

CITY OF SPRUCE GROVE
BYLAW C-724-09
COUNCIL PROCEDURE BYLAW

Being a bylaw of the City of Spruce Grove, in the Province of Alberta.

WHEREAS, pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26, and amendments thereto, Council may pass bylaws in relation to the procedure of Council and Council Committees and the conduct of Councillors and members of Council Committees; and

WHEREAS, pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26, and amendments thereto, Council may by bylaw delegate its powers, duties or functions to a Council Committee.

NOW THEREFORE, the Council of the City of Spruce Grove duly assembled, hereby enacts as follows:

DEFINITIONS:

1. In this bylaw:

- a) “Act” means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
- b) “adjourn” used in relation to any meeting, except a public hearing, means to terminate the meeting;
- c) “Administration” means the employees of the City of Spruce Grove;
- d) “Alderman” shall mean any member of Council except the Mayor;
- e) “amend a motion previously adopted” means to bring forward to a later meeting an amendment to a previously successful motion;
- f) “Chair” shall mean the Mayor, Deputy Mayor or other person who has the authority to preside over a meeting;
- g) “City” means the City of Spruce Grove;
- h) “City Manager” means the person duly appointed as City Manager as per the City Manager Bylaw, or the designate of the City Manager;
- i) “closed session” means a meeting at which only Councillors and other persons specified by Council may attend;

- j) “Committee of the Whole” means a committee comprised of all Councillors which conducts itself as a committee of council;
- k) “Council Committee” means a committee, task force, board or other body established by a Council under the *Act*;
- l) “Council Session” means the term of Council from the Inaugural Meeting after a municipal election to the following Inaugural Meeting after the next municipal election;
- m) “Councillor” means a member of Council including the Mayor;
- n) “Inaugural Meeting” means the first organizational meeting after a general municipal election;
- o) “Mayor” shall mean the chief elected official;
- p) “non-statutory petition” means a petition received by the City Manager that does not meet the requirements of Sections 222 to 226 of the *Act*, or is not in compliance with Section 232 of the *Act*;
- q) “non-statutory public hearing” means a meeting of Council or Committee of the Whole at which members of the public may attend and may be invited to make submissions to Council, but which is not a public hearing;
- r) “Peace Officer” means a peace officer as defined by the *Peace Officer Act*, and for the purposes of this Bylaw shall also include a police officer as defined by the *Police Act*;
- s) “point of order” means a demand by an Alderman that the Chair enforce the rules of procedure;
- t) “point of privilege” means a request made to the Chair by an Alderman on any matter related to the rights and privileges of Aldermen and includes:
 - i. the comfort of Aldermen;
 - ii. the conduct of City employees or members of the public in attendance at the meeting;
 - iii. the accuracy of the reports of Council’s proceedings; and
 - iv. the reputation of Council and Councillors;
- u) “postpone” means to delay the consideration of any matter, either:
 - i. to later in the meeting;
 - ii. to a specified time and/or date;

- iii. until the occurrence of an event; or
- iv. indefinitely;
- v) “public hearing” means a meeting or portion of a meeting that Council is required to hold under the *Act* or another enactment, for the primary purpose of hearing submissions;
- w) “recess” means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- x) “refer” means to send a pending motion or agenda item to a Council Committee or administration for investigation and report;
- y) “rescind” means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- z) “statutory petition” means a petition that meets all the applicable requirements of Sections 222 to 226 and 232 of the *Act*;
- aa) “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;

APPLICATION

2. This bylaw shall apply to all meetings of Council, Committee of the Whole, and Council Committees as identified.
3. To the extent that a matter is not dealt with in the *Act* or this bylaw, Council shall have regard to *Robert’s Rules of Order Newly Revised*.
4. The precedence of the rules governing the procedures of Council is:
 - a) The *Act*;
 - b) other provincial legislation;
 - c) this bylaw; and
 - d) *Roberts Rules of Order Newly Revised*.
5. Council may waive all or part of the provisions of this bylaw for a meeting, if Council votes unanimously to do so by a motion to suspend the rules. This motion is only in order if it does not conflict with the laws of the Government of Canada or the laws of the Government of Alberta and specifically the *Act*.

ORGANIZATIONAL MEETING

6. Council shall hold an organizational meeting not later than two weeks after the third Monday in October of each year.
7. 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 and Committee of the Whole meetings. If a scheduled meeting of Council falls on a holiday, the meeting shall be held on the next day not being a holiday.
 - b) The roster for each Alderman to act as Deputy Mayor.
 - c) Appointments to Boards and Committees.
 - d) The seating arrangements of Council. The Mayor shall occupy the seat at the centre of the Council table. Seating of Aldermen shall be determined by lot or as otherwise agreed to by a unanimous vote of Council. In the event the seat of any Aldermen becomes vacant by reason of death, resignation or otherwise, the member elected to fill his place shall occupy his seat in the Council Chamber until the next organizational meeting.
 - e) In addition to the above, at the Inaugural Meeting, the first order of business shall be the administration of the oath of office and the introduction of the Mayor and Aldermen for the Council Session.

MEETINGS

8. A quorum of Council shall be a majority of those members elected and serving on Council, including the Mayor.
9. In the case that neither the Mayor nor Deputy Mayor are in attendance within fifteen (15) minutes after the hour appointed, the next Deputy Mayor scheduled in the roster shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.
10. The Mayor shall preserve order, decorum, and decide questions of procedure subject to an appeal to the Council. The decisions of the Mayor on procedure shall be final unless reversed by a majority vote of the members present, without debate (See Sections 33 to 49). A tie vote shall constitute defeat of the motion.
11. When the Mayor is called upon to decide a point of order or procedure, the point shall be stated without necessary comment, and the Mayor shall cite the rule or authority applicable to the same (See Sections 50 to 55).

12. Adoption of the minutes of the previous meeting(s) shall immediately follow the adoption of the agenda. Councillors shall have the opportunity to note errors and omissions at that time. Clerical, typographical and grammatical errors in adopted minutes may be corrected by the City Clerk.
13. No third party recordings of Council, Committee of the Whole, or Council Committee proceedings will be allowed, except as approved by the City Manager.

LOSS OF QUORUM

14. If there is not a quorum within 30 minutes after the time set for the meeting, the City Clerk will record the names of the members of Council present and the meeting will be adjourned to the time of the next regular meeting, unless a special meeting is duly called in the intervening time period.
15. Whenever a vote on a motion before Council or Committee of the Whole cannot be taken because of a loss of quorum, the loss of quorum resulting from:
 - a) the declaration of a pecuniary interest or conflict of interest; or
 - b) from an Alderman or the Mayor not being present for all or part of a public hearing;then the motion shall be the first order of business to be proceeded with and disposed of at the next meeting of Council or Committee of the Whole under that particular order of business.
16. If a quorum is lost for any reason other than those aforementioned in section 14, the meeting is at an end.

TIME OF ADJOURNMENT

17. On the day of a Council meeting, City Council shall adjourn at 11:00 p.m. in the evening if in session at that hour, unless otherwise determined by a vote of the majority of Councillors present.
18. When it is necessary to continue the meeting beyond 11:00 p.m., Council will decide one of the following:
 - a) to extend the time of the meeting;
 - b) to reconvene the meeting the following day;
 - c) to call a special meeting of Council on a specified day to attend to the unfinished business; or

- d) to add the unfinished orders of business to the next regular Council meeting agenda;

by resolution passed by a majority of Councillors present.

PREPARATION OF COUNCIL AGENDAS

Preparation of Agenda

19. The agenda for each regular Council meeting is established by the City Manager in consultation with the Mayor and City Clerk.
20. The City Clerk shall prepare the agenda, together with copies of all reports and communications to be dealt with at each regular Council meeting.
21. Agenda items initiated by members of Council, to be included in the agenda, are submitted through the office of the City Manager. The City Manager shall assign the responsibility to the appropriate department to ensure the item is included in the agenda.

Agenda Delivery

22. The City Clerk's office will distribute the established agenda with attachments to Council, Administration, and the public at least two working days prior to the meeting.

Late Submissions

23. Any late submissions to the agenda after the agenda has been established will require the justification for the urgent nature of the late submission and will require the City Manager's approval.
24. All additions or changes to the agenda will be provided to the City Clerk prior to the meeting being called to order.
25. No late submissions may be added to an agenda after the adoption of the agenda unless approved unanimously by resolution of Council.
26. Sections 19 to 25 also apply to preparation of Committee of the Whole agendas.

Presentations and Delegations

27. Presentations may be made by Council to individuals or groups.
28. Individuals or groups may request an appointment to be heard by Council as a delegation.
29. Delegates must submit a request in writing for an appointment with Council to the City Manager. All delegates are required to provide written documentation to the

City Manager which clearly outlines the nature of their business for inclusion in the Agenda Package. All documentation is to be submitted not less than seven (7) working days in advance of the regular Council meeting date.

30. The City Manager will review the request in consultation with any affected Departments and may:
 - a) Undertake an Administrative Review and provide a written response to the individual or group to satisfy the request for an appointment with Council. This process will be undertaken only with the consent of Administration and the individual or group requesting the appointment with Council;
 - b) Add the appointment to the next regular Council meeting agenda; or
 - c) Add the appointment to a future regular Council meeting agenda if
 - i. requested by the individual or group making the request; or
 - ii. if Administration requires more time to properly investigate and report on the matter.
31. Delegates 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.
32. In questioning presenters or delegates at the Council meeting, Councillors will only ask those questions which are relevant to the subject of the appointment and will avoid repetition of questions. Likewise, presenters and delegates speaking to a subject will be restricted to speaking on the subject of the appointment.

CONDUCT OF A COUNCIL MEETING

Rules Governing Debate at Council meetings

33. A motion must be made by a Councillor before Council can debate an item before Council.
34. All discussion at a meeting of Council shall be directed through the Mayor.
35. Unless otherwise provided by resolution, a Councillor may speak only:
 - a) once on any motion; and
 - b) once on any amendment to a motion.
36. Notwithstanding Section 35:
 - a) a Councillor may ask questions of the Administration or other Councillors on any motion or amendment to a motion;

- b) a Councillor may speak to answer questions put by other Councillors; and
 - c) a Councillor who has made a motion may speak a second time to close the debate.
37. The Mayor may participate in debate on any matter before Council without relinquishing the chair.
38. The Mayor may make a motion on any matter on the agenda but before doing so the Mayor must relinquish the Chair to the Deputy Mayor until the vote on the motion has been taken.
39. When a Councillor wishes to leave the Council Chambers while a meeting of Council is in progress:
- a) the Councillor shall await the formal acknowledgement of the Mayor before leaving; and
 - b) the time of the Councillor's departure and return shall be recorded in the minutes.
40. If a Councillor is in a conflict of interest under the *Act*, by reason of a pecuniary interest, the Councillor shall, prior to discussion or vote upon the matter which creates the conflict, state that he/she has a pecuniary interest (the conflict of interest), and the nature of the pecuniary interest and shall leave the meeting.
41. Where the Councillor has left the meeting under Section 40:
- a) the reason for and time of the Councillor's departure, and return, if any, shall be recorded in the minutes;
 - b) if Council amends the motion before it, Council shall recess to allow the City Manager to endeavour to advise the Councillor who has left the meeting of the amendment so that the Councillor may determine whether he/she remains in a conflict of interest; and
 - c) Council shall not consider any other agenda item until the City Manager has endeavoured to advise the Councillor who left the meeting because of a conflict that there is a new agenda item before the meeting.
42. In order to ensure that quorum is not lost, the Mayor may recess the meeting briefly if a member of Council wishes to leave the meeting but intends to return.
43. No Councillor shall leave the Council meeting after a question is put to a vote until the vote is taken, unless during this time frame the Councillor becomes aware of a conflict of interest at which time the Councillor will declare the conflict of interest and leave the meeting.

44. A member of Council who is speaking may be interrupted by the Mayor if:
 - a) the member of Council speaking is out of order; or
 - b) the matter being addressed by the member of Council speaking is outside the jurisdiction of Council.
45. A member of Council who is speaking may only be interrupted by another member of Council on:
 - a) a point of privilege; or
 - b) a point of order.
46. The member of Council who is speaking when a point of order or privilege is raised shall cease speaking immediately.
47. The Mayor may grant permission:
 - a) to the member of Council raising the point or order or privilege to explain the point briefly; and
 - b) to the member of Council who was speaking to respond briefly; but otherwise a point of order or privilege is not debatable or amendable.
48. The Mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a member of Council to the Mayor's ruling.
49. The Mayor may seek advice from the City Manager on a point of order or privilege or to determine whether a matter is within the jurisdiction of the Council.

Challenging the Ruling of the Mayor

50. Any member of Council may challenge the ruling of the Mayor on a point of order or privilege and state the terms of the challenge.
51. When there is a challenge to the ruling of the Mayor, all further debate shall cease until the challenge has been dealt with by Council.
52. If a ruling of the Mayor is challenged, the Mayor shall briefly state the reasons for the Mayor's ruling and then put the question to Council.
53. Council shall decide the challenge, by majority vote, without debate.
54. The decision of Council on the challenge is final.
55. If the Mayor refuses to put the challenge to Council, Council may request the Deputy Mayor to preside over the meeting in order that the challenge to the

Mayor's ruling can be put to Council in accordance with the provisions of Sections 51, 52, and 53. The result of the vote is as binding as if conducted under the Mayor and the Mayor shall abide by the result.

MAINTAINING ORDER IN COUNCIL

Order in Council Chambers – Council

56. The Mayor may call to order any member of Council who is out of order.
57. A member of Council who is called to order must cease talking or otherwise engaging in the activity specified by the Mayor in the call to order.
58. When a member of Council has been called to order but persists in breaching the order of Council, the Mayor may name the member and declare the offence.
59. The City Manager or City Clerk shall note the offence in the minutes.
60. If a member of Council who has been named:
 - a) apologizes to Council and withdraws the offensive statement or action, then
 - i. that member may remain and continue to participate in the meeting; and
 - ii. the Mayor may direct that the notation of the offence be removed from the minutes;
 - b) fails or refuses to apologize and withdraw the offensive statement or action, then that member is automatically expelled and must leave Council Chambers immediately.
61. A member of Council who refuses to leave the Council Chambers upon the order of the Mayor may be removed by a Peace Officer. In the event of such an action by a Peace Officer, the event shall be noted in the minutes.
62. No member of Council shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
63. A member of Council who is called to order or named may immediately thereafter challenge the ruling of the Mayor and state the terms of the challenge.
64. When there is a challenge to the ruling of the Mayor, all further debate shall cease until the challenge has been dealt with by Council.
65. A challenge of the Mayor's ruling shall follow those procedures outlined in sections 50 to 55.

Order in Council Chambers – The Public

66. Only persons authorized by the City Manager may address the Council from the presenter's table, if recognized by the Mayor.
67. A person may address Council from the public gallery with the permission of the Mayor. Persons are encouraged to utilize the podium when speaking to Council.
68. No person present in Council Chambers shall cause any disturbance, interrupt any speaker, or interfere with the action of Council.
69. The Mayor may call to order any person who has created a disturbance and may expel that person from Council Chambers.
70. A person who refuses to leave Council Chambers upon the order of the Mayor may be removed by a Peace Officer.

RULES FOR MOTIONS AND VOTING

Motions

71. A motion must be made prior to any debate or vote occurring.
72. A recommendation in a report is not a motion until a Councillor moves it.
73. Council shall consider only one motion at a time.
74. After a motion has been moved, it may not be withdrawn without the majority consent of Council through a motion to withdraw.
75. The following motions are not debatable by Council:
 - a) a motion to recess or adjourn the meeting; or
 - b) a motion to table; or
 - c) a motion to withdraw.
76. When a motion has been made and is being considered, no Councillor may make any other motion except:
 - a) as set out in section 75;
 - b) to refer the main motion to Committee of the Whole, to Administration, a Council Committee or some other person or group for consideration;
 - c) to postpone consideration of the motion;
 - d) to amend the motion;

- e) to withdraw the motion, if the motion to withdraw is made by the mover.
77. Motions shall have precedence in accordance with the order that they are listed in section 75 and then in subsections 76(b), 76(c), and 76(d).
78. a) A Councillor 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 meeting proposed to bring the matter to for reconsideration; and
 - iii. indicate, in the substantive portion of the motion, the action which is proposed to be taken on the matter.
- b) Notwithstanding subsection 78(a), if a Notice of Motion was not provided, the requirement for Notice contained in this Section may be waived on a two-thirds vote and the item considered as Urgent Business.
- c) Notwithstanding the other provisions of this Section, no motion made or action taken shall be reconsidered unless:
- i. it is a motion made or an action taken at a meeting held six (6) months or more before its reconsideration; or
 - ii. approval for reconsideration of a motion made or an action taken less than six (6) months earlier is given by a two-thirds vote prior to reconsideration.
- d) Only a Councillor who voted with the prevailing side may move to reconsider an item. When a motion is lost on a tie vote, the prevailing side is those who voted against the motion.
- e) The following motions or actions cannot be reconsidered:
- i. a motion which created a contractual liability or obligation, shall not be reconsidered, altered, varied, revoked, rescinded or replaced except to the extent that it does not attempt to avoid or interfere with the liability or obligation;
 - ii. a motion to adjourn, if adopted;
 - iii. a motion to close nominations;

- iv. a motion to be split into parts;
 - v. a Point of Order, Procedure, or Privilege;
 - vii. a motion to suspend the Council Procedure Bylaw, if adopted;
 - viii. a motion to take from the table, if adopted;
 - ix. a motion to adopt the agenda;
 - x. a recorded vote;
 - xi. a motion to table; if adopted;
 - xii. a motion to withdraw, if adopted;
 - xiii. a motion to repeal a bylaw, if adopted; and
 - xiv. first and third reading of a bylaw.
- f) A motion to reconsider or rescind is debatable only when the motion being reconsidered is debatable.
- g) Notwithstanding subsections (a) to (f), a motion which alters or rescinds a motion already passed is a reconsideration regardless of the passage of time.

Closed Session

79. Council may consider a matter in closed session in accordance with the *Freedom of Information and Protection of Privacy Act*, R.S.A., 2000, c-F-25.
80. No motions may be made when Council is sitting in closed session except the motion to reconvene the regular meeting.

Amendments to Motions

81. A Councillor who moved a motion may not move an amendment to it.
82. Any Councillor, other than the Councillor who moved the main motion, may move to amend a motion.
83. The Councillor who moved the main motion may move an amendment to the amendment.
84. The Mayor shall allow only:
- a) one amendment to the main motion; and
 - b) one amendment to the amendment to be considered at a time.

85. Council must vote:
 - a) on an amendment to the amendment, if any, before voting on the amendment; and
 - b) on any amendment before voting on the main motion.
86. When an amendment is on the floor, Council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
87. The Mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of Council.
88. Once all amendments to the main motion have been voted on, the Mayor shall put forth the main motion under debate to Council for a vote, incorporating the amendments that have been passed by Council.

Motions to Refer

89. Any Councillor may move to refer any main motion, and any pending amendments, to a Council Committee or Administration for investigation and report.
90. A motion to refer:
 - a) is debatable;
 - b) precludes any further amendment to the main motion, until the motion to refer has been addressed by Council;
 - c) shall include instructions indicating what the receiving body is to do and the date by which Council requires a response; and
 - d) may be amended only as to the body to which the motion is referred and the instructions on the referral.
91. Once the body to which a motion has been referred commences its deliberations, the body may recommend for adoption, any amendment to the motion so referred, without regard to any amendments considered by Council prior to the referral. The motion proposed by the referral body shall be as if introduced to Council for the first time, and Council shall be free to consider any amendment to it.

Splitting a Motion

92. When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a Councillor may request that the motion be split into parts so that each part may be voted upon individually.

93. A Councillor who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
94. The City Manager may, on the request of the Mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by Council.

Tabling Motions

95. A motion may be tabled by a majority vote of Council to enable Council to deal with other more pressing matters. A tabled motion may remain tabled for the current Council Session.
96. A motion to table:
 - a) includes all other motions; and
 - b) takes precedence over any other motion connected with the motion being tabled.
97. A motion that has been tabled may be taken from the table at any time by a majority vote of Council.
98. If a motion to take a motion from the table is defeated, it may only be made again after Council has addressed some other matter or business.
99. When a tabled motion is taken from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
100. Motions not taken from the table at the end of the Council Session are deemed defeated motions.

Postponing Motions

101. A motion may be postponed:
 - a) to later in the meeting;
 - b) to a specified time and/or date; or
 - c) until the occurrence of an event; or
 - d) indefinitely.
102. A motion to postpone:
 - a) includes the motion being postponed and all connected amendments; and

- b) takes precedence over any other motion connected with the motion being postponed.
103. A motion that has been postponed under section 101(a) or 101(d) may be considered at any time by a two-thirds majority vote of Council.
 104. If a motion to consider a postponed motion is defeated, it may only be made again after Council has addressed some other matter or business.
 105. When a motion that has been postponed is brought back to Council, it is brought back with all motions connected with it, exactly as it was when postponed.
 106. If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.
 107. The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current Council Session.

Notice of Motion

108. Prior to Council adjourning a regular Council meeting, Councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and by providing the City Manager with a written copy of the notice.
109. 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.
110. A notice of motion cannot be made at a Special Council meeting.
111. A motion on notice is not debatable until a Councillor moves the motion.

Meeting through Electronic Communication

112. A Council or Council Committee meeting may be conducted by means of electronic or other communication facilities, in order to facilitate the attendance of Councillors, Council Committee members, or Administration at the meeting.
113. Notice of the meeting through electronic communication to the public must provide for the way in which it is to be conducted.
114. The meeting facilities will enable the public to watch or listen to the meeting at a place specified in that notice and the City Manager, or Senior Staff Advisor, will be in attendance at that place.
115. The meeting facilities will enable all the meeting's participants to watch or hear each other.

116. Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.

Recorded Votes

117. Any time before a vote is taken by Council, a Councillor may request that the vote be recorded.

118. When a vote is recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for or against the motion or abstained.

Electronic Voting

119. Electronic voting technology that displays the result of the vote on motions will be utilized during Council meetings. When the electronic voting technology is in operation:

- a) all members of Council shall vote using the electronic voting technology, unless excused from voting by any statute; and
- b) all vote results shall be displayed publicly in Council Chambers.

120. When the electronic voting technology is inoperable or unavailable, Council will vote on motions by raising their hands upon the call of the Mayor for all those in favour and all those opposed.

Voting Results

121. The Mayor will announce the result of all votes at a meeting by stating whether the motion was carried or defeated.

RULES FOR BYLAWS

122. Where a bylaw is presented to a meeting for enactment, the City Manager shall cause the number, short title and brief description of the bylaw to appear on the agenda.

123. The following shall apply to the passage of all bylaws:

- a) Every proposed bylaw shall have three (3) separate and distinct readings. Only the title or identifying number must be read at each reading.
- b) A proposed bylaw shall be introduced for first reading by a motion that the bylaw be introduced and read a first time. Council shall vote on the motion for first reading of a bylaw without amendment or debate.
- c) A bylaw shall be introduced for second reading by a motion that the bylaw be read a second time. The following applies at second reading:

- i) Council may debate the substance of the bylaw;
 - ii) Council may propose and consider amendments to the bylaw; and
 - iii) Council may refer by motion the bylaw to Administration for further information or a Committee for further review prior to second reading.
- d) All aspects of passage of a bylaw at second reading shall apply to third reading of any bylaw.
- e) A bylaw shall not be given more than two readings at one meeting unless the Councillors present at the meeting unanimously agree that the bylaw may be presented for third reading at the same meeting at which it received two readings.
- f) A bylaw shall be passed when a majority of the Councillors present vote in favour of third reading, provided that any applicable Provincial statute does not require a greater majority.
124. When a bylaw has been given three readings and is signed in accordance with the *Act*, it is considered an enactment of the City and is effective immediately, unless the bylaw or an applicable Provincial statute provides otherwise.
125. The previous readings of a proposed bylaw are rescinded if the proposed bylaw:
- a. does not receive third reading within 2 years of first reading; or
 - b. is defeated on second or third reading.
126. After passage, a bylaw shall be signed by the Mayor or Mayor's designate and by the City Clerk and shall be impressed with the corporate seal of the City.
127. Clerical, typographical and grammatical errors in bylaws may be corrected by the City Clerk.
128. The City Clerk may consolidate a bylaw by incorporating all amendments to it into one bylaw.
129. A copy of any bylaw, resolution or record certified by the City Clerk as a true copy of the original is prima facie proof of the bylaw, resolution or record.

PUBLIC HEARINGS

Statutory Public Hearings

130. Public Hearings will be held in conjunction with a Council meeting.

131. Persons interested in speaking at a public hearing may register with the City Clerk's office prior to the public hearing. Names of registered speakers for a public hearing will be released to the public on the Friday preceding the public hearing.
132. Persons interested in providing a written submission may provide the City Clerk's office with their submission prior to 12:00 noon of the Wednesday preceding the public hearing. Written submissions received prior to 12:00 noon of the Wednesday preceding the public hearing will become public information on the Friday prior to the public hearing. Council will accept written submissions on the date of the public hearing.
133. Public Hearings will commence, as close as reasonably practicable to the advertised time at a regular Council meeting and will normally be held in the Council Chambers.
134. Council may change the date, time, and place of a public hearing by resolution. If any of the date, time, or place is changed, the public hearing must be re-advertised.
135. Council may cancel a public hearing by resolution.

Non-Statutory Public Hearings

136. On the advice of Administration, and should the Council deem it appropriate, a Non-Statutory Public Hearing may be held at a date, time, and place approved by Council resolution.
137. The procedures for the conduct of a non-statutory public hearing shall be the same as those for a statutory public hearing.

Conduct of Statutory Public Hearings

138. The Mayor shall chair all public hearings.
139. Once the Mayor has called the Public Hearing to order and identified the matter to be discussed, the Mayor shall review the process to be followed including the expectations relating to public feedback, rules for speaking, timelines and the process for decision making following the public hearing.
140. Administration shall introduce the matter and provide any background material.
141. After Administration has introduced the matter, the Mayor shall invite interested parties and members of the public to speak to the matter. The Mayor shall call upon those persons who have registered with the City Clerk's office to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. If there is more than one person who wishes to speak, the Mayor shall establish the order of speaking.

142. Members of the public who wish to speak shall be asked to speak from the podium.
143. All those who wish to speak to a matter (for or against) may only speak once and shall be limited to 10 minutes.
144. The decision of the Mayor with regard to imposition of the time limit to speak and the order of speaking shall be final and not debated.
145. 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.
146. The Council shall not debate an issue with any speaker, but each member of Council may ask questions for clarification of each speaker. All questions must be directed through the chair.
147. Council may accept a written submission in lieu of a verbal presentation as long as the document is signed, dated, and shows the street address of the person making the submission. All written submissions will be filed with the City Clerk.
148. "Adjourn" used in relation to a public hearing means to take a short break in the public hearing, take a break with the intent of returning to the public hearing later in the same meeting, or to adjourn the public hearing to another Council meeting.
149. "Close" used in relation to a public hearing means to terminate the public hearing.
150. 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.
151. Once closed a public hearing may not be reopened. Council may hold a second public hearing on the same subject; however, it is subject to the same requirements of advertising and rules for speaking as the initial public hearing.

COMMITTEE OF THE WHOLE

152. There shall be a Committee of the Whole comprising all Councillors.
153. Subject to the *Act*, Committee of the Whole may consider any matter that Council may consider, including but not limited to discussion and debate of the following matters:
 - a) the budget;
 - b) the audit;
 - c) transportation issues;

- d) development issues;
- e) strategic planning;
- f) legislative reform;
- g) policing matters; and
- h) policy formulation.

154. Committee of the Whole may:

- a) conduct non-statutory public hearings;
- b) receive delegations and submissions;
- c) meet with other municipalities and other levels of governments; and
- d) recommend appointments of members of the public to Council Committees, other City committees and other bodies on which the City is entitled to have representation.

155. Council may receive briefings in Committee of the Whole.

156. In addition to the restrictions contained in section 203(2) of the *Act*, the Committee of the Whole shall not hold statutory public hearings.

157. Committee of the Whole may make the following motions:

- a) to receive agenda reports as information.
- b) to refer matters to Administration or a Committee for review.
- c) make recommendations to Council.

158. A quorum of Committee of the Whole is a majority of Councillors.

159. At a Committee of the Whole meeting, the procedures of Council shall be relaxed as follows:

- a) a Councillor may speak even though there is no motion on the floor, but if there is a motion on the floor a Councillor shall only address that motion;
- b) a Councillor may speak more than once, on a matter provided that each Councillor who wishes to speak to the matter has already been permitted to do so;
- c) no notice need be given of any motion to be made.

160. Members of the public shall be restricted to public seating areas.
161. Committee of the Whole may consider a matter in closed session, in accordance with the *Act and Freedom of Information and Protection of Privacy Act*, R.S.A., 2000, c-F-25.
162. No motions may be made when Committee of the Whole is sitting in closed session in accordance with the *Freedom of Information and Protection of Privacy Act*, R.S.A., 2000, c-F-25 except motions to reconvene the Committee of the Whole meeting.

APPOINTMENT AND ORGANIZATION OF COUNCIL COMMITTEES

163. All members of Council Committees will be appointed by resolution of Council in accordance with Council Policy.
164. Any member of Council may be placed on a Council Committee notwithstanding the absence of any such member at the time of being named upon such Council Committee.
165. Where a member of a Council Committee is absent from the City or is otherwise unable to attend meetings of the Council Committee to which they are a member, the Mayor may appoint a member of Council to attend the meetings of the Council Committee concerned. Such appointment is restricted to one meeting unless authorized by Council. The member so appointed by the Mayor shall have all the powers, privileges and duties as a member of the Council Committee concerned as if appointed by Council thereto.

REGULATIONS FOR CONDUCTING BUSINESS IN COUNCIL COMMITTEES

166. The business of Council Committees shall be conducted under the following regulations and subject to rules governing procedure in the Council:
 - a) The Chairman shall preside at every meeting.
 - b) The name of the Chairman shall appear upon all reports and recommendations made by the Council Committee.
 - c) In the absence of the Chairman, the Deputy Chairman shall preside.
 - d) The minutes of the transaction of every Council Committee shall be accurately entered in a book to be provided for that purpose.
 - e) A report or recommendation to do with any matter or thing shall be recognized as emanating from any Council Committee if:
 - i) it is in writing,

- ii) it bears the name of the Chairman or Acting Chairman,
 - iii) and has been certified correct by a Senior Staff Advisor and refers to the minutes of the Council Committee under which it was issued.
- g) A person shall be designated to record the minutes of the Council Committee meeting.
- h) Any Alderman not a member of a Council Committee shall have the right to attend Council Committee meetings with the right of debate but not to make motions nor vote.
- i) The Mayor shall be an ex-officio member of all Council Committees and the Mayor as such member of the Council Committees shall have all of the same powers and privileges of any member of the same Council Committee including the right to vote upon all questions to be dealt with by such Council Committee.

PETITIONS

167. Statutory petitions will be submitted to the City Manager and will be processed in accordance with the *Act*.

168. Non-statutory petitions will be submitted to the City Manager and must:

- a) be printed, typewritten or legibly written;
- b) clearly set out the matter at issue and the request made of Council;
- c) be temperate and respectful;
- d) be signed (facsimile signature acceptable); and
- e) provide the name and mailing address of the writer or spokesperson for the group submitting the petition.

169. On receipt of a non-statutory petition, the City Manager may do the following:

- a) include it as an item on the agenda for the next regular meeting of Council in full or in summary form;
- b) refer it to Administration for a report to Council or the appropriate Council Committee;
- c) refer it to Administration for action and/or reply, with a copy of such response being sent to Council;
- d) refer it to the Mayor for direct reply, with a copy of such response being sent to Council; or

- e) circulate it to the members of Council individually as information if it does not require any further action by Council.

PLACE OF MUNICIPAL OFFICE

170. The *Act* requires all municipalities to name a place as its municipal office. The place for the municipal office of the City of Spruce Grove is 315 Jespersen Avenue, Spruce Grove, Alberta.

EFFECTIVE DATE

171. This bylaw shall come into force on the date of its third and final reading.

REPEAL OF BYLAWS

172. Bylaw C-614-06, being the Council Procedural Bylaw; Bylaw C-715-09, being the Procedural Bylaw Amendment; Bylaw C-468-02 being the Council Advisory Boards Bylaw; Bylaw C-281-95 being the Establishment and Function of Council Committees Bylaw; and Bylaw C-176-92 being the Acting City Clerk Designation Bylaw; are hereby repealed.

First Reading Carried 9 November 2009

Second Reading Carried 23 November 2009

Third Reading Carried 14 December 2009

Mayor

General Manager of Corporate Services