 If a meeting date falls on a statutory holiday, the meeting shall be scheduled for the following day, which is not a statutory holiday, unless otherwise set by resolution of Council.
- 5.4 Changes by way of resolution, can be made to the date, time or place of a regularly scheduled meeting, provided that at least twenty-four (24) hours' notice of the change is given to any Councillor not present at the meeting at which the change was made and that notice is given to the public.

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Special Council Meeting

6.

- 6.1 Whenever the Mayor deems it appropriate to do so, a special council meeting can be called. At least twenty-four (24) hours' notice shall be provided in writing, to each Councillor and the public, stating the purpose of the meeting and the date, time and place at which the special meeting shall be held.
- a.) Written notice of a special council meeting called under section 194 of the Municipal Government Act, providing 24 hours' notice is attached as **Schedule 'A'**.
 - b.) Requirements for advertising will be followed as set out in the Advertising Bylaw
 - c.) A special council meeting called under section 194 of the Municipal Government Act, waving 24 hours' notice to all Councillors and without notice to the public can be held if at least 2/3 of the whole Council agrees to this in writing, before the beginning of the special council meeting. Written notice of a special council meeting called under this section is attached as **Schedule 'B'**.
- 6.2 If the Mayor receives a written request for a special meeting stating the purpose, from a majority of the Councillors, a special council meeting shall be held within fourteen (14) days after the date that the Mayor receives request.
- 6.3 No matter, other than that stated in the notice calling the special council meeting, can 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.

Commencement of Meeting/Quorum

7.

- 7.1 Should a member of Council arrive late at a meeting or depart prior to the completion of the meeting, the CAO, or their designate, shall record the time of arrival and departure of the Councillor.
- 7.2 In the case where the Mayor or Deputy Mayor is not in attendance within fifteen (15) minutes after the time set for a meeting and a quorum is present, the CAO shall call the meeting to order and shall call for a presiding officer to be chosen by resolution of council.
- 7.3 If a quorum is not present within thirty (30) minutes after the time set for regular or special meetings, the CAO, or designate, shall record the names of the members of Council present, and the Council shall stand adjourned until the next regular or special meeting.

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Attendance

8.

8.1 Pursuant to the MGA, Councillors are to attend and participate in council meetings and council committee meetings.

Resignation

9.

9.1 A resignation of a Councillor must be in writing and given to the CAO; the CAO is required to report the resignation at the first council meeting after receiving the resignation.

Agenda

10.

10.1 The agenda for each meeting is established by the CAO in consultation with the Mayor and the Legislative Clerk. The Mayor has final approval of the agenda.

10.2 The Legislative Clerk will prepare and distribute the agenda electronically to Council, Administration and the Public (via the Town's website) prior to the meeting, no later than 12:00 p.m. (noon), no less than three (3) days before the date on which the meeting is scheduled.

10.3 Reports and supplementary materials that are received too late to be included with the regular agenda may, at the discretion of the CAO or designate, the Legislative Clerk or designate, be provided to members as handouts at the meeting and will be held with the meeting minutes.

Order of Business

Meetings – Regular

11.

11.1 The business of the Council intended to be dealt with shall be stated in the agenda in the following order:

- a.) Call to order
- b.) Added Items
- c.) Adoption of Agenda
- d.) Public Hearing
- e.) Presentations and Delegation
- f.) Adoption of Previous Minutes
- g.) External Minutes
- h.) Financials
- i.) Bylaws

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- j.) Policies
- k.) New Business
- l.) Reports from Council, Boards and Committees
- m.) Correspondence and Information
- n.) Closed Session
- o.) Adjournment

Meetings – Organizational

12.

12.1 At the annual organizational meeting or as required, Council shall appoint one member of Council to act as Mayor to serve for a one-year term.

12.2 At the annual organizational meeting or as required, Council shall appoint one member of Council to act as Deputy Mayor to serve for a one-year term.

12.3 At the organizational meeting at which all the Council is present, or at the first regular council meeting where all of Council is present, Council shall by resolution, decide to hold regularly scheduled council meetings on specific dates, times and place for the next twelve-month period as per section 5 of this bylaw.

The order of business at the annual organizational meeting shall be stated in the agenda in the following order:

- a.) Call to Order.
- b.) Adoption of the Organizational Meeting Agenda.
- c.) Appointment of Mayor
- d.) Appointment of Deputy Mayor
- e.) Date, Time and Location of Regular & Special Council meetings for the next twelve-months
- f.) Appointments of Council Members to Authorities, Boards, Commissions and Committees
- g.) Appointments of Public at Large members.
- h.) Adjournment

The order of business established in the foregoing paragraph shall apply unless Council otherwise determines, by a majority vote of the members of Council present. A vote upon matter of priority shall be decided without debate.

Meetings – Closed Session

13.

13.1 All meeting of Council and Council Committees must be held in public, though a portion of a meeting may be closed to the public.

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13.2 Councils and Council Committees may close all or part of their meetings to the public when 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*.

13.3 Before holding a closed meeting, Council or Council Committee must adopt a motion in a public meeting, and the motion must include:

a.) A listing of the specific section(s) under Part 1, Division 2 Exceptions to Disclosure of the FOIP Act, which provides the legislative authority to discuss the matter in a closed meeting.

Section 16 Disclosure harmful to business interests of a third party

Section 17 Disclosure harmful to personal privacy

Section 18 Disclosure harmful to individual or public safety

Section 19 Confidential evaluations

Section 20 Disclosure harmful to law enforcement

Section 21 Disclosure harmful to intergovernmental relations

Section 22 Cabinet and Treasury Board confidences

Section 23 Local public body confidences

Section 24 Advice from officials

Section 25 Disclosure harmful to economic and other interests of a public body

Section 26 Testing procedures, tests and audits

Section 27 Privileged information

Section 28 Disclosure harmful to the conservation of heritage sites, etc.

Section 29 Information that is or will be available to the public

b.) The time-of-day motion is being made; and

c.) The attendees who will remain in the closed meeting.

d.) A resolution to return to the open meeting.

13.4 No bylaw or motion will be passed at a *closed meeting*. If an item being considered at a *closed meeting* requires a decision by Council; after returning to the open Council meeting, Council may pass a resolution embodying its decision.

13.5 Council or a Council Committee must call a maximum of ten (10) minute meeting recess to allow return to the public.

13.6 There is no requirement to take notes or minutes during the closed session. If notes have been prepared, they may be requested as a part of FOIP request. The municipality has the discretion to refuse to disclose these notes under section 23 of the FOIP Act, Local Public Body Confidences.

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Cancellation of Meetings

14

14.1 Council meetings may be cancelled:

- a.) By a majority of Council at a previous meeting; or
- b.) With written consent of a majority, provided twenty-four (24) hours' notice is provided to Council and the public; or,

14.2 Special Meeting may be cancelled:

- a.) By the Mayor if twenty-four (24) hours' written notice is provided to Councillors and the public; or,
- b.) If less than twenty-four (24) hours' notice is provided, the Mayor may cancel with the written consent of two-thirds (2/3) of the Councillors.

Conduct of Meetings

15.

15.1 Every delegate to Council and each member of Council shall address the Chair, but shall not speak until recognized by the Chair.

15.2 Issues may be debated prior to putting a motion/resolution on the floor. No matter may be voted on by Council unless it is in the form of a motion/resolution.

15.3 A member may move a motion/resolution whether or not the Member intends to support it.

15.4 The Mayor or other presiding Chair may, upon request of a member of Council, authorize a person in the public gallery to address Council, but only on the topic being debated at that time in the meeting and with time limits specified by the Mayor or other presiding officers.

15.5 A motion may be withdrawn at any time before voting, subject to there being no objection from any member of Council.

15.6 The following motions are not debatable by Council:

- a.) Adjournment
- b.) Take a Recess
- c.) Question of Privilege
- d.) Point of Order
- e.) Limit Debate on the Matter before Council
- f.) Table the Matter to another Meeting

15.7 Where a motion/resolution under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member of Council so requests or when the Mayor or other presiding Chair so directs.

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15.8 A motion shall be worded in a concise, unambiguous, and complete form appropriate to its purpose.

15.9 Motions containing a negative statement shall be avoided whenever possible.

15.10 Whenever the Mayor or other presiding officer is of the opinion that a motion is contrary to the rules and privileges of the Council, he/she shall appraise the member of Council immediately, before putting the question, and shall cite the rule of authority applicable to the case without argument or comment, unless otherwise decided by a two-third (2/3) majority vote of the members of Council present.

15.11 To the extent that a matter is not dealt with in the MGA or this Bylaw, Council shall have regard to Robert's Rules of Order Newly Revised and in such cases the decision of the Mayor or other presiding officer shall be final and accept without debate.

Voting

16.

16.1 A Councillor has one (1) vote each time a vote is held at a council meeting at which a Councillor is present.

16.2 Council shall vote by a show of hands that clearly show each individual Member voted, unless other electronic means are available

16.3 If there is an equal number vote for and against a resolution or bylaw, the resolution or bylaw is defeated.

16.4 A Councillor attending a council meeting must vote on a matter put to vote, unless the Councillor is required or permitted to abstain from voting under the MGA or any other enactment.

16.5 If a Councillor abstains from voting, the reasons for the abstention shall be recorded in the minutes of the meeting.

16.6 A Councillor must abstain from voting on a bylaw or resolution if the Councillor was absent from all the public hearing.

16.7 A Councillor may choose to abstain from voting on the bylaw or resolution if the Councillor was only absent for a part of the public hearing.

16.8 Before a vote is taken, a Councillor may request that the vote is recorded. When a vote is recorded, the minutes shall show the names of the Councillors present and whether each Councillor voted for or against the proposal or abstained from the vote.

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16.9 If a resolution cannot be voted on because there would be no quorum due to any abstention allowed or required by statute, then the matter will be dealt with at the next regular meeting. If Council is unable to achieve quorum at any meeting on an issue due to allowable abstentions, then Council must ask the Minister of Municipal Affairs for an order to deal with the issue as outlined in the *Municipal Government Act*.

16.10 Where a Councillor declares a Pecuniary interest or Conflict of Interest under the MGA that Councilor shall disclose the general nature of the interest prior to any discussion; abstain from voting and discussion related to the matter and excuse themselves from Council Chambers while the matter is being discussed and voting on the matter has concluded.

Notice of Motion

17.

17.1 A member of Council wishing to reconsider, alter or rescind a motion already passed or an action taken at a previous meeting that does not appear on the agenda, shall bring the matter forward by a Notice of Motion. The Notice of Motion shall:

- a.) Be considered at a regular council meeting preceding the meeting at which reconsideration of the matter is requested;
- b.) Specify the meeting proposed to bring the matter to, for reconsideration;
- c.) Indicate, in the substantive portion of the motion, the action which is proposed to be taken on the matter;
- d.) A template for a Notice of Motion outlined in this section is attached as **Schedule 'C'**,

17.2 Notwithstanding section 1, if a Notice of Motion was not provided, the requirement for notice contained in this section may be waived on a two-thirds (2/3) vote and the item considered as urgent business.

17.3 Notwithstanding the other provisions of this Section, no motion made, or action taken shall be reconsidered unless:

- a.) It is a motion made, or an action taken at a meeting held six (6) months or more before its reconsideration; or
- b.) Approval for reconsideration of a motion made or an action taken less than six (6) months earlier is given by a two-thirds (2/3) vote prior to reconsideration.
- c.) Only a member of Council who voted with the prevailing side is those who votes against the motion.

17.4 Prior to Council adjourning a regular council meeting, a Councillor can bring a notice for motion, other than a request to reconsider, alter or rescind a motion already passed, or an action taken at a previous meeting, by reading into the minutes the notice of the motion and by providing the CAO with a written copy of the notice to be included on the next regular council meeting agenda.

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17.5 A notice of motion given at one regular council meeting will automatically appear on the agenda of the next regular council meeting unless otherwise stated.

17.6 A notice of motion cannot be made at a special council meeting.

17.7 A motion on notice is not debatable until the motion has been moved by a member of Council.

Delegations

18.

18.1 A person or, a representative of any delegation or group of persons who wish to bring any matter to the attention of the Council, or who wish to have any matter considered by the Council shall address a letter or other communication outlining the subject to be discussed. The letter shall be typewritten or legibly written, signed by the correct name of the writer, delivered or mailed to the office of the Chief Administrative Officer so that it arrives on or before 1:00 p.m. ,five (5) days prior to the scheduled meeting at which it is to be presented, and it shall contain the full mailing address of the writer. If he or she wishes to appear before Council, it shall be so stated in the communication.

18.2 Delegations shall be granted a maximum of fifteen (15) minutes to present the matter outlined in their communication. Where the Mayor or other presiding officer determines that additional time shall be granted to a delegation, additional time shall be granted in the length specified by the Mayor or other presiding officer.

18.3 Where the Mayor or other presiding officer determines that sufficient time has been granted to a delegation to present the matter, the Mayor or other presiding officer may limit the length of time granted to the delegation.

18.4 Delegations who have not submitted a written letter may be granted by the Mayor or other presiding officer a brief opportunity to outline the matter they wish to present to Council, and following that outline, the Mayor or other presiding officer shall determine if the delegation is to be granted time to present the matter outlined.

Public Hearing

19.

19.1 Council shall hold a public hearing when the MGA or other enactment requires Council to hold a public hearing on a proposed bylaw or, resolution or, any other matter at the direction of Council. The public hearing shall be held before second reading of a proposed bylaw or before Council votes on a resolution.

19.2 Council shall by resolution, set a time, date and location of a public hearing.

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19.3 Unless otherwise approved by resolution of Council, the following shall represent the procedure to conduct a public hearing:

- a.) The Chair of a public hearing shall declare the public hearing open.
- b.) A background shall be given on the proposed bylaw or resolution.
- c.) Presentation shall be limited to five (5) minutes.
- d.) Persons speaking will be given an opportunity to speak only once
- e.) Order of presentations shall be as follows.
 - i. Those in support
 - ii. Those opposed
 - iii. Those deemed affected
- f.) Council shall not allow cross-examination of persons giving information and it will not be necessary for the persons giving information to verify his or her qualifications.
- g.) For clarification purposes, Council may ask questions of the speakers after each presentation.
- h.) No verbal or written submissions shall be received after hearing has been deemed closed.
- i.) The Chair of a public hearing shall declare the public hearing closed.

Where there are no persons present as delegations, the hearing procedure shall eliminate c, d, e, f, g as listed above.

19.4 After the close of the public hearing Council:

- a.) May pass the bylaw or resolution;
- b.) May make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing;
- c.) Can defeat the bylaw or resolution.

Minutes

20.

20.1 All minutes of council meetings shall be recorded in the English language, without note or comment.

20.2 The names of the Councillors present at the meetings shall be recorded as present, the names of the Councillors absent shall be recorded as absent.

20.3 The minutes of each council meeting shall be presented to Council for adoption at the next council meeting.

20.4 The name of any Councillor leaving or joining the meeting shall be recorded along with the time the Councillor left or joined the meeting.

20.5 The CAO, or designate, is responsible for recording the minutes of Council.

20.6 A withdrawn motion or resolution will not be recorded.

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20.7 Amended motions/resolution will show as one motion or resolution complete with amendments; the motions or resolutions will not be split to show the original and amending motions or resolutions separately.

Repeal

21. This Bylaw repeals No. 984-22

Enactment

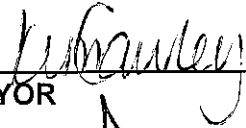
This Bylaw shall come into force and effect when it receives third reading and is duly signed.

Read a first time in Council this 7TH day of APRIL 2025.


Read a second time in Council this 7TH day of APRIL 2025.

Presented for third reading in Council and carried unanimously this 7TH day of APRIL 2025

Read a third time in Council and finally passed this 7TH day of APRIL 2025.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE 'A'

TOWN OF VAUXHALL

**WRITTEN NOTICE OF A SPECIAL MEETING OF COUNCIL CALLED UNDER THE
AUTHORITY OF SECTION 194 OF THE MUNICIPAL GOVERNMENT ACT**

TO: MAYOR

COUNCIL

The Mayor has requested that a special meeting of council be held in the _____
location

of the Town of Vauxhall on _____, commencing at _____ for the purpose of discussing
and acting upon the following item(s) of business:

1. _____
2. _____

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SCHEDULE 'B'

TOWN OF VAUXHALL

WAIVER OF NOTICE OF A SPECIAL MEETING OF COUNCIL CALLED UNDER
AUTHORITY OF SECTION 194 OF THE MUNICIPAL GOVERNMENT ACT

We the undersigned members of the Council of the Town of Vauxhall, hereby waive notice of a special meeting of council to be held in the _____ of the Town of Vauxhall on _____, commencing at _____ for the purpose of discussing and acting upon the following item(s) of business:

1. _____
2. _____
3. _____

SIGNED: (2/3 of the whole of council must agree to this in writing)

Name

Date

Name

Date

Name

Date

Name

Date

Name

Date

Name

Date

Name

Date

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SCHEDULE 'C'

TOWN OF VAUXHALL

Reference: Procedural Bylaw: Notice of Motion, Section 1:

A member of Council wishing to reconsider, alter or rescind a motion already passed, or an action taken at a previous meeting that does not appear on the agenda, shall bring the matter forward by a Notice of Motion.

The Notice of Motion shall:

- a.) Considered at a regular preceding the meeting at which reconsideration of the matter is requested;
- b.) The meeting proposed to bring the matter to, for reconsideration;
- c.) In the substantive portion of the motion, the action which is proposed to be taken on the matter.

NOTICE OF MOTION

1. Member of Council bringing the Notice of Motion forward: _____
(name)
2. _____ to bring the following for reconsideration:
(specify the meeting date)
3. The substantive portion of the motion, the action which proposed to be taken on the matter:
