

VILLAGE OF ELNORA

Bylaw 2023-04

BEING A BYLAW OF THE VILLAGE OF ELNORA TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL AND COUNCIL COMMITTEE MEETINGS AND OTHER BODIES ESTABLISHED BY COUNCIL.

WHEREAS under the authority of and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, and amendments thereto (hereinafter referred to as the 'MGA') a Municipal Council is authorized to pass bylaws.

WHEREAS the purpose of this bylaw is to establish clear, transparent, consistent, and accessible rules for conducting business at meetings, for council members, administrations and the public to follow and participate in governing the municipality, and for council in establishing council committees.

NOW THEREFORE: The Council of the Village of Elnora, in the Province of Alberta duly assembled, hereby enacts to establish the following rules and regulations to provide for the orderly conduct of all meetings of Council and Council Committees.

TITLE

The bylaw may be cited as the '**Procedural Bylaw**'.

DEFINITIONS

'ABC' means an authority, board, committee or commission to which members of the public and elected officials are appointed to at the Village of Elnora annual Organizational Meeting, and/or as required throughout the year.

'Act' means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended or repealed and replaced from time to time.

'Adjourn' used in relation to any meeting, except a public hearing, means to terminate the meeting.

'Administration' means the employees of the Village of Elnora.

DEFINITIONS, Cont'd

'Administrative Clerk' means the person assigned to record minutes of meetings.

'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/date for said meeting.

'Alternate' means a member appointed to an ABC to act in the absence of its primary member.

'Annual Organizational Meeting' means Council shall hold an annual Organizational Meeting not later than 2 weeks after the 3rd Monday in October.

'By-Election' means an Election not held at the same time as other constituencies, and is held to fill the vacancy caused by death or resignation of a member.

'Call to Question' means to request debate be ended and a vote called.

'Chair or Chairperson' means the Mayor, Deputy Mayor or other person who has authority to preside over a meeting.

'Chief Administrative Officer' (CAO) means the person appointed to the position of Chief Administrative Officer by the Council of the Village of Elnora and includes any person that the Chief Administrative Officer may appoint as his/her designate for purposes 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.

'Council' means elected officials of the Village of Elnora , including Mayor and Councillors.

'Councillor' means a member of council and includes the chief elected official.

'Council Committee' means a committee consisting entirely of councillors or a combination of councillors and other persons. Council Committee does not include an assessment review board established under section 454 or a Subdivision and Development Appeal Board established under section 627.

'Council Meeting' means any regular, special, or other meetings of Council or of a committee.

'Closed Session' means a portion of the meeting at which only members of Council and other persons designated by Council may attend.

DEFINITIONS, Cont'd

'Delegation' means a person or a group of persons wishing to appear before the council to address a specific matter.

'Deputy Mayor' means the person appointed to function as Mayor in the absence or incapacity of the Mayor.

'Electronic Communications' shall mean that members of council may attend a Council or Council Committee meeting through electronic communication, which may include using a telephone with the use of the speaker, via a personal computer, or other means as technology advances.

'Mayor' means the person elected as the chief elected official.

'Meeting' means a meeting of council where all members are eligible to attend, and quorum is maintained throughout the meeting.

'Minutes' means the record of decision of any meeting recorded in the English language without note or comment.

'Motion' means an action presented by a Councillor or member of committee and made through the Chair that requests some consideration of action by Council or committee. (Motions should contain the who, what, when, where and why questions)

'Municipality' means the Village of Elnora, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the municipality.

'MGA' means the Province of Alberta Municipal Government Act and any amendments thereto.

'Notice of Motion' means 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.

'Oath of Office or Solemn Affirmation' means the official oath prescribed in the Act.

'Pecuniary Interest' means something of which could monetarily affect you, your spouse, or adult interdependent partner, or children, your parents or the parents of your spouse, or a business which employs you or in which you have an interest.

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DEFINITIONS, Cont'd

'Person' means any person, firm, partnership, association, corporation, company, or organization of any kind.

'Point of Information' means a member can ask a question that is not related to the procedure. The goal of the question should be to gain more information or to bring up information that must be considered before other motions.

'Point of Order' means a demand by a Councillor that the Chair enforce the rules of procedure and call to attention any departure from the Procedural Bylaw.

'Point of Privilege' refers to all matters affecting the rights and immunities of the Council collectively or the position and conduct of members of the Council on their respective character as elected representatives.

'Public Hearing' means a public meeting of Council convened to hear matters on a proposed bylaw or resolution; matters pursuant to the MGA, or any other Act, or any other matter at the direction of Council.

'Quorum' means the minimum number of members that must be present at a meeting for business to be legally transacted as set out in the MGA. 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 Council.

'Recess' means an intermission or break within a meeting that does not end the meeting and after which, proceedings are immediately resumed at the point where they were interrupted.

'Robert's Rules of Order' is a manual of parliamentary procedures.

'Special Council Meeting' means a meeting called by the Mayor whenever the Mayor considers it appropriate to do so, and in accordance with the Act.

'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.

GENERAL

1. This Bylaw shall govern all regular meetings, special meetings, public hearings, annual organizational meeting, council committee meetings and any other meetings as may be directed by Council.
2. Council Committees shall be established and governed by policy or bylaw approved by Council. Where appropriate, authority is delegated to a Council Committee and such committee, and its mandate shall be established by bylaw.
3. In the absence of any statutory obligation to the contrary, the strict application of this Bylaw may be waived if approved by a majority vote of Council.
4. A motion to waive any provision of the Bylaw may be brought at any time, and if unanimously accepted, the resolution waiving the strict application of the Bylaw will only be effective for the meeting during which it was passed and is only in order if it does not conflict with MGA.
5. The precedence of the rules governing the procedure of Council is:
 - i. The Province of Alberta MGA
 - ii. Other Provincial legislation
 - iii. Village of Elnora Procedural Bylaw and any amendments thereto
 - iv. Robert's Rules of Order
6. The Mayor, when present, shall preside as Chair over all meetings of Council, unless otherwise provided for in this Bylaw.
7. The Deputy Mayor shall chair council meetings when the Mayor is absent or unable to function as Mayor and shall have the powers and responsibilities of the Mayor under this Bylaw.
8. In the absence or inability of the Mayor and Deputy Mayor to act, the next Councillor scheduled to be Deputy Mayor shall assume the Chair of Council and shall have the powers and responsibilities of the Mayor under this Bylaw.
9. Direction to administration by Council shall be limited to Council as a whole directing the CAO only.

GENERAL, Con'td

10. A meeting may be adjourned by motion or by declaration by the presiding Chair. A declaration by the presiding Chair to adjourn a meeting may be appealed through a motion decided by a majority of members.

FIRST MEETING OF VILLAGE COUNCIL

Oath of Office

1. The first meeting of Council after a general election shall be held on the date and time established at the previous year's Organizational Meeting.
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.
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. Upon completion of every member of Council present making and subscribing the official oath or solemn affirmation, the CAO shall immediately retire from the Chair, and the Mayor shall take the position of Chair.

By-Election

1. In the event of a by-election, the newly elected incumbent(s) will be sworn in at the next regular scheduled Council Meeting, as determined at the previous year's annual Organizational Meeting, following the by-election.
2. In the event of a by-election, newly elected officials will be offered 'orientation' within 90 days of completion of the by-election.
3. In the event of a by-election, the Elected Official that was appointed as 'Alternate' to the respective ABC will assume the primary seat and the newly Elected Official will be fully trained and assume the 'Alternate' seat.

By-Election, Cont'd

4. If no 'Alternate' is named/required by an ABC, Council may appoint an Elected Official to assume the seat until the next Council annual organizational meeting held in October, if required.

Notice of Regular Council Meetings

1. The time and date of all regular council meetings shall be established at the annual organizational meeting.
2. The annual organizational meeting shall be held as set forth in the Province of Alberta MGA, s192(1).
3. If a meeting date falls on a statutory holiday, it shall be rescheduled for the next working day, unless otherwise authorized by resolution of Council.
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) hour's notice of the change is given to any Councillor not in attendance at the meeting at which the change was made and that notice is given to the public, if possible.

Special Council Meeting

1. Whenever the Mayor deems it appropriate to do so, a special council meeting may be called. At least twenty-four (24 hours' notice shall be provided in writing, to each Councillor and the public, if possible, 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 MGA, providing 24 hours' notice is attached as Schedule 'A'.
 - b) Written notice to the public shall mean the notice is posted on the Village of Elnora website at www.villageofelnora.com and further, that written notice is posted in the Village Office.
 - c) A special council meeting as called under section 194 of the MGA, which waives 24 hours' notice to all Councillors and without notice to the public can be held if at least two-thirds 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'.

Special Council Meeting, Cont'd

2. If the Mayor receives a written request for a special council meeting stating its purpose from a majority of the Councillors, a special council meeting shall be held within fourteen (14) days after the date that the Mayor received the written request.
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.

Committee of the Whole

1. A Committee of the Whole is hereby established.
2. The membership of the Committee of the Whole shall consist of all members of Council.
3. The function of the Committee of the Whole is to allow for discussions, in order to bring recommendations to Council for final consideration and decision.
4. Subject to the Act, Committee of the Whole may consider any matter that Council may consider.
5. The Committee of the Whole may:
 - a) Conduct Non-statutory Public Hearings;
 - b) Receive delegations and submissions;
 - c) Meet with other municipalities and levels of government and;
 - d) Provide instructions and direction to Village administration.
6. The Committee of the Whole may not pass a bylaw or resolution that must be passed by Council as outlined in the Act.

Commencement of Meeting/Quorum

1. Should a member of Council arrive late to 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.

Commencement of Meeting/Quorum, Cont'd

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 next Councillor scheduled to be Deputy Mayor shall assume the Chair of the council meeting until the arrival of the Mayor or Deputy Mayor.

3. If a quorum is not present within thirty (30) minutes after the time set for regular or special council 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 council meeting. The agenda for the adjourned meeting will be dealt with at the next regular meeting unless a special meeting is called before or after the next regular meeting to deal with the business of the adjourned meeting. A meeting cannot proceed without quorum.

Attendance

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

2. Council may attend a council or council committee meeting through Electronic Communication, which may include using a telephone with the use of the speaker, via a personal computer, or other means as technology advances.

3. A council member attending a meeting through Electronic Communication is deemed to be present at the meeting for whatever period of time the connection via electronic communication remains active.

Resignation

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

1. The agenda for each meeting is established by the CAO.

2. The CAO will prepare and distribute the agenda electronically to Council no less than three (3) days before the date on which the meeting is scheduled.

Agenda, Cont'd

3. The Administrative Clerk will distribute the agenda electronically to the public via the Village's website prior to the meeting.

Urgent Items

1. 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, be provided to Councillors as handouts at the meeting and will be held with the meeting minutes.
2. The Chair shall add the item to the end of the pertinent section of the agenda

ORDER OF BUSINESS

MEETINGS – Regular

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

1. Call to Order
2. Agenda
 - a. Added items
 - b. Adoption of the agenda
 - c. Proclamations and Announcements
3. Adoption of Previous Minutes
4. Business Arising from the Minutes
5. Public Hearing
6. Delegations and Presentations
7. Bylaws, Policies
8. New Business
9. Financial
10. Correspondence
11. Council Reports
12. CAO & Public Works Reports
13. Closed Session (if necessary)
14. Adjournment

The Chair may adjourn the meeting at the conclusion of the agenda or call for a motion if agenda is not complete

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

MEETINGS – Organizational

1. The mayor shall occupy the center seat at the head of the Council table, Councillors shall be seated on either side of the mayor. Administrative staff shall be seated on either side of the Councillors.

2. At an annual organizational meeting at which all of 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.

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

1. Call to Order
2. Election of Officers
3. Adoption of the Organizational Meeting Agenda
 - a. Signing Authorities
 - b. Committee Listing – Appointments
 - i. In House Committees
 - ii. Funded Committees
 - iii. Ad Hoc Committees
 - iv. Contracts
 - c. Regular Meetings – Date, Time, Place
 - d. Council Renumeration Review
 - e. Council/Staff Mileage Rate Review
4. Conferences, Training
5. Bylaw, Policy Review
6. 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 a matter of priority shall be decided without debate.

MEETINGS – Closed Session

1. All meetings of Council and Council Committees must be held in public, though a portion of a meeting may be closed to the public (*MGA, s 197*)

Meetings-Closed Session, Cont'd

2. Council and Council Committee may close all or part of their meeting 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 (MGA, S197 (2))*
3. Before holding a closed meeting, Councilor 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 matters 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, test 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 the motion is being made; and
 - c. The attendees who will remain in the closed meeting;
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 meeting, Council may pass a resolution embodying its decision.
5. Council or a Council Committee must call a five (5) minute (or at the Chair's discretion) meeting recess to allow the return of the public.

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

Cancellation of Meetings

1. Council meetings may be cancelled:
 - a. By a majority vote 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 to the public; or
 - c. With the written or oral consent of two-thirds (2/3) of Council if twenty-four (24) hours' notice is not provided to the public.

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. By the Mayor if less than twenty-four (24) hours' notice is provided, provided that written or oral consent of two-thirds (2/3) of the Councilors has been obtained.

Conduct of Meetings

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

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.

3. A member may move a motion/resolution whether he or she intends to support it.

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 regarding the topic being debated at that time during the meeting and with time limits specified by the Mayor or other presiding officers.

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

Conduct of Meetings, Cont'd

6. The following motions are not debatable by Council:
 - *Adjournment*
 - *Recess*
 - *Question of privilege*
 - *Point of Order*
 - *Limiting debate on the matter before council*
 - *Tabling the matter to another meeting*
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.
8. A motion shall be worded in a concise, unambiguous, and complete form appropriate to its purpose.
9. Motions containing a negative statement shall be avoided whenever possible.
10. To the extent that a matter is not addressed within the MGA or this Bylaw, Council shall refer to 'Robert's Rules of Order'. In such cases, the decision of the Mayor or other presiding officer shall be final and accepted without debate.

Voting

1. A Councilor has one (1) vote each time a vote is held at a council meeting at which a Councilor is present.
2. Council shall vote by a show of hands unless other electronic means are available that clearly show how everyone voted.
3. If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated.
4. A Councillor attending a council meeting must vote on a matter put to a vote unless the Councillor is required or permitted to abstain from voting under the MGA or any other enactment.

Voting, Cont'd

5. If a Councillor abstains from voting, the reasons for the abstention shall be recorded in the minutes of the meeting.
6. A Councillor must abstain from voting on a bylaw or resolution if the Councillor was absent from the entire public hearing.
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.
8. Before a vote is taken, a Council may request that the vote be recorded. When a vote is recorded the minutes shall record the names of the Councillors present and whether each Councillor voted for or against the proposal or abstained from the vote.
9. If a resolution cannot be voted on because there would be no quorum due to any abstention allowed or required by the 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 request from the Minister of Municipal Affairs an order to deal with the issue as outlined in the Municipal Government Act.
10. Where a Councillor declares a pecuniary conflict of interest under the MGA, that councillor will absent himself or herself from Council table while the matter is being discussed and voted upon. Prior to leaving the Council table, the councillor will describe in general terms the nature of the pecuniary interest, which will be captured as part of the minutes.
11. The Chair of a meeting must verbally announce the outcome of all votes of council.

Call the Question

1. A member must have the floor to make this motion.
2. This motion cannot be discussed or debated.
3. Two-thirds (2/3) support is required for a call the question motion to pass.
4. The Chair shall take the vote by show hands.
5. If two-thirds (2/3) of members vote in favor, then the chair immediately takes the vote on the pending motion. No further discussion is permitted.
6. If there is more than one pending motion, the Chair shall take a vote on each motion that is before the group, one after another.
7. A call to question motion is not permitted to be made during committee meetings.

Notice of Motion

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.

A template for a Notice of Motion outlined in this section is attached as Schedule 'C'

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) majority vote and the item is considered as urgent business.
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) majority vote prior to reconsideration.
 - c. only a member of Council who voted with the prevailing side may move to reconsider an item. When a motion is lost on a tie vote, the prevailing side are those who voted against the motion.
4. Prior to Council adjourning a regular council meeting, a Council can bring a Notice of 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 of the Notice of Motion and by providing the CAO with a written copy of the Notice to be included on the next regular council meeting agenda.
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.
6. A Notice of Motion cannot be made at a special council meeting.

Public Conduct in Meetings

1. The members of the public present during a Council or Committee meeting will:
 - a) maintain order and quiet;
 - b) not approach or speak to Council or the Committee without permission of the Chair;
 - c) not interrupt a speech or action of Council or the Committee, or another person addressing the Members; and
 - d) not otherwise disturb the proceedings before Council or the Committee by words or actions or any other improper conduct.
2. The Chair may order a member of the public who creates a disturbance or acts improperly at a meeting to be expelled for the remainder of the meeting.
3. The Chair may request that the Royal Canadian Mounted Police or duly authorized Peace Officer remove an expelled member of the public if that person does not leave voluntarily.

Delegations

1. A person, or representative of any delegation, or a group of persons who wish to bring any matter to the attention of Council, or who wish to have any matter(s) considered by the Council, shall complete Schedule 'D' in its entirety and submit the form and all related documentation including PowerPoint, video or other multimedia content prepared by the delegate(s) to the CAO ten (10) business days prior to the date of the requested audience. A maximum of two matters per delegation will be permitted at each meeting. If he or she wishes to appear before Council, it must be stated in the communication, he or she is the only person permitted to speak on the matter.
A template for a Delegation Request outlined in this section is attached as Schedule 'D'
2. Delegations are limited to two (2) per regular council meeting.
3. The Village CAO shall forward the delegation request documentation to the Mayor, Deputy Mayor and Councillor for review. The Mayor and Deputy Mayor or Councillor and the CAO will assess the request and approve or deny (with explanation) the audience with council. The CAO shall respond to the delegate within four (4) business days prior to the scheduled meeting.

4. Delegations shall be granted 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.
5. 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.
6. Only that supporting documentation submitted at the time of the delegation request will be admissible for discussion at the audience with council.
7. Council or any Council Committee may require a person appearing before it or making any claim or submission to it, to do so under oath.
8. A person, or representative of any delegation, or a group of persons may only bring the same matter(s) forward once every nine (9) months.

Public Hearing

1. Council shall hold a public hearing when:
 - a. Required by the MGA
 - b. Required by any other legislative or regulation
 - c. Road Closure Bylaws
 - d. Or any other matter at the direction of Council.
2. Council, shall by resolution, set a time, date and location of a public hearing.
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 provided on the proposed bylaw or resolution.
 - c. Presentations shall be limited to five (5) minutes.
 - d. Persons speaking will be given an opportunity speak only once.
 - e. Order of presentations shall be as follows:
 - i. Those in support
 - ii. Those opposed
 - iii. Those deemed affected

Public Hearing, Cont'd

- 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 the 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 items c, d, e, f. and g as listed above.

4. After the close of the public hearing, the process of Council is as follows:
 - a. Council may pass the bylaw or resolution.
 - b. Council may make any amendment to the bylaw or resolution as it considers necessary and proceed to pass it without further advertisement or hearing.
 - c. Council may defeat the bylaw or resolution.

Minutes

1. All minutes of council meetings shall be recorded in the English language.
2. The names of the Councillors present at the meeting shall be recorded as present and the names of the Councillors absent shall be recorded as absent
3. The minutes of each council meeting shall be presented to Council for adoption at the next council meeting.
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.
5. The CAO, or designate, is responsible for recording and preparing the minutes of Council.
6. A withdrawn motion or resolution will not be included.

Minutes, Cont'd

7. Amended motions/resolutions 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.

Severability

1. Should any provision of the Bylaw be invalid, then the invalid provision shall be severed, and the remainder of this Bylaw shall be maintained.

Repeal

1. Procedural Bylaw 482-0406 and all amendments thereto are hereby repealed.

Effective Date

1. This Bylaw shall come into effect at such time as it has received third reading and has been signed in accordance with the MGA, as amended from time to time.

Read for a first time on the day of 2023.

Read for a second time on the day of 2023.

Read for a third and final time on the day of 2023.

Jul Bissell, MAYOR

Sharon Wesgate, CAO

Signed by the Chief Elected Official and Chief Administrative Officer the 14th day of November 2023

Schedule 'A'
VILLAGE OF ELNORA

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

TO: MAYOR _____
COUNCILLORS _____

The Mayor has requested that a special meeting of council be held in the (location) of the Village of Elnora on (date), commencing at (time) for the purpose of discussing and acting upon the following item(s) of business:

1. _____
2. _____
3. _____

Schedule 'B'

VILLAGE OF ELNORA

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 Village of Elnora, hereby waive notice of a special meeting of council to be held in the (location) of the Village of Elnora on (date), commencing at (time) for the purposes 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

Schedule 'C'

VILLAGE OF ELNORA

NOTICE OF MOTION

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:

- i. Be considered at a regular council meeting preceding the meeting at which reconsideration of the matter is requested.
- ii. Specify the date of the meeting when the matter will be brought for reconsideration.
- iii. Indicate, 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 is proposed to be taken on the matter:

Schedule 'D'
VILLAGE OF ELNORA
Delegation Request

Request Date: _____

Delegate Name: _____

Delegate Address: _____

Council Meeting Date Requested: _____

Attending: Yes / No

Delegate Signature

MATTER(S) TO BE DISCUSSED:

1) _____

Specific Questions: _____

Matter previously discussed with Council: Yes Date: _____ / No

2) _____

Specific Questions: _____

Matter previously discussed with Council: Yes Date: _____ / No

Reviewed By: _____, Mayor

_____, Deputy Mayor or Councillor

_____, CAO

APPROVED _____ **DENIED** _____ **Reason:** _____

Date: _____

DRAFT