

**BYLAW #512-16
VILLAGE OF HUSSAR**

A BYLAW OF THE VILLAGE OF HUSSAR IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF MEETINGS OF COUNCIL AND COUNCIL COMMITTEES AND DEFINE CERTAIN DUTIES OF THE COUNCIL AND OFFICERS OF THE VILLAGE OF HUSSAR.

WHEREAS, Section 145 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, authorizes Council to pass bylaws in relation to the procedures of Council and Council Committees and the conduct of elected officials and members of Council Committees,

AND WHEREAS, it is Council's desire to establish and follow a process and procedure of municipal government that reflects an open, transparent government where decisions are made after all information has been provided,

AND WHEREAS, it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings, to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, delegations and submissions to Council,

NOW THEREFORE, the Council of the Village of Hussar duly assembled establishing the following rules and regulations for the order and conduct in which the business of all Council meetings shall be transacted.

PART I: BYLAW TITLE

- 1.1 This bylaw shall be known as the "Procedural Bylaw."

PART II: DEFINITIONS

- 2.1 *Act* means the *Municipal Government Act*, RSA 2000 M-26 and all amendments thereto.
- 2.2 *Agenda* means the list of items and order of business of any meeting of Council as prepared by the Chief Administrative Officer.
- 2.3 *Appellant* means the person who is appealing to Council.
- 2.4 *Bylaw* means a Bylaw of the Village of Hussar.
- 2.5 *CAO* means the Chief Administrative Officer of the Village of Hussar.
- 2.6 *Council* means the duly elected Municipal Council of the Village of Hussar.

- 2.7 *Councillor* means a duly elected member of Council.
- 2.8 *Deputy Mayor* means the member of Council duly appointed to the office of Deputy Chief Elected Official, pursuant to the Act.
- 2.9 *Mayor* means the member of Council duly appointed to the office of Chief Elected Official, pursuant to the Act.
- 2.10 *Point of Information* means a request to the Mayor or presiding member, or through the Chair, to another member or to the staff for information relevant to the business or item being discussed.
- 2.11 *Public Hearing* means a meeting of Council held in accordance with the Act.
- 2.12 *Quorum* means a majority of Council members required present to hold a meeting and to vote.
- 2.13 *Resolution* means a motion in Council.
- 2.14 *Special Meeting* means a meeting called pursuant to the Act.

PART III: APPLICATION

- 3.1 This Bylaw applies to:
- a. all meetings of Council, and
 - b. subject to the Act, boards and authorities established by Council unless permission has been granted to them to establish their own procedures by a simple majority decision of Council.

PART IV: ORGANIZATIONAL MEETING

- 4.1 The annual Organizational Meeting of Council shall be held in accordance with the Act and the date shall be called by Council at the September regular Council meeting and shall be entered into the minutes of that meeting.
- 4.2 At the Organizational Meeting the CAO shall initially take the chair and:
- a. call the meeting to order,
 - b. administer the Oath of Office to any new elected officials, and
 - c. record the election for Mayor and Deputy Mayor.

- 4.3 Upon the election of Mayor and Deputy Mayor the Mayor shall take the chair for the remainder of the meeting.
- 4.4 The Agenda for the Organizational Meeting shall be as follows:
- a. Call to Order
 - b. Oaths of Office (if necessary)
 - c. Election of Mayor and Deputy Mayor
 - d. Board and Committee Appointments
 - e. Review of Legislative Policies
 - f. Set the Date for Regular Council Meetings
 - g. Any other Business as Required by the Act (if necessary)
- 4.5 The following board and committee appointments shall be made:
- a. Canadian Badlands (1 member)
 - b. Cemetery Board (1 member)
 - c. Drumheller and District Solid Waste Management (1 member)
 - d. Hussar Municipal Library Board (1 member)
 - e. Hussar Rural Fire Association (1 member)
 - f. Wheatland County Assessment Review Board (1 public member)
 - g. Wheatland Family & Community Support Services (1 member)
 - h. Wheatland Regional Corporation (1 member, 1 alternate)
 - i. Wheatland & District Emergency Medical Services Association (1 member)
 - j. Wildrose Community Futures (1 member)
 - k. any additional boards and committees.
- 4.6 The following boards or positions shall be ratified:
- a. Hussar Municipal Library Board
 - b. Hussar Rural Fire Department Chief
 - c. Wheatland Housing Management Representative (Village of Standard)
- 4.7 The following position appointments shall be made:
- a. Director of Disaster Services
 - b. Deputy Director Disaster Services

PART V: REGULAR AND SPECIAL MEETINGS

- 5.1 The date and time of regular meetings shall be set at the annual organizational meeting.

- 5.2 Special meetings shall be called and held in accordance with the Act.
- 5.3 In accordance with the Act, all Council meetings shall be open to the public and twenty four (24) hours written notice shall be given to the public as stated in Section 5.8 and Section 5.9.
- 5.4 The Mayor, subject to being overruled by a majority vote of Council:
- a. may call Council to order,
 - b. shall maintain order and preserve decorum of the meeting,
 - c. shall decide points of order without debate or comment other than to state the rule governing,
 - d. shall determine which Councillor has the right to speak,
 - e. shall ascertain whether all Council members who wish to speak on a motion have spoken thereon and all Council members are ready to vote by asking "Are you ready for the question?" and shall thereafter call for the vote, and
 - f. shall rule when a motion is out of order.
- 5.5 Members of the public who attend a Council meeting shall:
- a. not address Council unless they are on the Agenda or if the Chair allows, may comment for a five (5) minute period following the close of Council business at a regular meeting, and
 - b. maintain order and quiet.
- 5.6 When a member of Council or the public is addressing the Chair, every other member attending the meeting shall:
- a. remain quiet and seated,
 - b. not interrupt the speaker except on a point of order, and
 - c. not carry on a private conversation.
- 5.7 When a member of the public is addressing Council, the member shall:
- a. not reflect on any vote of Council except when asking to rescind the vote and when doing so shall not reflect on the motives of the Councillors who voted for the motion or the mover of the motion,
 - b. not shout or raise their voice or use profane, vulgar or offensive language, and
 - c. assume personal responsibility for any statement they quote to Council and shall give the source of the information. Unfounded information or hearsay may be disregarded by Council.
- 5.8 Notice of regular Council meetings shall be given by publishing them on Village of Hussar website and posting notices at the Village Office and Canada Post Office.

- 5.9 Notice of a change to a regular Council meeting or of a special meeting shall be given by publishing them on the Village of Hussar website and posting notices at the Village Office and Canada Post Office.

PART VI: PUBLIC MEETINGS

- 6.1 Public meetings may be held at the pleasure of Council and as required as per the Act.

PART VII: VOTING

- 7.1 Voting shall be governed by the Act.
- 7.2 The names of those who vote for and those who vote against a motion shall be entered in the Minutes by the CAO only when a member of Council asks for a recorded vote before that vote is taken by the Chair.

PART VIII: GENERAL RULES OF COUNCIL

- 8.1 Regular Council meetings shall commence at 7:00 p.m. and adjourn not later than 11:00 p.m.
- a. Upon resolution of Council the meeting may be extended to a time determined in the resolution.
- 8.2 Special Council meetings shall commence at the time stated in the notice to the public and shall not last longer than three (3) hours unless agreed upon by a majority vote in Council.
- 8.3 If there is no quorum by 7:30 p.m., the CAO shall record the names of the Council members present and Council shall stand adjourned.
- 8.4 As soon after 7:00 p.m. as there is a quorum present, the Mayor shall take the Chair and call the meeting to order.
- 8.5 In the event the Mayor is absent, the Deputy Mayor shall take the Chair.

PART IX: PROCEEDINGS AT COUNCIL MEETINGS

- 9.1 Unless otherwise specified in this Bylaw, the order of business for a regular meeting of Council shall be contained in the Agenda for the meeting as prepared by the CAO. Copies of reports or business to be dealt with shall be available at the meeting.

- a. The Agenda shall be made available to Council at least one day prior to the regular meeting of Council.

9.2 The order of business on the Agenda is as follows:

- a. Call to Order
- b. Approval of Agenda
- c. Public Hearings
- d. Delegations
- e. Minutes of Previous Meeting
- f. Business
- g. Development
- h. Financial Reports
- i. Committee Reports
- j. CAO Report
- k. Correspondence
- l. In Camera
- m. Adjournment.

9.3 The cut off for items to be added to the Agenda is three (3) days before the set meeting date. Any item submitted for consideration by Council after the deadline will be added to the Agenda for the next regular Council meeting.

PART X: PETITIONS AND LETTERS

10.1 Petitions shall be dealt with as per the Act.

10.2 Letters directing items of business or concerns to Council shall be clearly written or typewritten and addressed to the Council or CAO and shall be signed by the person bringing up the business or concern.

10.3 Anonymous letters will be disregarded. Verbal complaints and/or concerns may not be considered by Council until which time they are written and signed as indicated in Section 10.2.

PART XI: DELEGATIONS

11.1 When a person or delegation wishes to address Council on a matter not on the Agenda, Council may add it to the proposed Agenda by resolution of Council.

11.2 Council shall hear all persons or delegations that so request and are placed on the Agenda. All rules of conduct in this Bylaw apply to each member of the delegation.

- 11.3 Delegations may be limited to fifteen (15) minutes presentation time to Council with additional time for Council to ask questions or for clarification.

XII: RESOLUTIONS (MOTIONS) IN COUNCIL

- 12.1 Any motion before council does not need to be seconded.
- 12.2 Motions may be withdrawn prior to debate or decision with the approval of Council.
- 12.3 When a motion is made and is being considered, no other motion may be made and voted on except:
- a. a motion to refer the main question to some other person or group for consideration,
 - b. a motion to amend the main question,
 - c. a motion to postpone or table the main question to another time.
- 12.4 After the question has been called, no member shall speak to the question nor shall any other motion be made until after the vote.
- 12.5 A motion to adjourn the meeting may be made at any time except when:
- a. another Council member is in possession of the floor,
 - b. a call for a decision has been made, or
 - c. the members of the Council are voting.
- 12.6 A motion to rescind a motion of Council may be made at any time after the meeting at which the motion was passed, as follows:
- a. any member of Council may make the motion to rescind,
 - b. notice of the rescinding motion shall be on the Agenda, and
 - c. the rescinding motion must be passed by a simple majority.

XIII: BYLAWS

- 13.1 Bylaws shall be presented and passed in accordance with the Act.

XIV: SIGNING AUTHORITY

- 14.1 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall sign all cheques, Bylaws, applications, agreements, minutes and financial statements of the Village of Hussar so that all cheques and financial instruments are signed by the CAO and a member of Council as per the Act.
- 14.2 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall sign all cheques, Bylaws, applications, agreements, minutes or financial statements of the Village of Hussar Cemetery accounts so that all cheques and financial statements are signed by the CAO and a member of Council as per the Act.
- 14.3 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall have permission to access the safety deposit box in the name of the Village of Hussar so that two (2) persons access the safety deposit box.

XV: PUBLIC HEARINGS

- 15.1 Public hearings shall be held in accordance with the Act.
- 15.2 The Mayor or Deputy Mayor shall act as Chair for public hearings.
- 15.3 The CAO shall act as Secretary for public hearings.
- 15.4 The order for the Agenda for a public hearing shall be as follows:
 - a. Call to Order
 - b. Introduction of Public Hearing Item
 - c. Written or Oral Submissions In Favour of the Item
 - d. Written or Oral Submission Against the Item
 - e. Appellant Rebuttal
 - f. Adjournment
- 15.5 Council may ask for further information or clarification from the CAO, Appellant or any individual who provided a written or oral submission at any time during a public hearing.
- 15.6 Cross examination, debating or questions from the public is not allowed during a public hearing.
- 15.7 The public hearing may, by motion of Council, be held open to the next regular or special Council meeting if more information is required.

- 15.8 Decision on the item discussed at a public hearing will be included in the Minutes of the Council meeting at which it was held.
- 15.9 Decision must be made on the item discussed at a public hearing within fifteen (15) days of the public hearing and sent to the appellant in writing.

XVI: EXCEPTIONS AND AMENDMENTS

- 16.1 If a matter of procedure arises that is not specifically covered in this Bylaw, the matter will be decided by use of the Act, common sense and a simple majority vote of Council.

XVII: GENERAL

- 17.1 This Bylaw comes into force upon third and final reading.
- 17.2 This Bylaw repeals Bylaw #498-15.

READ a first time this 19 day of October, 2016.

READ second time this 19 day of October, 2016.

READ a third time this 19 day of October, 2016.

Signed this 31 day of October, 2016.



Mayor



Chief Administrative Officer