

**TOWN OF WEMBLEY
PROVINCE OF ALBERTA**

**BY-LAW NO. 743
Procedural Bylaw**

**A Bylaw established to set the Procedures
of Council for the Town of Wembley.**

WHEREAS, pursuant to Section 145 of the Municipal Government Act, RSA 2000, Chapter M-26, Council may adopt bylaws in relation to the establishment and functions of council committees and the procedure and conduct of council and council committees,

AND WHEREAS, pursuant to Section 203 of the Municipal Government Act, Council may by bylaw delegate its powers, duties, or functions to a council committee,

AND WHEREAS, the Municipal Government Act governs the conduct of Council, Councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality.

NOW THEREFORE, the Council of the Town of Wembley, in the Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw to be cited as “The Town of Wembley Procedural Bylaw”.

2. DEFINITIONS

2.1 In this Bylaw, including this section, unless contrary to any other Act, these definitions shall apply:

“**Act**” means the *Municipal Government Act*, RSA 2000, c M-26 as amended from time to time,

“**Acting Mayor**” means the Member of Council who has been determined to act in the event the Mayor or Deputy Mayor is absent or incapacitated,

“**Administration**” means the Chief Administrative Officer or an employee accountable to the Chief Administrative Officer,

“**Agenda**” means the list and order of business items for any meeting,

“**CAO**” means the Chief Administrative Officer or his/her delegate, for the Town,

“**CEO**” means the Chief Elected Official for the Town, which is the Mayor,

“**Chair**” means the person who has been given authority to direct the conduct of a meeting. For meetings of Council, the Chair is the Mayor, or where applicable, the Deputy Mayor or Acting Mayor,

“**Closed Session**” means a part of the meeting closed to the public at which no resolution or by-law may be passed, except a resolution to revert to a meeting held in public,

“**Committee of the Whole**” is a committee consisting of all Members of Council,

“**Council**” means the Mayor and Councillors of the Town of Wembley,

“**Council Meeting**” means an Organizational Meeting, Regular Meeting, or Special Meeting,

“**Councillor**” means a member of Council elected pursuant to the *Local Authorities Election Act*, RSA 2000, Chapter L-21,

“**Delegation**” means one or more persons who have formally requested, and have been granted, an appointment with Council at a Regular Council meeting,

“**Deputy Mayor**” means the Member of Council appointed pursuant to the By-law to act in the event the Mayor is absent or incapacitated,

“**Electronic Participation**” shall mean the participation of a Council member remotely, via electronic means, including telephone, who shall have the same rights and responsibilities as if the Member were in physical attendance.

“**Emergent Items**” shall be those items of an emergency nature that cannot be left until the next meeting or require immediate attention,

“**Ex-officio**” means “by right of office” and will apply to Members of boards and committees who hold the position by virtue of the specific office or position they hold,

“**Mayor**” means the Member of Council duly elected as Chief Elected Official and continuing to hold office,

“Member” means a Member of Council duly elected and continuing to hold office or a Member of Committee duly appointed by Council,

“Minutes” means the formal record of decisions, without note or comment, of a meeting,

“Notice of Motion” means the presentation of a motion, for consideration and debate,

“Organizational Meeting” means the annual Organizational Meeting of Council held pursuant to the Act.

“Point of Order” means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business,

“Point of Privilege” means all matters affecting the rights and exemptions of Council collectively or the propriety of the conduct of individual Members and includes but is not limited to, the following; i. the organization or existence of Council, ii. the comfort of Members, iii. the conduct of Administration or members of the public in attendance at the meeting, and iv. the reputation of Members or Council as a whole,

“Point of Procedure” means a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council to assist a Member to: i. make an appropriate motion, ii. raise a Point of Order, iii. understand the procedure, or iv. understand the effect of a motion.

“Public Hearing” is a Meeting of Council which is convened to hear matters pursuant to the Act; any other legislation; and any other matter that Council directs may be considered a Public Hearing,

“Regular Meeting” is a meeting of Council held in accordance with the Act,

“Rescind” means to repeal, cancel, or revoke,

“Resolution” means a motion made by Council.

“Special Meeting” is a meeting called by the Mayor in accordance with the Act,

“Table” means a motion to delay consideration of any matter in order to deal with more pressing matters, which does not set a specific time to resume consideration of the matter (or may mean to table to a certain time),

“Town” means the corporation of the Town of Wembley and where the context so requires, means the area included within the boundaries of the Town.

3. APPLICATION

- 3.1 This By-law shall govern all meetings of Council.
- 3.2 Other committees established by Council shall also abide by the applicable provisions of this bylaw unless Council has authorized that committee to establish its own rules.
- 3.3 When a matter arises related to the proceedings in a meeting which is not covered by a provision of this bylaw or the Act, the matter shall be decided by reference to Robert's Rules of Order Newly Revised.
- 3.4 In the event of a conflict between the provisions of this bylaw and Robert's Rules of Order, the provisions of this bylaw shall apply.
- 3.5 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 and the laws of the Government of Alberta, specifically the Act.
- 3.6 A resolution waiving any provision of this bylaw as provided for in section 3.5 shall only be effective for the meeting during which it was passed.
- 3.7 In a case where a suspend-able rule is inadvertently not adhered to, and no one's rights are being infringed upon nor is any discernable harm done to the proper transaction of business, the rule shall be deemed to have been suspended for that specific case.

4. SEVERABILITY

- 4.1 If any portion of this by-law is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the by-law is deemed valid.

5. QUORUM

- 5.1 Quorum of Council is a majority of all Members, fifty percent plus one, unless Council provides otherwise in this Bylaw ("Quorum").
- 5.2 When a Quorum is present at the time set for commencement of a Council meeting, the Chair shall call the meeting to order.

- 5.3 If a Quorum is not present within thirty (30) minutes after the time fixed for Regular or Special Meetings, the CAO shall record the names of the Members present, and the Council shall stand adjourned until the next Regular or Special Meeting.
- 5.4 In the case the Mayor or Deputy Mayor is not in attendance within thirty (30) minutes after the time fixed for any meeting and a quorum is present, the CAO shall call the meeting to order, and an Acting Chair shall be chosen by the Members present, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
- 5.5 If Quorum is lost after the meeting is called to order, the meeting shall be suspended until Quorum is obtained. If Quorum is not obtained within thirty (30) minutes, the meeting shall stand adjourned.
- 5.6 Members shall notify the Chair or the CAO if the Member will be absent from any Meeting in advance of the Meeting. Members may notify the Chair or the CAO by email or by phone.

6. ORGANIZATIONAL MEETING

- 6.1 An Organizational Meeting of Council shall be held annually as required by the Act.
- 6.2 At the Organizational Meeting, Council:
 - a. shall appoint a Deputy Mayor in accordance with the Act,
 - b. may appoint an Acting Mayor in accordance with the Act,
 - c. shall set the dates, times, and locations for the Regular Council Meetings,
 - d. shall set the dates and times for committee meetings, if deemed necessary by Council,
 - e. shall appoint Councillors as members on committees, boards, and commissions, as required; and
 - f. may deal with any other related business as required by the Act, Town Bylaws or deemed necessary by Council.
- 6.3 The CAO shall set the time and place for the first Organizational Meeting following the general municipal election.
- 6.4 At the first Organizational Meeting following the general municipal election:
 - a. the CAO shall call the meeting to order and preside over the meeting until the Oath of Office has been taken by the Mayor;
 - b. After the Mayor has taken the Oath of Office, he shall preside over the meeting and each Councillors shall take the Oath of Office;

- c. The Mayor and each Councillor shall acknowledge, sign and date the Council Code of Conduct;
- d. The business of Council shall be limited to the calling of the meeting, administration of the Oath of Office, introduction of new Members, development of the Deputy Mayor's schedule for the following year, the appointment of Members to Committees and such other business as may be required by the Act.

7. **REGULAR COUNCIL MEETINGS**

- 7.1 The Regular Meetings of Council shall be established by resolution at the annual Organizational Meeting or at a Meeting of Council following the Organizational Meeting, as required.
- 7.2 The Council of the Town of Wembley shall consist of seven (7) elected officials, being six (6) Councillors (Members) and one (1) Mayor.
- 7.3 The position of Deputy Mayor shall be appointed based on a schedule approved by Council at the Organizational Meeting.
- 7.4 The Regular Meetings of Council shall be held in Council Chambers, Town of Wembley Municipal Office, on the second and fourth Monday of each month.
- 7.5 When the meeting day falls on a statutory holiday, the meeting shall be held the following day which is not a statutory holiday, unless otherwise set by Resolution of Council.
- 7.6 Council shall hold no less than two (2) meetings per month, except for July, August, and December to adequately deal with the business of the Town. Council will pre-determine the meeting schedule for July, August, and December no later than the last meeting in June.
- 7.7 Regular Meetings of Council shall commence at 7:00 p.m.
- 7.8 Regular Meetings shall adjourn by 11:00 p.m., unless Council passes a motion to extend the meeting.
- 7.9 A Member who wishes to leave the meeting prior to adjournment shall so advise the Chair and the time of departure shall be noted in the minutes.
- 7.10 No Member shall, subject to the Act, leave the Council Chamber after a question is put to a vote until the vote is taken.

8. SPECIAL COUNCIL MEETINGS

8.1 Special meetings of Council shall be called in accordance with the provisions of the Act.

9. AGENDAS AND MINUTES

9.1 The CAO has the authority to set out the standard order of business for agendas.

9.2 Prior to each regular meeting, the CAO shall prepare an agenda of all business to be brought before Council. To enable the CAO to do so, all documents intended to be submitted to Council shall be received by the CAO no later than 1:00 p.m. on the Monday prior to the next Council meeting date.

9.3 The CAO shall place at the disposal of each member of Council, a copy of the agenda and supporting materials no later than 5:00 p.m., the Friday immediately preceding the meeting date. The agenda package and any supplemental materials will be made available to the public (unless withheld under the Act or the *Freedom of Information and Protection of Privacy Act*), by posting in the Town Office and on the Town's website.

9.4 Where the deadlines in Section 9.2 or 9.3 are not met, the agenda and supporting materials shall be deemed to be acceptable by Council when the agenda is adopted at the regular meeting.

9.5 The agenda and any amendments to it must be confirmed by a Majority vote at the start of meeting of Council.

9.6 If an alteration to the order of business is desired to take up an urgent matter or for the convenience of the meeting, the Chair may make such alteration, but shall not delete any portion of the business set out in the adopted Agenda.

9.7 The business intended to be dealt with shall be stated in the agenda in the following order where applicable:

- a. Call to Order
- b. Adoption of Agenda
- c. Adoption of previous minutes
- d. Public Hearings
- e. Delegations
- f. By-Laws
- g. Finance

- h. Reports
 - i. Correspondence
 - j. New Business
 - k. Council and Committee Reports/Round Table
 - l. Adjournment
- 9.8 Where Administration has made a recommendation to Council regarding a matter, the recommendation shall take the form of a draft motion. A recommendation does not constitute a motion until a Council Member has expressly moved it.
- 9.9 The preparation and distribution of Minutes is the responsibility of the CAO.
- 9.10 Any Member may make a motion to request that the Minutes be amended to correct any inaccuracy or omission.
- 9.11 The CAO may make minor changes to the Minutes to correct errors in grammar, spelling, motion numbers, sentence structure and punctuation. No change is permitted that would alter or impact the actual decision made by Council.
- 9.12 Meeting Minutes, once approved by Council, shall be made available to the public upon request and posted on the Town website.

10. CONDUCT OF BUSINESS

- 10.1 The Chair shall preserve order, decorum, and decide questions of procedure subject to an appeal to the Council; and the decision of the Chair shall be final unless reversed by a majority vote of the members present, without debate.
- 10.2 The Chair shall give each Member of Council who wishes to speak on an item, an opportunity to do so before calling the question. No Member of Council shall speak without first being recognized by the Chair; and being granted the floor.
- 10.3 Every Member of Council, and every member of Administration present at the meeting, in speaking to any question or motion, shall address himself/herself only to the Chair.
- 10.4 When a member of Council is addressing Council, he/she shall:
- a. not use offensive, disrespectful, or unkind words in referring to any Member, or to any official or staff member of the Town or any member of the Public,
 - b. not shout or immoderately raise his/her voice or use profane, vulgar, or offensive language,

- c. assume personal responsibility for any statement she/he quotes to Council or upon request of Council shall give the source of the information.
- 10.5 When a member is addressing Council, every other Member shall:
- a. Remain quiet,
 - b. Not interrupt the speaker except on a point of order,
 - c. Not carry on a private conversation, and
 - d. Not cross between the speaker and the Mayor or Chair.
- 10.6 The Chair may rule any Member of Council out-of-order for failing to observe any of the above noted restrictions; and any Member of Council so ruled out-of-order shall immediately cease to speak.
- 10.7 In the event that a Member of Council refuses to come to order as required by Section 10.1 when called to order, the Mayor or Chair shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, a Member of Council, to move a resolution to remove the unruly Member either for:
- a. The balance of the meeting or until:
 - b. A time which shall be stated in the motion, or;
 - c. The Member makes an apology acceptable to Council for his unruly behaviour, whichever shall be the shortest time.
- 10.8 If a majority of Council votes in favour of the resolution, the Mayor or Chair shall direct the unruly Member to leave the Council Chambers and if the Member refuses to leave, direct that he be removed by any police constable present in the Council Chambers.
- 10.9 If after Council has directed an unruly Member to leave the Council Chambers, the Member so directed provides an explanation and apology adequate and satisfactory to the Council, it may by majority vote of the remaining Members present allow the offending Member to remain in his place if he has not left or been removed, or to return to the Council Chambers if he has.
- 10.10 When two or Members of Council desire to speak to a matter, the Chair shall establish the priority.
- 10.11 Where a Member wishes to leave the Council Chambers while a meeting is in progress, he shall address the Mayor or Chair, excuse him and await acknowledgment before leaving his place.

- 10.12 No Member shall leave the Council Chambers after a question is put to vote until the vote is taken.
- 10.13 The Mayor or Chair may direct that a constable removes any person in the audience who creates a disturbance during a meeting.
- 10.15 During the reading of any reports, communications, or other papers, and when a Member of Council or any other person is addressing Council, silence shall be observed, and no person shall be allowed to disturb the meeting.
- 10.16 The procedures to be followed at a Public Hearing shall be as indicated on Schedule “A” attached to this By-law.

11. VOTING AND RESOLUTIONS (MOTIONS)

- 11.1 Once a motion is presented and acknowledged, the motion belongs to the Council. No seconders are required for motions.
- 11.2 A motion may be withdrawn at any time before voting, as long as there is the consent of the majority of Council to do so.
- 11.3 The following motions are not debatable by members:
- a. adjournment
 - b. to take a recess
 - c. Point of Privilege
 - d. Point of Order
 - e. to limit debate on a matter before members
 - f. postpone/table the matter to a certain time
- 11.4 Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any Member so requests or when the Chair so directs.
- 11.5 If any Member of Council wishes to have a recorded vote, the request for a recorded vote must be made prior to the vote being taken. The Chair shall directly ask every Member in turn how they wish to vote on the matter at hand.
- 11.6 If there are an equal number of votes for and against a resolution or By-law, the resolution or By-law is defeated.

- 11.7 A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of the pecuniary interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed in the Municipal Government Act.
- 11.8 The Chair must state the motion before putting it to a vote, to ensure that the Members and the public fully understand what is being voted on.
- 11.9 The Member making a motion, after debate on a main motion has begun, may, with general consent, make minor changes to the wording or agree to a minor change proposed by another Member.
- 11.10 Any Member may require the motion under discussion to be read at any time during the debate, except when a member is speaking.
- 11.11 Unless otherwise required under the Act, or this Bylaw, a simple majority vote shall be required for each motion.
- 11.12 When a main motion has been made and is being considered, a member may make a secondary motion. Secondary motions include privileged, subsidiary, and incidental motions. Further, incidental motions may be in the form of a main motion. Please see Schedule "C" for further clarification.
- 11.13 Every Member present, including the Chair, shall vote on every matter, unless:
- a. the Member is required to abstain from voting under this or any other bylaw or enactment; or
 - b. the Member is permitted to abstain from voting under this or any other bylaw or enactment.
- 11.14 A Member present at a meeting shall make a request for a recess if, for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent, unless that Member is excused from voting pursuant to this section.
- 11.15 A Member, wishing to introduce a motion for consideration, must provide the Notice of Motion in writing to the CAO no later than one (1) week prior to the meeting.
- 11.16 The CAO must place the Notice of Motion on the next Council meeting agenda for which the submission deadline has not passed.
- 11.17 A Member of Council moving a motion to table any matter, whether the matter is contained in a petition, enquiry, motion or other matter before Council, shall include in the tabling motion:

- a. The time at the present meeting or the date of a future regular or special meetings to which the motion is to be tabled or;
 - b. A provision that the matter is to be tabled.
- 11.18 A motion to table a matter shall not be debated except as to the time when Council will again consider the motion.
- 11.19 A matter which has been tabled to a particular date shall not be again considered by Council before the date set except on a vote of majority of the members of Council present and voting on it.
- 11.20 A motion to postpone any matter shall include in the motion:
- a. The time at the present meeting or the date of a future regular or special meetings to which the motion is to be tabled or;
 - b. A provision that the matter is to be tabled.
- 11.21 A motion to postpone a matter is amendable and debatable.
- 11.22 Any matter that has been postponed to a particular date, or indefinitely, shall not be considered by Council before the date set, except on a majority vote of the Members present.
- 11.23 When dealing with subject matters where a Committee has been appointed for that purpose, Council may, without amendment or debate, refer the question to the appropriate body.
- 11.24 A motion to refer any matter, until it is decided, shall preclude all amendments to the main question; further, said motion to refer is open to debate, but only as to whether or not to refer.
- 11.25 A Member of Council making a Motion to refer shall be required to include in the motion:
- a. Terms on which the matter is being referred;
 - b. the time when the matter is to be returned; and
 - c. whatever explanation is necessary as to the purpose of the motion.
- 11.26 It is the duty of the Mayor or Chair to determine if a motion or amendment is in order and the Mayor or Chair may decline to put a motion before Council if it is out of order or contrary to law.

- 11.27 The Mayor or Chair shall advise Council and shall cite the applicable rule or authority when determining that a motion is out of order.
- 11.28 Any Member of Council may raise the question of whether or not a motion is in order.
- 11.29 No Member of Council shall speak without first being recognized by the Mayor or Presiding Officer and being granted the floor.
- 11.30 Except as otherwise provided in this Section, no Member of Council may speak more than twice on any motion.
- 11.31 Notwithstanding Section 11.30 a Member of Council after receiving permission from the Mayor or Chair, may speak in explanation of a material part of his speech which has been misquoted or misunderstood but he may not introduce any new matter and there shall be no debate on the explanation.
- 11.32 Notwithstanding Section 11.30, a Member of Council who has moved a substantive motion, other than a motion:
- a. To approve or accept a recommendation in another report made to Council, or;
 - b. To appoint or instruct a Committee, or;
 - c. That the main question before the Council be immediately put to a vote, may speak in reply to close the debate after all other members of Council have been given an opportunity to speak.
- 11.33 Notwithstanding Section 11.30, before the debate has been closed and the question called on a motion and when another Member does not have the floor, a Member may during the debate:
- a. Ask a question which relates directly to the debate, contains no argument and introduces no new material on the motion, or;
 - b. Request that the motion or a part thereof be read aloud.
- 11.34 Unless Council by a majority vote shall extend the time, no Member of Council shall speak longer than:
- a. Five (5) minutes on any original motion before Council, or;
 - b. Three (3) minutes on any amendment to an original motion before Council.
- 11.35 If the Mayor or Presiding Officer wishes to join in the debate on a question or motion properly before Council, he shall vacate the Chair and request the Deputy Mayor or some other member of Council take the Chair.

- 11.36 The Presiding Officer may rule any Member of Council out-of-order for failing to observe any of the above noted restrictions and any Member of Council so ruled out-of-order shall immediately cease to speak.
- 11.37 When a Member who has moved a motion has closed the debate, the Mayor or Chair shall declare the motion and put the motion to a vote.
- 11.38 Recommendations are not motions; a motion must be made on any Agenda item before it is discussed. A recommendation within an agenda or report does not constitute a motion until a Member of Council has expressly moved it.
- 11.39 No motion shall be offered on items that are not on the agenda as adopted. Members of Council wishing to introduce motions at a meeting shall do so by Notice of Motion for a future regular meeting.
- 11.40 No motion shall be offered that is subsequently the same as one on which the judgment of the meeting has already been expressed during the same meeting.
- 11.41 A Member may move a motion to adjourn the meeting at any time except when:
- a. Another Member is in possession of the floor;
 - b. The Members are voting;
 - c. Council is in a Closed Meeting session, or;
 - d. A previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.
- 11.42 A motion to adjourn shall be put to vote without comment or debate.
- 11.43 Notwithstanding the above, a Member may move to discuss a matter of urgent public importance without prior Notice of Motion.
- 11.44 A motion to bring a matter before Council as an emergent matter is subject to the following conditions:
- a. The matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;
 - b. the matter shall not involve discussion on an item that has been discussed previously in the same meeting;
 - c. the matter shall not be one which should be dealt with by giving written Notice of Motion; and the matter shall not raise a Question of Privilege.

12. BYLAWS

- 12.1 When a By-law is presented to Council for enactment, the CAO shall publish the number and title of the Bylaw in the Agenda.
- 12.2 The CAO shall copy the Bylaw in full and forward it with the agenda.
- 12.3 Every Bylaw shall have three distinct and separate readings. Only the title or identifying number must be read at each reading.
- 12.4 A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
- 12.5 Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- 12.6 A Bylaw shall be introduced for second reading by a motion that it be read a second time, specifying the number of the Bylaw.
- 12.7 After a member has made a motion for second reading of a Bylaw, Council may:
 - a. debate the substance of the Bylaw; and
 - b. propose and consider amendment to the Bylaw.
- 12.8 A Bylaw shall not be given more than two readings at one meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for third reading.
- 12.9 When Council unanimously agrees that a Bylaw may be presented for third reading:
 - a. motion for third reading of the Bylaw shall be made,
 - b. Council shall vote on the motion without amendment or debate,
 - c. the third reading requires no greater majority of affirmative votes than if it had received third reading at a subsequent meeting.
- 12.10 A Bylaw shall be passed when a majority of the Members voting on third reading vote in favour, provided some other applicable Provincial Statute or By-law does not require a greater majority.
- 12.11 In accordance with the Act:
 - a. If a Bylaw does not receive third reading within two (2) years from the date of first reading, the previous readings are deemed to have been rescinded; and

- b. If a Bylaw is defeated on second or third reading the previous readings are deemed to have been rescinded.
- 12.12 After council votes affirmatively for a third reading of a bylaw it:
- a. Becomes a municipal enactment of the Town, and;
 - b. Is effective immediately unless the bylaw provides otherwise.
- 12.13 After passage, a bylaw shall be signed by the Mayor or by a member presiding at the meeting at which it was passed and by the CAO and shall be impressed with the corporate seal of the Town.
- 12.14 Where prescribed by provincial statute requiring a bylaw to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes.
- 12.15 After a bylaw requiring a vote of the electorate has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.

13. DELEGATIONS

- 13.1 Anyone wishing to be heard before Council shall submit in writing a letter to the CAO which identifies the issue or topic to be addressed, unless otherwise invited by Council to attend.
- 13.2 The letter shall be signed by the correct name of the writer and contain the full mailing address of the writer. The letter is to be delivered or mailed or emailed to the office of the CAO so that it arrives before 1:00 p.m. on the Monday immediately preceding the meeting at which it is to be presented. If the writer wishes to appear before Council, it shall be so stated in the letter. Submission of presentation material also falls within this guideline to ensure the material is included in Council's agenda package.
- 13.3 Delegations shall be granted a maximum of fifteen (15) minutes to present the matter outlined in their letter. The Chair may, with consent of the majority of the Members present, extend the time.
- 13.4 Any taxpayer or Town resident, wishing to attend Council as a delegation, is restricted to one presentation on the same topic every six (6) months. If the person or group wishing to address is not a taxpayer or Town resident, or if the subject is the same as one addressed within the six (6) month period, then Council shall consider the request and determine whether to receive the delegation.
- 13.5 The rules and procedures to be followed for Council Meeting Delegations shall be as indicated on Schedule "B" attached to this Bylaw.

- 13.6 All delegations shall address, and be directed by, the Chair.
- 13.7 During the delegation, the matter at hand may not be debated by Members, nor shall the Chair recognize any motions pertaining to the matter.
- 13.8 Matters brought forward by a delegation may be discussed, debated, and decided upon during the disposition of delegation business portion of the agenda, unless the matter appears elsewhere in the agenda.

14. **ROLE OF THE PUBLIC**

- 14.1 Everyone has a right to be present at Council meetings and committee meetings conducted in public, as outlined in the Act.
- 14.2 Individuals in attendance shall:
 - a. not address the Council or committee without permission,
 - b. not interrupt any speech or action of any person addressing Council or a committee, and
 - c. not engage in any improper conduct as determined by the Chair.
- 14.3 The Chair may order a member of the public who disturbs or acts improperly at a meeting to be expelled. The Chair may request the assistance of Peace Officers.

15. **CLOSED SESSIONS**

- 15.1 The only matters to be considered in a Closed Session meeting must pertain to one (1) of the exceptions to disclosure in Part 1, Division 2 of the *Freedom of Information and Protection of Privacy Act*.
- 15.2 Council or a Standing Committee must not make motions or vote at a Closed Session meeting except on a motion to recess or to revert to a Public Meeting.

16. ELECTRONIC PARTICIPATION

- 16.1 Members may be permitted to participate in Council and Standing Committee by electronic participation, when they are unable to attend the meeting in person.
- 16.2 A member requiring to participate electronically shall be required to provide the CAO with a minimum of 24 hours' notice of their intention.
- 16.3 The meeting Chair shall not be permitted to participate electronically.
- 16.4 The permitted participation in meetings electronically shall include Closed Session for Council and Standing Committees.
- 16.5 Meeting record(s) shall reflect which members attended electronically and which members attended physically.
- 16.6 A Member may participate in all or a portion of a Council or Standing Committee meeting via remote access if:
 - a. the Member is in a location outside the Town for any reason; or
 - b. the Member is unable to attend in-person due to personal, medical, or family medical reasons,
 - c. there is a Quorum of other Members to ensure the meeting can continue should remote access to the meeting fail; and
 - d. the Member does not exceed the maximum of six (6) Committee meetings and six (6) Council meetings via remote access per year.

17. RECORDING DEVICES

- 17.1 All Regular Council Meetings may be audio recorded. This Section does not apply to Meetings or portions of Meetings held in Closed Session. The audio-recordings are for internal use only and not available to the public at any time except with a written request provided to the Town's FOIP Coordinator pursuant to the *Freedom of Information and Protection of Privacy Act*.
- 17.2 Audio recordings shall be retained for a period of one (1) years after which time such audio recordings shall be destroyed.
- 17.3 The audio recordings are not the official record of Regular Council Meetings or Committee Meetings and are for internal use only.

- 17.4 Audio recordings shall only be released from the Town's possession by way of:
- a. *Freedom of Information and Protection of Privacy Act* (FOIP) request; or
 - b. Written authorization from the CAO of the Town when it is deemed necessary, and it is in the best interest of the Town.
 - c. Prevailing legislation, law, or court order.
- 17.5 Council, by motion, may order the permanent retention of a particular audio recording or a segment of an audio recording for historic or other significant purpose to be stored in a safe and secure location.
- 17.6 Any other audio or video recordings shall not be permitted in Council Chambers unless explicitly approved by Council resolution at that meeting.

18. COMMITTEE REPRESENTATIVES

- 18.1 Council may, by motion, appoint Committee representatives consisting of one or more Members of Council and public representatives.
- 18.2 All Committee representatives shall be appointed by motion of a majority of Members of Council.
- 18.3 In any case where a representative of a committee is absent from the Town or is otherwise unable to attend three (3) consecutive meetings of the Committee of which he/she is a member, the Chair may appoint another Member of Council to such Committee to attend the meetings of that Committee.
- 18.4 Prior to the conclusion of their term, if a member at large appointed to a board or committee chooses to resign from their appointment for any reason, he or she may do so by submitting a written resignation to the CAO.
- 18.5 The membership of the Committees shall be subject to revision, on a yearly basis, at the Organizational meeting of a Council's term of office.

19. COMMITTEES

- 19.1. Council may appoint such standing and special Committees as are necessary and expedient for the orderly and efficient handling of the affairs of the Town and shall establish the Terms of Reference for said Committees.

- 19.2. The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 19.3. When establishing a Committee, Council must adopt Terms of Reference for the Committee that:
 - a. Name the Committee;
 - b. Establish membership, purpose and authority;
 - c. Sets the term or directs that the committee exists on an on-going basis at the pleasure of Council; and
 - d. Allocates any necessary budget or other resources.
- 19.4. The quorum required for a meeting of a special or standing committee shall be determined based on the number of members specifically named to the Committee only.
- 19.5. Unless Council designates the Chairperson of a committee, designates who shall select the Chairperson or the manner in which he shall be selected, each standing or special committee shall select its own Chairperson.
- 19.6. The CAO will facilitate an annual review by Council of all Committees' Terms of Reference prior to the annual Organizational Meeting and committee appointments.
- 19.7. Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the approved Terms of Reference.
- 19.8. The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 19.9. At its first meeting each year, a Committee shall elect a Chairperson and Vice-Chairperson for a one (1) year term from among the Members unless Council designates:
 - a. the Chairperson of a Committee; or
 - b. the manner in which the Chairperson shall be selected.
- 19.10. A Member of a Committee can remain in the position of Chairperson for a maximum of three terms of office.

- 19.11. A Chairperson of a Committee may be removed from office by a vote of a majority of the members of the Committee. No motion to remove the Chairperson shall be in order unless Notice of Motion has been given in writing at a regular meeting of the Committee held at least seven days prior to the meeting at which the motion is considered.
- 19.12. The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.
- 19.13. In the absence or inability of the Chairperson to preside over a meeting, the Vice-Chairperson shall preside and shall exercise the same powers, duties and responsibilities that the Chairperson would be entitled to exercise if present.
- 19.14. In the absence or inability of both the Chairperson and Vice-Chairperson to preside over a meeting, the members present, if they constitute a quorum, shall elect one of the members present to preside for that meeting.
- 19.15. A Committee shall conduct its meetings in public in accordance with the provisions of the Act.
- 19.16. Committees shall adhere to the following minimum meeting requirements:
- a. Committees shall establish, on an annual basis, a schedule of regular meetings;
 - b. a regular meeting schedule established under this section must be filed with the Legislative Coordinator for a minimum of three (3) clear days prior to the first meeting in the schedule;
 - c. the Chairperson may call a meeting of the Committee at any time and must do so if a majority of Committee members so request in writing, including a statement of purpose of the meeting. A Special Meeting requested by Committee members must be held within 14 days after the request is received; and
 - d. notice of Committee meetings not approved in the established annual schedule, or cancellation of a previously called meeting, must comply with requirements for Public Notice as set out in this bylaw and be filed with the Legislative Coordinator, a minimum of 48 hours prior to the meeting.
- 19.17. Minutes must be prepared for all Committee meetings and must:
- a. include all decisions and other proceedings;
 - b. include the names of Committee members present at and absent from the meeting;
 - c. include any abstentions made under the Act by any member and the reason for abstention;
 - d. include the signatures of the Chair and the Recording Secretary; and

- e. be retained in a safe manner and be available upon request. A final copy of minutes must be filed with the CAO within a minimum of three working days after being confirmed by the Committee.
- 19.18. When a Committee is of the opinion that a meeting should be held in Closed Session, the motion passed to authorize the Closed Meeting shall include the reason for holding the meeting during Closed Meeting, and the meeting shall be conducted in accordance with the Act.
- 19.19. Committee meetings shall be open to all Members of Council, but only those Members specifically appointed to that Committee, or appointed ex-officio are entitled to take part in discussion and debate and vote on any matter before the Committee.
- 19.20. A Member of a Committee who has a pecuniary interest in a matter before the Committee shall disclose the general nature of the interest and abstain from discussing the matter or voting on the matter and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.
- 19.21. Any Member absent from three (3) consecutive regular meetings of a Committee, unless such absence is authorized by resolution of the Committee, will automatically forfeit his/her membership as of the date of the third consecutive meeting absent from. Any member forfeiting his/her membership may be eligible for re-appointment in the future but not for the unexpired portion of the term forfeited.
- 19.22. No Committee or any Member of a Committee has:
- a. power to pledge the credit or course of action of the Town or enter into any agreement on behalf of the Committee or Town;
 - b. power to authorize any expenditure to be charged against the Town without prior approval by Council; or
 - c. authority to act except as established in the Terms of Reference for the Committee.
- 19.23. Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.
- 19.24. A Committee shall report to Council, as required.
- 19.25. The CAO shall appoint a representative from Administration to each Committee who shall:
- a. ensure required notice is given, and accurate minutes are kept, for all Regular and Special Meetings of the Committee;
 - b. provide advice, research, information and additional support staff as required by the Committee; and

c. not be a member of the Committee and may not vote on any matter.

20. REPEAL BYLAW 725

20.1 The Town of Wembley Bylaw No. 725 is hereby repealed.

21. ENACTMENT

21.1 This Bylaw shall come into full force and effect on the date it is finally passed by Council.

Read first time this 8 day of November, A.D., 2021

Read second time this 8 day of November, A.D., 2021

Read third and final time this 8 day of November, A.D., 2021

(Signed)

Mayor - Kelly Peterson

(Signed)

CAO - Noreen Zhang

SCHEDULE “A”
PUBLIC HEARING PROCEDURES

The procedures to be followed at a Public Hearing are as follows:

1. INTRODUCTION

The Chair will introduce the first item on the agenda and advise the public that all documents presented at this hearing are deemed to be public documents unless stated on the document that it is confidential. The Chair will then request Administration brief the Hearing further on the issue at hand.

2. IN FAVOUR

The Chair will ask if there is anyone present who wishes to speak in favour of the proposed item.

3. IN OPPOSITION

The Chair will ask if there is anyone present who wishes to speak in opposition of the proposed item.

4. GENERAL COMMENTS OF ISSUE

The Chair will ask if there is anyone present who wishes to make any general comments (neither in favour nor in opposition) to the proposed item.

5. FINAL COMMENTS FROM ADMINISTRATION

The Chair will ask if there are any further comments from Administration. Administration will advise, at this point, of any correspondence received from parties present at or absent from the Public Hearing.

6. CLOSING

If the proposed item is the only item on the Public Hearing Agenda, the Chair will ask for a motion to close the Public Hearing.

If there is more than one item on the Public Hearing Agenda, the Chair will indicate that discussion on the current item has closed, and Council will then hear the next item on the Public Hearing Agenda.

... (Continued from previous page - Schedule "A")

7. CONTROL AND CONDUCT OF MEETINGS

- 7.1 Persons addressing Council should give their name and address and indicate if they are speaking on their own behalf, or for a client, company, community association, club, organization, or other group.

- 7.2 No person shall address Council:
 - a. without the permission of the Chair,
 - b. for more than five (5) minutes unless permission is granted by Council for a longer presentation.

- 7.3 Members of the Public who constitute the Gallery during a Public Hearing:
 - a. shall maintain order and quiet; and
 - b. shall not applaud or otherwise interrupt any speech or action of the Members of Council, or any other person addressing Council.

- 7.4 The Chair may, at any Public Hearing, cause to be expelled and excluded any person who creates any disturbance or acts improperly during a meeting.

SCHEDULE “B”

RULES AND PROCEDURES FOR COUNCIL MEETING DELEGATIONS

To provide for an early and fair method of dealing with delegations at Council meetings of the Town of Wembley, the following Rules and Procedures will apply:

1. Any person or a representative of any delegation or group of persons who wishes to bring any matter to the attention of Council, or who wishes to have any matter considered by Council shall address a letter or other communication to the Chief Administrative Officer outlining the subject to be discussed.
2. Request for delegations to be included on the agenda must be submitted to the CAO by 1:00 p.m. on the Monday prior to the next Council Meeting date and shall indicate the date of the Council Meeting that the delegation would like to attend. In addition, any written material that you wish to place before Council must be submitted to the CAO at this time.
3. In order to ensure that Council will have adequate time to deal with municipal business, the CAO can limit the number of delegations appearing at meetings of Council.
4. In the case where a delegation is denied for a specific Council meeting, the CAO (in consultation with the Chair) shall review such denial and may reconsider the denial if the matter is deemed to be an emergency.
5. Delegations making application to discuss a matter that has already been discussed and dealt with through an earlier delegation may not be allowed to appear before Council.
6. The Chair will invite you to speak, and you may make your presentation. If the delegation consists of more than one individual, a spokesperson for the delegation must be chosen and only that person will be entitled to address Council.
7. Delegations are limited to fifteen (15) minutes and the Chair shall interrupt the presenter when the expired time approaches to inquire as to the time required to complete the presentation. The Chair has the sole discretion of allowing additional time to complete the presentation.
8. Council will listen to the delegations’ comments without interruption. At the end of the presentation, the Chair may invite members to ask questions, up to fifteen (15) minutes, to clarify points.

... (Continued from previous page – Schedule “B”)

9. Members of Council shall only ask questions for clarification from the delegation and shall not engage in any debate with the delegates.
10. When addressing Council or answering a question, regardless of where the question came from, presenters should always address their comments to the Chair. This helps maintain order in the meeting.
11. Presenters who deviate from the subject matter that was indicated in their request to be a delegate will be interrupted by the Chair. If the presenter persists in deviating from the subject matter the Chair may terminate the presentation.
12. As a delegation, you should not speak disrespectfully of any person, use offensive language, or enter into cross debate with staff or Council members.
13. Once the questions have been addressed and the delegation is ended, Council will not entertain any further comments from the delegation.
14. Council may not respond immediately to your request. The matter will be taken under consideration and dealt with at a later meeting. Council may also wish to have a report from staff, especially on a matter of technical nature which may require some research. You will be
15. advised by the CAO of Councils decision in due course.

SCHEDULE “C”

PRIVILEGED, SUBSIDIARY, AND INCIDENTAL MOTIONS

1. Privileged Motions

Motions	Usage
a. Fix the Time for Adjournment	<p>A motion to set an “adjourned meeting” (a continuation of the same meeting, to conclude the same order of business).</p> <p>Is not debatable but may be amended as to time.</p>
b. Adjourn	<p>A motion to close the meeting.</p> <p>Is not debatable or amendable. This can be handled by General Consent.</p>
c. Recess	<p>A motion to take a short intermission in the proceedings.</p> <p>Is not debatable or amendable. This can be handled by General Consent.</p>
d. Raise a question of privilege.	<p>A request or a motion, usually concerning the rights or privileges of the Members collectively, or an individual.</p> <p>A speaker shall only be interrupted if the circumstances require this action. After a Member has stated the points of privilege, the Chair shall rule whether the matter raised is a question of privilege.</p> <p>Where the Chair has ruled that a matter is a question of privilege, the Member raising the same may speak on it but there shall be no debate on the matter unless a motion is put to Council or committee.</p> <p>If the issue relates to noise or another distraction, it is handled informally by the Chair, or by General Consent.</p>

... (Continued from previous page – Schedule “C”)

2. Subsidiary Motions

Motions	Usage
<p>a. Lay on the Table</p>	<p>A motion to lay the pending question aside temporarily when something else of immediate urgency has arisen. Is not debatable or amendable.</p> <p>When the interrupting event is over, the tabled main motion is resumed, usually by general consent. If done formally, a motion to take from the table is not debatable or amendable.</p> <p>If the question is not taken from the table prior to close of the next regular meeting, the question dies.</p>
<p>b. Call the Question (that the vote must now be taken)</p>	<p>A motion to close debate and vote immediately. When done formally, it is not debatable as requires a Majority vote of the Members present. Ending debate can be done informally, by general consent, provided there are no objections.</p>
<p>c. Limit or Extend Limits of Debate</p>	<p>A motion to limit or extend limits of debate. Is not debatable, must be passed by a two-thirds (2/3) vote and may only be amended as to the limit to be placed on debate.</p> <p>Can be decided by general consent.</p>
<p>d. Postpone to a certain time or date</p>	<p>A motion to postpone consideration of a main motion to a specified later meeting or a specific time during the same meeting.</p> <p>Is only debatable or amendable as to the time to which the motion is to be postponed.</p>
<p>e. Refer</p>	<p>A motion to send a pending question to a committee, department, or selected persons so that the question may be carefully investigated and put into better condition for Council to consider. Instructions may be included: scope of referral, deadlines, etc.</p> <p>Is debatable (as to the merits of referral) and amendable (as to the body to which the main motion is to be referred and/or as to any instructions to the body).</p>

<p>f. Amend</p>	<p>A motion to change the wording of another motion before voting on it. Amendment usually occurs by adding or inserting text, deleting text, or replacing text.</p> <p>Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendment.</p> <p>The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.</p> <p>Nothing in this section shall prevent other proposed amendments being read for the information of the Members.</p> <p>“Friendly amendments” may occur informally as outlined in section 11.13.b.</p>
<p>g. Postpone indefinitely</p>	<p>A motion to postpone indefinitely is generally used as a method to dispose of a question without bringing it to a direct vote.</p> <p>Must include a reason for postponement and is debatable. Debate can go into the main question.</p>

3. Incidental Motions

Motion	Usage
<p>a. Point of Order</p>	<p>A Member who desires to call attention to a violation of the rules of procedure shall raise a point of order. This procedure may interrupt the speaker.</p> <p>The Member shall state the point of order with a concise explanation. The Chair makes a ruling whether the point of order is well taken or not well taken.</p> <p>The Chair may also opt to ask the Members to make this determination, by majority vote.</p>

... (Continued from previous page – Schedule “C”- section 3. Incidental Motions)

	<p>The speaker in possession of the floor when the point of order was raised shall have the right to the floor when debate resumes.</p>
b. Appeal	<p>The decision of the Chair on points of order or a question of privilege shall be final, subject to an immediate appeal by a Member at the meeting.</p> <p>If the decision is appealed, the Chair shall give concise reasons for their ruling and the Members, without debate, shall decide the question. The ruling of the Members shall be final.</p>
c. Suspend the Rules	<p>A motion to allow the Members to waive a rule of order for a specific purpose. This motion cannot be used to suspend any provisions from the Municipal Government Act, or other applicable legislation.</p> <p>This motion may be handled by the Chair informally, with general consent. If handled formally, requires a two-thirds (2/3) vote of members present.</p>
d. Division of the Question	<p>When the motion under consideration contains distinct propositions, the vote upon each proposition shall, at the request of any Member, be taken separately.</p>
e. Motion to Withdraw	<p>After a motion is moved, the motion belongs to the assembly, which may withdraw it by a majority vote or by general consent.</p> <p>If there is not general consent, a motion to withdraw cannot be debated or amended.</p> <p>Once a motion is withdrawn, the effect is the same as if it had never been made.</p>

4. Reconsidering and Rescinding Motions

Motion	Usage
a. Motion to Rescind	<p>With previous notice, a motion to rescind a previous motion may be accepted by the Chair; and, if passed by a majority vote of the Members present, the previous motion referred to would be declared null and void.</p> <p>Without previous notice, a motion to rescind a previous motion may be accepted by the Chair; and, if passed by two-thirds (2/3) of those Members present, or a majority of the entire Council, the previous motion referred to would be declared null and void.</p> <p>If a motion to rescind relates to an action taken at a previous meeting, and the matter does not appear on the Agenda, Members may serve notice of motion to provide advance notice.</p> <p>A motion to rescind will not undo actions, which have already been taken because of the motion previously passed.</p>
b. Motion to Reconsider	<p>After a motion has been voted upon, and before moving to the next item on the agenda or at any time before the Chair declares the meeting adjourned, any Member who voted with the prevailing side may make a motion to reconsider and shall state the reason.</p> <p>Debate must be confined to reasons for or against reconsideration.</p> <p>If carried, the question on which the vote is to be reconsidered becomes the next order of business in the exact position it occupied the moment before it was voted on originally.</p> <p>Reconsideration of the question shall be open to debate, voted upon, and shall require the votes of a majority of Members present to carry it, unless otherwise required by this bylaw.</p>