



## BYLAW 2025-107

### BEING A BYLAW OF THE TOWN OF DIAMOND VALLEY IN THE PROVINCE OF ALBERTA, TO REGULATE THE PROCEEDINGS AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS.

**WHEREAS** pursuant to the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, a municipal Council may pass Bylaws in relation to the procedure and conduct of Council and Committees established by Council, and may regulate the conduct of Councillors and Members of Committees established by Council;

**AND WHEREAS** the Council of the Town of Diamond Valley deems it necessary to regulate the procedure and conduct at meetings of Council and Committees established by Council;

**THEREFORE, BE IT RESOLVED THAT** the Council of the Town of Diamond Valley, duly assembled in Council Chambers in Diamond Valley, Alberta, enacts as follows:

#### 1.0 TITLE AND PURPOSE

1.1 This Bylaw may be cited as the "Procedure Bylaw".

#### 2.0 INTERPRETATION AND DEFINITIONS

2.1 In this Bylaw and any schedules to this Bylaw, the following terms, phrases, words and their derivations shall have the following meanings:

- a) **Act** means the *Municipal Government Act*, RSA 2000, chapter M-26 as amended from time to time.
- b) **Administrative Inquiry** means a written request from a Member of Council to the Administration, made at a meeting, for the future provision of information and report.
- c) **Agenda** means the list and order of business for any meeting of Council or Committees.
- d) **Bylaw** means a Bylaw of the Town of Diamond Valley.
- e) **CAO** means the Chief Administrative Officer of the Town of Diamond Valley.
- f) **Chair or Chairperson** means the Member elected from among the Members of a Committee to preside at all meetings of the Committee.
- g) **Closed Meeting** means a part of the meeting closed to the public at which no resolution or Bylaw may be passed, except a resolution to revert to a meeting held in public.
- h) **Committee** means a Committee, board, commission, authority, task force or any other public body established by Council pursuant to this Bylaw.
- i) **Council** means the Mayor and Councillors of the Town of Diamond Valley.
- j) **Deputy Mayor** means the Member of Council appointed, pursuant to this Bylaw, to act as Mayor in the absence or incapacity of the Mayor.
- k) **FOIP Act** means the *Freedom of Information and Protection of Privacy Act* RSA 2000, chapter F-25 as amended or replaced from time to time.

Elected Official Initial

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CAO Initial

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- l) **Mayor** means the Member of Council duly elected as Mayor and continuing to hold office.
- m) **Member** means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council.
- n) **Notice of Motion** is the means by which a Member of Council brings business before Council.
- o) **Point of Order** is raised by a Member to call into question a departure from or contravention of the rules, procedures or generally accepted practices in the conduct of Council's business.
- p) **Presiding Officer** means the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor, any other Member of Council chosen to preside at the meeting.
- q) **Public Hearing** means a meeting of Council convened to hear matters pursuant to the Act.
- r) **Question of Privilege** is raised by a Member on any matter which concerns a Member or Council collectively, or the propriety of the conduct of a Member, the Council, Administration or the public, and includes, but is not limited to:
  - i. the comfort of Members regarding heating, lighting, ventilation, noise or other disturbance;
  - ii. conduct or speech of Members, Administration or visitors;
  - iii. any speech made against a Member's character or the reputation of Council collectively.
- s) **Quorum** means the majority of all Members comprising the Council or Committee, except as provided otherwise by the Act, or by a Terms of Reference for a Committee.
- t) **Special Meeting** means a meeting called by the Mayor pursuant to the Act.
- u) **Terms of Reference** means those terms pertinent to the establishment and mandate of a Committee and which may be in addition to or beyond the parameters of this Bylaw.
- v) **Town** means the municipality of the Town of Diamond Valley.

- 2.2 The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation.
- 2.3 Any references in this Bylaw to any Statutes are to the *Province of Alberta Statutes* as amended or replaced from time to time.
- 2.4 Within the text of this Bylaw;
  - a) use of a pronoun or determiner which indicates one gender shall include all genders unless the context requires otherwise, and
  - b) use of the singular shall include the plural and the plural shall include the singular as the context requires.
- 2.5 The word "may" when used in this Bylaw shall be construed as permissive and empowering, and the words "must" or "shall" when used in this Bylaw shall be construed as imperative.

### **3.0 APPLICATION**

- 3.1 This Bylaw applies to regular meetings, Special Meetings, Public Hearings, organizational meetings and Committee meetings.
- 3.2 The precedence of the rules governing the procedures of Council is:
  - a) the *Municipal Government Act*;
  - b) other Provincial legislation;
  - c) this Bylaw;
  - d) Committee Terms of Reference; and,
  - e) the current edition of *Robert's Rules of Order Newly Revised*.
- 3.3 Subject to Section 10 of this Bylaw, the Presiding Officer shall interpret procedure.

### **4.0 ORGANIZATIONAL MEETING**

- 4.1 Council shall hold an Organizational meeting each year, in accordance with the Act.
- 4.2 The order of business of the Organizational meeting shall include, but is not limited to the following categories:
  - a) Meetings Schedule
  - b) Appointment of Deputy Mayor
  - c) Banking Resolutions
  - d) Committee Appointments
  - e) Health & Safety

- 4.3 If the Mayor and Council have not taken the prescribed Oath of Office prior to the Organizational Meeting, the CAO shall chair the meeting until the Mayor has taken the Oath of Office, which shall be the first order of business.

### **5.0 MEETINGS OF COUNCIL, NOTICE AND CANCELLATION**

- 5.1 All meetings of Council and Council Committee of the Whole shall be held in the Diamond Valley Council Chambers, unless notice is given in accordance with the Act and this Bylaw that the meeting will be held elsewhere in the community.
- 5.2 Council and Council Committee meetings will be open to the public, unless a portion of the meeting will be closed, in accordance with section 197 of the Act and with the FOIP Act.
- 5.3 For all Council and Committee meetings requiring notice, the notice must be:
  - a) issued a minimum of 24 hours prior to the meeting;
  - b) in writing, and specify the time, date, location and purpose of the meeting;
  - c) provided to each Council or Committee Member; and
  - d) posted on the municipal website.

- 5.4 A Special Meeting of Council may be called by the Mayor, in accordance with the Act, and providing notice as required by the Act.
- 5.5 If a Special Meeting of Council is called in accordance with section 23.1 of the *Emergency Management Act*, the notice requirements do not apply.
- 5.6 A Council meeting may be cancelled, by resolution of Council, in accordance with the Act and this Bylaw.
- 5.7 Regular Council meetings shall Adjourn no later than 10:00 pm unless the Members present agree, by a two-thirds (2/3) vote, to extend the meeting.
  - a) If an extension is not agreed to, Council must agree on a date and time to reconvene the meeting. All remaining Agenda items will be forwarded to the reconvened meeting.

## **6.0 QUORUM**

- 6.1 If Quorum, as defined in the *Municipal Government Act* or other regulation or Bylaw, is not present within 15 minutes after the time fixed for a meeting, the CAO shall record the names of the Members present and the meeting shall stand adjourned until the next meeting.
- 6.2 If a meeting is adjourned for a failure to constitute a Quorum, or for a loss of Quorum during a meeting, the Agenda for that meeting shall be considered at the next regular meeting or at a Special Meeting called to complete the business.
- 6.3 If a vote on a motion before Council cannot be taken because of a loss of Quorum resulting from:
  - a) a declaration of pecuniary interest, or
  - b) a Council Member not being present for all or part of a Public Hearing;then the motion shall be forwarded to the next meeting of Council and shall be the first item of business to be addressed on that Agenda.

## **7.0 ELECTRONIC MEETINGS**

- 7.1 Council Members may participate in any meeting by attending in person or by telephone or video conference.
- 7.2 Except for any part of a Council Meeting that is closed, pursuant to section 197 of the Act, the CAO will provide access to a live, publicly available audio and video view of the location where the Council meeting is being held. Committee meetings are not required to be provided by electronic means, unless to provide for the attendance of appointed Members.
  - a) links to allow the public to attend the electronic Council meeting will be published on the Town's website.
- 7.3 Council Members and Council Committee Members that are physically present at the meeting location, or participating by telephone or video conference are deemed to be present at the meeting and will be counted towards Quorum.

- 7.4 No Member attending a meeting via telephone or video conference shall be the Presiding Officer of a meeting unless a majority of the Members attend by telephone or video conference.
- 7.5 Immediately after a meeting is called to order, the Presiding Officer must conduct a roll call to confirm the identity of any Members participating by telephone or video conference.
- 7.6 If a meeting is closed, pursuant to section 197 of the Act, Members participating by telephone or video conference must confirm to the Presiding Officer that they are in a private location and able to maintain confidentiality over the item to be discussed.

## **8.0 AGENDA – REGULAR AND CONSENT**

### **8.1 Consent Agenda**

- a) Council must review the items on both the Consent Agenda and the Regular Agenda. Prior to any motion being made, the Presiding Officer must ask if any Council Member has a Pecuniary Interest or Conflict of Interest. In the event that any Member declares a Pecuniary Interest or a Conflict of Interest in any item that is included on the Consent Agenda, that item must be moved to the Regular Agenda.
- b) If a Member wishes to debate an item included in the Consent Agenda, the Member may request to move any item to the Regular Agenda, prior to the adoption of the Consent Agenda.
- c) All items moved to the Regular Agenda shall be specifically placed on the Regular Agenda, for inclusion in the motion to adopt the Regular Agenda.
- d) Subject to the above, the only time that an item should be removed from the Consent Agenda is if it is determined that action, a decision, or significant further discussion is needed, or a Council Member declares a Pecuniary Interest or a Conflict of Interest.
- e) Adoption of the Consent Agenda means approval or acceptance of all the items contained within the Consent Agenda and shall be done by one omnibus motion.
- f) Council must, in separate motions, vote to adopt or amend the Consent Agenda and adopt or amend the Regular Agenda prior to carrying out any business.

### **8.2 Regular Agenda**

- a) The CAO, in consultation with the Mayor and Deputy Mayor, shall prepare the Agenda, which may include, but is not limited to the following categories:

Call to Order and Presentations  
Agenda Adoption  
Closed Meeting  
Adoption of Meeting Minutes  
Question Period  
Statutory/Non-Statutory Hearings  
Delegations  
Bylaws and Policies  
Action Items  
CAO & Staff Reports

Administrative Inquiries and Responses  
Committee/Board Correspondence and Minutes  
Correspondence

The categories may be reordered if required, such as moving the Closed Meeting to the end of the meeting, to accommodate Council Members' schedules or to facilitate the needs of a particular meeting.

- b) The Legislative Services Manager shall prepare the Agenda for distribution upon final approval of the CAO, together with copies of all reports and communications to be addressed at each Council meeting.
- c) All submissions for the Agenda of all Regular meetings of Council shall be received by the Legislative Services Manager no later than 1:00 pm seven (7) days prior to the scheduled meeting.
- d) The Legislative Services Manager will distribute the published Agenda, with attachments, to Council, senior managers and the public at least five (5) days prior to the Council meeting. The Agenda package, including attachments not withheld pursuant to the MGA or the FOIP Act, will be made available on the municipal website.
- e) Late submissions to the Agenda will require justification for the urgent nature of the submission, and approval from the CAO.
  - i. If late submissions are approved by the CAO after publication of the Agenda package, the Agenda package will be republished up to two (2) days prior to the meeting.
  - ii. Submissions too late for republication will be provided to the Legislative Services Manager prior to the meeting being called to Order. Council may amend the Agenda to include the submissions before adopting the Agenda.
- f) No late submission may be added to an Agenda after the adoption of the Agenda unless approved unanimously by resolution of Council.
- g) Information pertaining to a Closed Meeting shall be provided to Council in a secure manner prior to the meeting.

## **9.0 PUBLIC ENGAGEMENT WITH COUNCIL**

### **9.1 Correspondence/Communications**

- a) If a person, group or organization wishes to have a matter considered by Council, a letter or other communication shall be addressed to the Mayor and Council, and the letter or communication shall:
  - i. be printed – either typewritten or legibly written;
  - ii. not be libelous, impertinent or improper;
  - iii. clearly define the matter/topic and the request made of Council;
  - iv. be signed by the writer and include the writer's printed name and contact information;

- v. be submitted to the Legislative Services Manager no later than 1:00 pm seven (7) days prior to the Regular Council meeting at which Council will address the matter.
- b) Upon receipt of a communication for Council, the Legislative Services Manager, in consultation with the CAO may:
  - i. include it as an item on the Agenda for the next Regular Council Meeting; or
  - ii. refer the matter to a staff member for response prior to providing the communication to Council.

## 9.2 Question Period

Anyone wishing to ask a question of Council shall be permitted to speak, as acknowledged by the Presiding Officer, during the fifteen-minute Question Period portion of the Agenda at a Regular Meeting of Council.

- a) The topic must be in the form of a question and will be presented under the following guidelines:
  - i. the speaker's name and topic matter are to be provided to the Legislative Services Manager no later than 12 Noon on the day of the meeting;
  - ii. the question is to be presented in five (5) minutes or less, unless otherwise approved by a two-thirds (2/3) vote of Council;
  - iii. a person wishing ask their Question via the online meeting must register with the Legislative Services Manager no later than 12 Noon on the day of the meeting.
- b) The Presiding Officer may not permit a question to be addressed during Question Period regarding:
  - i. any matter that will be the subject of a Bylaw requiring a Public Hearing, or for which a Public Hearing has already been held; or
  - ii. any matter that has been previously considered by Council which staff are working on, or that staff have completed to Council's satisfaction; or
  - iii. any matter subject to non-disclosure in accordance with the FOIP Act. These may include employment or personnel matters, matters subject to negotiations including land sale or purchase, legal matters, etc.; or
  - iv. the promotion of commercial products or services which have no connection to the business of the Town.
- c) The Presiding Officer may allow questions to be heard about items on the meeting's Agenda, that are not otherwise prohibited by section 9.2b), but Council may not answer such questions until the discussion of the agenda item.
- d) Council Members may ask questions of clarification, relevant to the subject question.
- e) At no time shall the person asking a question, a Council Member, a Delegation or Administration enter into a debate during Question Period.
- f) Questions submitted too late for inclusion at the current meeting will be acknowledged by Administration and forwarded to the next meeting.

## 9.3 Delegations

- a) A person, group or organization that is seeking to make a request related to municipal matters may submit a written request to appear as a Delegation before Council, and shall:

- i. submit the information that will be presented to Council, clearly identifying their request, to the Legislative Services Manager by 1:00 pm seven (7) days prior to the Council Meeting they are scheduled to attend;
- ii. limit the presentation time to fifteen (15) minutes, exclusive of the time required to answer any questions put forward by Council, unless the Delegation is granted a time extension by a 2/3 vote of Council;
- iii. be restricted to the subject matter only. In questioning Delegations, Members of Council will only ask questions of clarification relevant to the subject matter and will avoid repetition;
- iv. notify the Legislative Services Manager, upon submission of their information, if they wish to present their Delegation via the online meeting.

b) The CAO may deny any request for a Delegation, providing notification to Council, for the following reasons:

- i. the matter is able to be addressed at the operational/administrative level;
- ii. a Policy or bylaw identifies the matter as operational or administrative;
- iii. the Delegation is requesting funding that is directed by Council-025, Donation Policy;
- iv. the Delegation request is related to a matter under legal review;
- v. late or incomplete submissions for the Agenda. These may be resubmitted to the next Agenda, if they meet the criteria of a Delegation; or
- vi. more than three (3) Delegations have submitted requests.

c) Delegations that are not presenting a request will be denied, allowing the information to be submitted in writing for inclusion on the Consent Agenda as Correspondence. Notwithstanding sections 9.3 b)-c), Council may agree to hear an informational Delegation, for any reason such as, but not limited to; contractors, advisors, other elected officials or administrations, etc.;

d) Council will consider all decisions relating the scheduled Delegations after the final scheduled Delegation's presentation has been made. Council, at their discretion, may postpone any decisions to a future meeting, or request further information from the presenter or from Administration.

#### 9.4 Petitions

a) All petitions must be filed with the CAO, who will review and report to Council whether the petition is sufficient or insufficient, in accordance with sections 219 to 226.2 of the Act.

### 10.0 CONTROL AND CONDUCT OF MEETINGS

#### 10.1 The Presiding Officer shall:

- a) maintain order and preserve decorum and may, if necessary, call a Member to Order;
- b) determine which Member has a right to speak;
- c) ensure all Members who wish to speak on a motion have spoken and that the Members are ready to vote and shall call the vote;
- d) rule when a motion is out of order;
- e) ensure persons in the gallery maintain order and may, if necessary, provide for the removal of those who do not comply.

- 10.2 A Member wishing to speak at a meeting shall address the Presiding Officer and must be recognized by the Presiding Officer before speaking. No Member shall speak for longer than five (5) consecutive minutes.
- 10.3 When a Member is speaking at a meeting, the Member shall:
  - a) speak respectfully;
  - b) refrain from using offensive or disrespectful language;
  - c) not shout or use a raised voice;
  - d) assume personal responsibility for any statement quoted to Council, and at the request of Council, give the source of the information.
- 10.4 When a Member is addressing the meeting, every other Member shall:
  - a) remain quiet and seated;
  - b) not interrupt the speaker, except on a Point of Order or Question of Privilege; and
  - c) not carry on a private conversation.
- 10.5 When any Point of Order or Question of Privilege arises, it shall be immediately taken into consideration and ruled upon by the Presiding Officer.
- 10.6 No person in the gallery shall address Council during a meeting unless invited to do so by the Presiding Officer.
- 10.7 No person shall use an audio or video recording device during a meeting unless authorized to do so by this Bylaw or by a unanimous vote of Members present.
- 10.8 No Member shall engage in use of social media during a meeting.
- 10.9 If the Presiding Officer calls a Member to order, the Member shall immediately cease to speak. After the Presiding Officer has ruled, the Member may explain their action that resulted in the call to order.
- 10.10 Any decision of the Presiding Officer with respect to meeting conduct or procedure may be appealed through a motion decided by a majority of Members present.

## **11.0 MOTIONS IN COUNCIL**

- 11.1 Council may only act by resolution or Bylaw.
- 11.2 Motions must be made in accordance with the Act, and follow the general rules of the most current edition of *Robert's Rules of Order Newly Revised*.
- 11.3 Each Member present shall vote on every motion, as prescribed by the Act, unless the Act or other provincial or federal enactment requires or permits the Member to abstain.
  - a) If abstaining, the Member shall cite the appropriate legislative authority, and follow the required procedures for that authority.
  - b) The abstention, and the reason for it, shall be recorded in the Minutes.

11.4 A motion, or question, shall be declared lost when it:

- does not receive the required number of votes; or
- receives an equal division of votes.

11.5 Any Member, prior to the vote being taken, may ask for a recorded vote, and the names of those who vote for and those who vote against a motion shall be recorded in the Minutes.

11.6 A motion, relating to a single subject but containing several distinct parts that could stand alone if the others are removed, is not out of order for that reason alone. If a Member requests, or the Presiding Officer orders, Council shall then vote on each proposition separately.

## **12.0 RECONSIDERING, RESCINDING OR RENEWING A MOTION**

12.1 A Member who voted with the prevailing side may move to reconsider a motion, only at the same meeting or during a continuation of the meeting at which the motion was decided. No motion to rescind may be made if the question can be reached by reconsidering the motion.

12.2 A motion to rescind a motion which has been passed, or to renew a defeated motion, may be offered at a meeting subsequent to the meeting at which that motion was passed or defeated, if the rescinding or renewal motion is:

- made by a Member who voted with the prevailing side; or
- presented more than six (6) months after the date of the original motion; or
- presented if there is substantial new information or a change in circumstances is demonstrated; or
- presented after a Municipal General Election, which has taken place since the date of the original motion.

12.3 A Notice of Motion to rescind or renew a motion must be provided pursuant to this Bylaw.

## **13.0 NOTICES OF MOTION**

13.1 Council Members may bring forward a Notice of Motion as an item on the Agenda of a Regular Council Meeting. A Notice of Motion may not be made at a Special Meeting

13.2 A written copy of the Notice of Motion shall be submitted to the Legislative Services Manager by 1:00 pm seven (7) days prior to the meeting at which the Notice of Motion will be made, for inclusion on that meeting Agenda.

- The Notice of Motion must provide sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be made.

13.3 Council may, on a two-thirds (2/3) vote, waive the requirement for Notice contained in the Notice of Motion.

13.4 A Notice of Motion is not debatable, however, the Member presenting the Notice may speak to the Notice for a period not to exceed five (5) minutes.

13.5 If a motion is not made at the meeting indicated on the Notice, it will appear on the Agenda for, and may be made at any of, the next two (2) Regular Meetings. After the third Regular Meeting, it will be removed from the Agenda and may only be made by a new Notice of Motion.

#### **14.0 ADMINISTRATIVE INQUIRIES**

14.1 A Member wishing to make an Administrative Inquiry at a Regular Meeting shall submit the Administrative Inquiry, in writing, to the CAO by 1:00 pm two (2) days prior to the Council Meeting.

14.2 Unless an inquiry specifies that the Member wishes the answer to appear on a subsequent Council Agenda, the CAO may give the answer directly to the Members.

14.3 When an inquiry involves a written answer to be given at a future meeting, and it appears to the CAO that the Town would incur a cost of over \$500.00 by reason of:

- a) time of Town employees who must be taken from the performance of their regular duties or overtime that will be required; or
- b) the need to hire additional resources or to obtain information from external sources; or
- c) no appropriation has been included in the budget for such expenditures

the CAO shall report the anticipated cost to Council before undertaking such an inquiry.

14.4 When the CAO has reported the cost of an inquiry, Council may:

- a) direct Administration, by resolution of Council, to proceed with the investigation necessary to answer the inquiry, and make provision for payment of the costs; or
- b) by two-thirds (2/3) vote direct Administration to abandon the inquiry.

14.5 A Member who requested an Administrative Inquiry may, at a Regular Meeting, instruct Administration to abandon the inquiry.

14.6 The subject matter of an Administrative Inquiry is not debatable until the reply to the inquiry has been made or presented to Council.

#### **15.0 URGENT BUSINESS**

15.1 A Member may move to discuss a matter of urgent public importance without prior Notice of Motion.

15.2 A motion to bring a matter before Council as urgent business is subject to the following conditions:

- a) the matter proposed for discussion must relate to a genuine emergency, calling for immediate consideration;
- b) the matter shall not involve discussion on an item that has been discussed previously in the same meeting;
- c) that matter shall not be one which should be dealt with by giving written Notice of Motion; and
- d) the matter shall not raise a Question of Privilege.

#### **16.0 BYLAWS**

16.1 Every proposed Bylaw presented to Council will be addressed in accordance with the Act.

**17.0 COMMITTEES**

17.1 Council may establish Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the Town and shall establish the Terms of Reference for said Committees.

17.2 When establishing a Committee, Council must adopt a Terms of Reference for the Committee that:

- names it;
- establishes membership, purpose and authority;
- sets out the term or directs that the Committee exists, on an on-going, ad-hoc or task-driven basis at the pleasure of Council; and
- allocates any necessary budget or other resources.

17.3 Council may appoint Members to Committees, by resolution, in accordance with the approved Terms of Reference.

17.4 The business of Committees shall be in accordance with the Act, and within the rules governing the Committee in its Bylaw and Terms of Reference, and pursuant to this Bylaw.

17.5 Committee meetings shall be open to all Members of Council, but only those Members specifically appointed to that Committee are entitled to take part in discussion and debate and vote on any matter before the Committee.

17.6 Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities. A Committee shall report to Council, as required.

**18.0 PUBLIC HEARINGS**

18.1 In accordance with section 199 of the *Municipal Government Act*, and section 7.0 of this Bylaw, Public Hearings are to be conducted by electronic means.

18.2 Any person wishing to participate in a Public Hearing via electronic means must register with Legislative Services no later than 12 noon on the day of the Hearing, to be granted access to the electronic meeting.

18.3 Written and verbal submissions will be made public, either as included in the Agenda publication, or as presented in the Public Hearing. Public Hearings are recorded as part of the Council meeting.

- Administration may redact any profanities from written submissions in preparation for publication.

18.4 Definitions specific to Public Hearings:

- “Adjourn” used in relation to a Public Hearing means to take a break in the hearing with the intent of returning to the Public Hearing at another meeting or later in the same meeting.
- “Close” used in relation to a Public Hearing means to terminate the Public Hearing.

18.5 Public Hearings must be heard during Regular Meetings of Council or Special Council Meetings.

18.6 Statutory Public Hearings must be advertised and conducted in accordance with the Act and with the procedures set out in this Bylaw.

18.7 Matters that are related to the same topic may be addressed in the same Public Hearing.

18.8 If a person is unable to attend a hearing, that person may authorize an individual to speak on their behalf.

(a) The authorization must be in writing, name the individual authorized to represent, indicate the proposed bylaw or resolution to be spoken to, and be signed by the person giving the authorization.

(b) The authorized speaker must state the name of the person that the speaker represents and must present the written authorization to the CAO.

(c) If an authorized speaker represents more than one person, the speaker will be allowed five (5) minutes to speak, unless Council decides otherwise.

18.9 The order of business for each item of a Public Hearing shall be:

(a) **Details of Public Hearing**

(b) **Public Hearing Declared Open**

(c) **Background and Review**

(i) The CAO will confirm that notification of the Public Hearing was conducted in accordance with the Act.

(d) **Details of Proposed Amendments**

(i) Administration will introduce, present and respond to questions of clarification on the proposed bylaw or resolution.

(e) **Formal Correspondence/Submissions Received (if any)**

(i) The CAO will inform Council of any written submissions received (before and after publication of the Agenda) and the numbers in favour and opposed to the matter.

(ii) Written submissions not included in the published Agenda package will be read into the record, beginning with those in favour, then those opposed, and then any submission from the Applicant(s) if applicable.

(f) **Presentations**

(i) The Presiding Officer must ask if anyone is present to speak to the proposed bylaw or resolution. A person will be allowed five (5) minutes to speak. All questions are to be directed through the Presiding Officer. The speaking order will be:

- those in favour of the bylaw or resolution,
- those opposed to the bylaw or resolution,
- any Applicants, if applicable,
- others.

(ii) Persons addressing Council should state their name and address, and indicate if they are speaking on their own behalf, or on behalf of a client, company or a group of citizens (i.e., club or organization), and may state how they are affected by the bylaw.

- (iii) After a Person has spoken, a Councillor may ask that speaker relevant questions.
- (iv) Any Councillor may ask the CAO, through the Presiding Officer, any relevant questions, after all persons who wish to speak have been heard.
- (v) Council must allow an opportunity for all persons to respond to any new information that has arisen.

(g) **Summary**

- (i) Council will consider if sufficient information has been provided by this Public Hearing, and decide if the Public Hearing will be adjourned (specifying a time to reconvene) or if the Public Hearing will be closed.
- (ii) If a Public Hearing is adjourned, Council is prohibited from receiving any additional submissions in relation to the subject matter until the Public Hearing is reconvened.
- (iii) If there is more than one (1) Public Hearing on the Agenda, one (1) Public Hearing must be adjourned or closed before the Presiding Officer opens another Public Hearing.

(h) **Hearing Closed**

- (i) The Public Hearing must be closed before Council debates the proposed bylaw or resolution.
- (ii) A Councillor who was absent for all of the Public Hearing on a proposed bylaw or resolution must not vote.
- (iii) A Councillor who was absent for part of the Public Hearing may choose not to vote.
- (iv) If a Councillor does not vote, the abstention must be recorded in the Minutes.

(i) **Minutes**

- (i) The Minutes of the Public Hearing will:
  - be recorded without note or comment,
  - state the procedures followed throughout the hearing,
  - list names of presenters at the hearing, noting only if they were in favour of or opposed to the bylaw.

## **19.0 GENERAL PROVISIONS AND COMING INTO FORCE**

19.1 If any term, clause or condition of this Bylaw or the application thereof is found to be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause or condition shall not be affected and shall remain in force and effect.

19.2 Nothing in this Bylaw relieves any person from compliance with any other Bylaw or any applicable federal or provincial law, regulation or enactment.

19.3 This Bylaw repeals Bylaw 2023-14 in its entirety and all amendments thereto.

19.4 This Bylaw shall come into force and effect on the date of third and final reading.

**READ A FIRST TIME** on the 19<sup>th</sup> day of March, 2025

**READ A SECOND TIME** on the 19<sup>th</sup> day of March, 2025

**READ A THIRD AND FINAL TIME** on the 19<sup>th</sup> day of March, 2025

  
Mayor  
Acting Chief Administrative Officer

