

**TOWN OF VIKING  
BYLAW NO. 2012-642**

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**A BYLAW OF THE TOWN OF VIKING IN THE PROVINCE OF ALBERTA  
TO REGULATE THE PROCEEDINGS OF TOWN COUNCIL MEETINGS AND OF  
ITS COMMITTEES, AND TO DEFINE CERTAIN DUTIES OF COUNCIL, ITS  
COMMITTEES, AND CERTAIN OFFICERS OF THE TOWN OF VIKING**

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**WHEREAS** it is desirable to establish rules and provisions to regulate the conduct of business in Council Meetings and in Committee Meetings, to control and maintain order in Council Meetings, to generally support and promote majority Council decisions, to provide for standing and special committees, to provide for the enactment of municipal legislation, and to provide for dealing with petitions, remonstrances, and submissions to the Council; and

**WHEREAS** Section 145 of the *Municipal Government Act*, revised Statutes of Alberta, 2000, Chapter M-26 and amendments thereto, authorizes the passing of Bylaws to regulate the establishment and functions of Council Committees and other bodies, and the procedure and conduct of Council, Council Committees, and other bodies established by Council;

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

**1.** This Bylaw may be cited as the "**TOWN COUNCIL PROCEDURAL BYLAW**".

**2. INTERPRETATION**

- (1) Definitions:
- (a) "**Act**" shall mean the *Municipal Government Act*, as amended from time to time.
  - (b) "**Agenda**" shall mean the order of business for a Regular or Special Meeting of Council prepared by the Chief Administrative Officer.
  - (c) "**Bylaw**" is a Bylaw of the Town of Viking.
  - (d) "**C.A.O.**" is the Chief Administrative Officer of The Town of Viking.
  - (e) "**Chairperson**" or "**Chair**" shall mean the person presiding at Meetings and, where the context requires, the Mayor.
  - (f) "**Clear Working Days**" shall be determined by excluding the day notice is given and the day of the Meeting or event, and shall not include Saturdays, Sundays, or legal holidays.
  - (g) "**Committee**" shall mean a Committee of Council, but does not include the Committee of the Whole.
  - (h) "**Committee of the Whole**" shall mean a Committee consisting of all Members of Council.
  - (i) "**Deputy Mayor**" is the Councillor who is appointed pursuant to the Act, to act as Mayor in the absence of the Mayor.
  - (j) "**Electronic Communications**" means receiving agendas, council information packages, and all other written communications shall be sent to Council by means of e-mail.
  - (k) "**In Camera**" is a Council or Committee session which is held in private pursuant to the provisions of the Act, and may include any person or persons invited to attend by Council or the Committee.
  - (l) "**Legal Holiday**" shall mean:
    - i. every Sunday,
    - ii. General and Town Holidays as approved by Council.
  - (m) "**Member**" shall mean a Member of Council duly elected, and continuing to hold office, or when the context requires, a Member of a Committee, including the Committee of the Whole.
  - (n) "**Member-at-Large**" shall mean a Member of the public appointed by Council to a Committee of Council.

- (o) "**Point of Order**" shall mean a question of a Member directed to address whether this Bylaw or customary practices of Council have been departed from.
  - (p) "**Postpone**" shall mean an Agenda item or motion which is deferred to a specific time.
  - (q) "**Privilege**" shall mean the rights and immunities of Council collectively or the position and conduct of Members of Council in their official capacity as elected representatives, and a "Matter of Privilege" or "Point of Privilege" shall mean any matter affecting Privilege.
  - (r) "**Quorum**" shall mean:
    - i. a simple majority of the Members of Council or a Committee or other body unless the Bylaw or resolution establishing such body specifies a different Quorum.
    - ii. in the event that there is a vacancy on the Council and Council was not required to hold a by-election, a Simple Majority of the remaining Members of Council.
  - (s) "**Mayor**" refers to the Chief Elected Official of the municipality as set out in the Act.
  - (t) "**Refer**" shall mean the referral of a matter to a Committee or to administration for consideration and return to Council.
  - (u) "**Simple Majority**" shall mean more than 50% of the votes or persons.
  - (v) "**Simple Majority Vote**" shall mean that, of the persons present at the Meeting, at least one more person votes in favour than the number of persons who vote against.
  - (w) "**Special Committee**" shall mean a Committee established by Council, whose purpose is for a defined period of time.
  - (x) "**Standing Committee**" shall mean a Committee established by Council, whose purpose will continue from year to year.
  - (y) "**Table**" shall mean a procedural motion to set aside the main motion temporarily to accommodate another matter that requires immediate attention, and to resume consideration thereof prior to the conclusion of the Meeting. The motion to table is not debatable and requires a Simple Majority Vote to pass. The main motion tabled will die if it is not subject to a motion to resume consideration thereof prior to the conclusion of that Meeting.
  - (z) "**Unanimous Vote**" or "**Unanimously Agreed**" shall mean all Members present voted in favour or with justification, abstained.
- (2) Words importing the singular shall include the plural or vice versa whenever the context so requires.
  - (3) The British spelling of words shall be used for Council and Committee documents.

### **3. SUSPENSION OF PROVISIONS OF PROCEDURAL BYLAW**

In the absence of any statutory obligation, any provision of this Bylaw may be waived by unanimous resolution of Council to suspend the rules and address the matter under consideration in some other manner. Such waiver shall be temporary to allow for action on a matter then under consideration.

### **4. OATH OF OFFICE AND ORGANIZATIONAL MEETING OF COUNCIL**

- (1) The Organizational Meeting of Council shall be held at a time and place to be determined by the Chief Administrative Officer.
- (2) The Chief Administrative Officer shall give written notice of the day, time, and place for the Organizational Meeting of Council at least two weeks prior to the date of the Meeting.
- (3) An Agenda of the business to be transacted thereat shall be posted on the Town of Viking Council website not later than 48 hours prior to the Meeting.
- (4) The business of the Meeting shall be limited to:
  - (a) the election of the Mayor and Deputy Mayor;
  - (b) the making and subscribing of the Oath as warranted;
  - (c) the introduction of new Members;
  - (d) the review of Council's responsibilities under the Act;
  - (e) the review of relevant legislation under the Act;

- (f) the election/appointment of Members to act on Committees and other bodies on which Council is entitled to representation;
  - (g) the election/appointment of Members-at-Large to act on Committees and other bodies on which Members-at-Large are entitled to representation;
  - (h) the establishment of the Regular Meeting dates and times for Council its Standing Committees, and the Committee of the Whole;
  - (i) the review of any required policies; and
  - (j) any other business as required by the Act.
- (5) At the Organizational Meeting, the following procedure shall be followed:
- (a) Where a general municipal election has been held immediately preceding the Organizational Meeting:
    - i. the C.A.O. shall call the Meeting to order;
    - ii. every Member of Council present shall make and subscribe to the official oath prescribed by the *Oaths Of Office Act* under the direction of the C.A.O.;
    - iii. the Mayor shall take the Chair and conduct the remainder of the Meeting.
  - (b) Where there has not been a general municipal election immediately preceding the Organizational Meeting:
    - i. the C.A.O. shall call the Meeting to order;
    - ii. the Mayor shall take the Chair and conduct the remainder of the Meeting.

## 5. DUTIES OF THE MAYOR

- (1) The Mayor shall, in addition to the duties of Chairperson:
  - (a) perform the duties and satisfy the responsibilities assigned to the position by all relevant legislation;
  - (b) provide leadership and initiative to Council in the development, formulation, and execution of policies and programs in response to community needs;
- (2) The Mayor shall act as the primary spokesperson of Council in:
  - (a) communicating Council policy decisions to the media and the public and presenting the reasons for the decisions;
  - (b) representing Council on ceremonial occasions or occasions where the Town formally extends its hospitality;
  - (c) promoting co-operation, understanding, and support of municipal needs with local boards and agencies, and the Provincial and Federal Governments;
  - (d) representing Council in providing direction and leadership to the C.A.O., including matters of interpretation of policy, Council decisions, advice on Council's needs and wishes, and political insight on proposed plans and programs;
  - (e) promoting co-operation and understanding between Council and the C.A.O.; and
  - (f) establishing and maintaining co-operation and understanding with other municipalities regarding areas of common interest.

## 6. COMMITTEES

- (1) Standing and Special Committees may be established at any time on a motion of Council, approved by a majority of the Members present at a Meeting of Council.
- (2) The Members of Standing Committees shall be appointed by Council each year at the Organizational Meeting.
- (3) Any Member of Council may be placed on a Committee, notwithstanding the absence of such Member at the time that the Member is named to such Committee.
- (4) All appointments of Members and Members-at-Large are at the pleasure of Council. Council has the right to discontinue the term of any Members or Members-at-Large of the Committees at any time.
- (5) Council may also appoint alternate Members at the time of appointment of a Standing Committee.
- (6) Committees shall elect their own Chairperson and may elect a Vice-Chairperson.

- (7) The C.A.O. shall be entitled to attend all Committee Meetings.
- (8) Meetings of Committees may be called by the Chairperson whenever considered necessary to do so.
- (9) A Simple Majority of the Members of the Committee may, by written request, require the Chairperson to call a Meeting and it shall be the duty of the Chairperson, or in said Chairperson's absence from the Town, the duties of the Vice-Chairperson, to call such Meeting.
- (10) In any case where a Member of the Standing or Special Committee is absent from the Town or is otherwise unable to attend Meetings of the Committee of which said person is a Member, the Mayor may appoint a Member of Council to such Committee to attend the Meetings of the Committee concerned.
- (11) The Member so appointed by the Mayor shall, during the term of such appointment, have all the powers, rights, and duties as a Member of the Committee, as if appointed by Council thereto.

## **7. GENERAL DUTIES OF COMMITTEES AND OTHER BODIES**

- (1) The general duties of all Committees and other bodies shall be as follows:
  - (a) to report to Council on a regular basis or whenever desired by Council, or as often as the interests of the Town of Viking may require, on all matters connected with the duties imposed on them and to recommend such action by Council in relation thereto as may be deemed necessary;
  - (b) to consider all matters placed before it and indicate to Council, by recommendation, the ways and means of dealing with the said matters before it. Such recommendation shall be presented to Council in the form of a motion recorded in the minutes of the Committee, to be accompanied by any supporting information, and shall be considered by Council at its next meeting.
  - (c) to cause to be prepared and introduced into Council all Bylaws necessary to give effect to the recommendations adopted by Council.
- (2) No action of any Committee shall be binding on the Town of Viking unless power to take such action is expressly conferred on the Committee, subject to any legislative restrictions under the Act.

## **8. COMMITTEE OF THE WHOLE**

- (1) The Committee of the Whole shall be established by motion of Council, approved by a majority of the Members present at a Meeting of Council.
- (2) The Mayor shall be the Chairperson of the Committee of the Whole.
- (3) The C.A.O. shall be entitled to attend all Meetings of the Committee of the Whole.
- (4) The dates and times of Meetings of the Committee of the Whole shall be established by resolution at the Organizational Meeting or at such other Meeting of Council provided that all Councillors are present at said Meeting.

## **9. DUTIES OF THE COMMITTEE OF THE WHOLE**

- (1) The duties of the Committee of the Whole shall be to consider all matters placed before it.
- (2) Without restricting the generality of Subsection (1), the Committee of the Whole may consider any matter that Council may consider, including, but not limited to, detailed consideration of matters such as legislative reform, strategic planning, budget, audit, and finance issues, policy formulation, public works and transportation issues, planning, subdivision, and development issues, economic development issues, parks and recreation issues, and public meetings.
- (3) The Committee of the Whole may receive delegations and submissions, and meet with other municipalities and levels of government.
- (4) Upon consideration of matters placed before it, the Committee of the Whole may make recommendations to Council, give direction to the C.A.O., and/or seek further information on any matter referred to it.
- (5) Such direction to the C.A.O. shall be presented to Council in the form of motions recorded in the minutes of the Committee of the Whole, to be accompanied by any supporting information, and shall be considered by Council at a subsequent meeting.

**10. PLACES, DATES, AND TIMES OF MEETINGS**

- (1) All Regular Meetings of Council and the Committee of the Whole shall be held in the Council Chambers.
- (2) The date of Regular Meetings of Council shall be established by resolution at the Organizational Meeting or at such other Meeting of Council provided that all Councillors are present at said Meeting.
- (3) Regular Meetings of Council shall commence at 1730 hours (5:30 p.m.) and shall adjourn no later than 2100 hours (9:00 pm), unless there is a unanimous motion of Council to proceed past that time.
- (4) Notwithstanding anything contained in Subsections (2) and (3), Council may at any Regular Meeting of Council, by Simple Majority Vote, direct that:
  - (a) any Regular Council Meeting will be held on a day other than the normal day on which it would fall due, and/or
  - (b) any Regular Meeting of Council will commence at a time other than the time determined at the Organizational Meeting, and/or
  - (c) no regular Meeting be held for any portion of any month or months designated by Council.
- (5) When the day fixed for a Regular Meeting of Council falls upon a Legal Holiday, such Meeting of Council shall be rescheduled by a motion of Council.
- (6) Unless Council Unanimously agrees to extend the Council Meeting beyond 2100 hours (9:00 pm), all matters of business which appear on the Council Agenda and which have not been dealt with by that time shall be deemed to be Postponed until the next Regular or designated Special Meeting of Council.
- (7) When a Regular or Special Meeting of Council is adjourned:
  - (a) in order to comply with Subsection (6); or
  - (b) because the business on the Agenda has been completed, it shall be deemed to be the end of that Meeting and a subsequent Meeting shall be considered to be a new Meeting.
- (8) Electronic or other communication facilities may be used to conduct Council or Council Committee Meetings, as outlined in the Act.

**11. SPECIAL COUNCIL MEETINGS**

- (1) If it appears to the Chairperson that any of the matters included in the Agenda for a Regular Council Meeting, which were not disposed of by that Meeting, are of an urgent nature and require action before the next Regular Council Meeting, the Chairperson may call a Special Meeting of Council to deal with such matters.
- (2) Council may, by Simple Majority Vote at any Regular or Special Council Meeting, decide to hold a Special Council Meeting at any time and place it deems fit.
- (3) When Council is not in session, it may hold a Special Council meeting in accordance with the provisions of the Act.
- (4) Notwithstanding any other provision of this Section, if a Simple Majority of Council requests the postponement of the Special Council Meeting from the date for which it was set, the Mayor shall postpone it to the requested date provided that the date is prior to the next Regular Meeting of Council.

**12. POSTPONED REGULAR COUNCIL MEETINGS**

- (1) The Mayor may, whenever it is considered expedient to do so, upon giving each Member of Council at least two (2) Clear Working Days written notice, postpone any Regular Meetings of Council to a date prior to the next Regular Meeting of Council.
- (2) Each notice postponing a Regular Meeting shall give the reasons and specify the time and day when the postponed Regular Meeting shall be held.
- (3) Any delegation named in the Agenda as planning to appear before Council at the Regular Meeting shall be given a notice of the new time and day upon which the postponed Regular Meeting shall be held.

**13. QUORUM**

- (1) If there are not sufficient Members assembled at any Meeting to constitute a Quorum within half an hour from the time set for commencement of the Meeting, the C.A.O. shall record the names of all the Members present at that time and,

- unless a Special Meeting is duly called in the meantime, Council shall stand adjourned until the next Regular Meeting.
- (2) Whenever a Quorum is present and the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the designated start time for the Council Meeting, the C.A.O. shall call the Meeting to order and a Chairperson shall be appointed by the Members present, who shall then preside during the Meeting or until the arrival of the Mayor or Deputy Mayor.
  - (3) In the event a Quorum is lost after the Meeting is called to order, the Meeting shall be suspended until a Quorum is obtained. If a Quorum is not obtained within a half hour, the Meeting shall stand adjourned.
  - (4) When Council is unable to meet for want of a Quorum, the Agenda delivered for the adjourned Meeting shall be considered at the next Regular Meeting or Special Meeting prior to the consideration of the Agenda for that Meeting.
  - (5) Where a Member or Members declare a pecuniary interest or bias on an Agenda matter, as outlined by the Act, and another Member or Members are absent from the Council Meeting, and this combination of absences would result in a loss of Quorum, the Agenda item shall be postponed to a subsequent Council Meeting.
  - (6) Where all Members of Council are present, but due to a declaration of pecuniary interest or bias by enough Members such that their abstention results in a loss of Quorum, the provisions of the Act with regard to Quorum shall prevail, and the Agenda item shall be postponed to a subsequent Council Meeting.
  - (7) Where a Quorum cannot be achieved at a subsequent Council Meeting, the Minister of Municipal Affairs may take the necessary action according to the Act to provide for action on the Agenda item.

#### **14. AGENDA FOR REGULAR COUNCIL MEETINGS AND MEETINGS OF THE COMMITTEE OF THE WHOLE**

- (1) The Agenda for each Regular Council Meeting and Meeting of the Committee of the Whole shall be prepared by the C.A.O. and posted on the Town of Viking Council Website together with copies of all pertinent correspondence, statements, and reports for each Member to review and print as necessary, at least two (2) Clear Working Days prior to each Meeting.
- (2) The C.A.O. shall have the sole discretion in determining if any Agenda item should be included under the In Camera heading of the Agenda in accordance with the *Freedom of Information and Protection of Privacy Act*, and the C.A.O. shall be responsible for the security of any confidential documents.
- (3) Agendas shall be distributed to senior administration with attachments related to their specific area(s) of responsibility.
- (4) Agendas shall be distributed to such public and media outlets as Council may, from time to time, direct. Attachments to such Agenda will be determined at the discretion of the C.A.O.
- (5) Any Member or Town staff wishing to have an item of business placed on the Agenda shall make the submission to the C.A.O. not later than four (4) Clear Working Days prior to the Meeting. All submissions shall contain adequate information to the satisfaction of the C.A.O. to enable Council or the Committee of the Whole to deal with the matter.
- (6) Emergent items are deemed to mean any items that have arisen since the close of the business day, three (3) Clear Working Days prior to the Meeting and which must be dealt with at the Meeting. An emergent item can ordinarily be added to the Agenda through an addition to the Agenda. Additions to the Agenda shall require a separate motion of Council or the Committee of the Whole. Items added to the Agenda shall contain adequate information to the satisfaction of the C.A.O. to enable Council to deal with the matter.
- (7) An item may be deleted from the Agenda only by a Unanimous Vote of Council or the Committee of the Whole.

**15. MINUTES OF THE MEETING**

- (1) The C.A.O. may authorize the use of recording equipment to assist the Recording Secretary in preparation of Meeting minutes and any such recordings shall be destroyed after the minutes are approved.
- (2) Use of electronic recording devices of any kind by unauthorized persons is not permitted.
- (3) If there are any corrections, such corrections approved by Council shall be incorporated therein before the minutes are signed by the Chairperson and C.A.O.

**16. CHAIRPERSON'S CONTROL OF MEETINGS**

- (1) The Chairperson of any Meeting:
  - (a) shall determine if a Quorum is present and open the Meeting at the prescribed time;
  - (b) shall maintain order and preserve decorum of the Meeting;
  - (c) shall state succinctly the Points of Order raised and, without unnecessary comment, state the rule or authority relevant to the decision;
  - (d) shall decide on Points of Order without allowing debate;
  - (e) shall decide on the validity of a Point of Privilege raised by a Member;
  - (f) shall determine which Member has a right to speak;
  - (g) shall ascertain that all Members who wish to speak on a motion have spoken thereon and that the Members are ready to vote and shall thereafter conduct the vote;
  - (h) shall rule when a motion is out of order;
  - (i) may call a Member to order;
  - (j) shall treat each question in a judicial spirit;
  - (k) may, when deemed necessary, give explanations and recommendations or information in respect to the business being discussed when it is considered to enhance the good government of the Town of Viking, its finances, security, or prosperity; and
  - (l) shall declare the Meeting adjourned.

**17. ADDRESSING COUNCIL OR THE COMMITTEE OF THE WHOLE**

- (1) Every Member wishing to speak at a Meeting shall address the Chairperson and be recognized by the Chairperson before commencing to speak.

**18. CONDUCT OF MEMBERS**

- (1) When a Member is addressing the Chairperson, every other Member shall remain quiet, shall not interrupt the speaker except on a Point of Privilege or a Point of Order, and shall not carry on a private conversation.
- (2) When a Member is addressing Council or the Committee of the Whole, the Member:
  - (a) shall not shout or immoderately raise one's voice, or use profane, vulgar, or offensive language;
  - (b) shall not speak on matters other than the matter before Council or the Committee of the Whole;
  - (c) shall obey the rules of procedure; and
  - (d) shall not comment on the person of any Member.
- (3) If any Member acts contrary to Subsection 2, the Member shall be immediately admonished by the Chairperson.
- (4) If any Member acts contrary to Subsection 2 on two or more occasions at the same Meeting, the Member shall, on the order of the Chairperson, be excluded from that Meeting and the Council Chambers.
- (5) If a Member is excluded pursuant to Subsection 4, Council may then proceed to an In Camera session to consider the conduct of the Member.
- (6) Should the excluded Member adequately apologize to Council, the Member may, by a Simple Majority Vote of the remaining Members, be permitted to immediately retake the Member's seat.
- (7) No exclusion of a Member shall be for a time greater than the Meeting in progress.
- (8) A Member called to order by the Chairperson shall immediately cease speaking, but may afterward explain one's position in making the remark for which one was called to order.

- (9) The decision of the Chairperson on the conduct of a Member shall be final, unless the Member called to order appeals to Council in accordance with the procedure set out in the "Appeal" section of this Bylaw.
- (10) Where a Member wishes to leave the Council Chambers while a Meeting is in progress, the Member shall so indicate and wait the acknowledgement of the Chairperson before leaving the Member's place.
- (11) No Member shall leave the Council Chambers after a question is put to a vote, until the vote is taken.

**19. POINT OF ORDER**

- (1) A Member may raise a Point of Order when the Member believes that a rule or procedure of Council or the Committee of the Whole has been violated by the actions of another Member.
- (2) The Member raising the Point of Order shall address the Chairperson.
- (3) Upon being requested by the Chairperson to state the Point of Order, the objecting Member shall give a clear, succinct account on the point at issue, and shall not deal with or raise other matters.
- (4) The Chairperson shall decide on the Point of Order raised and such decision shall be final unless the Member raising the Point of Order appeals to Council or the Committee of the Whole in accordance with the provisions of the "Appeal" section of this Bylaw.
- (5) The Member in possession of the floor when the Point of Order was raised shall have the right to the floor when debate resumes.
- (6) A Member may call a Point of Order at any time but shall not move an adjournment of the Meeting or to end the debate under cover of such question.

**20. MATTERS OF PRIVILEGE**

- (1) When a Member desires to address a matter that concerns the rights and privileges of the Council or the Committee of the Whole collectively or said person as a Member thereof, the Member shall be permitted to raise such Point of Privilege, and a Point of Privilege shall take precedence over other matters.
- (2) After the Member has stated the Point of Privilege, the Chairperson shall rule whether or not the matter raised is a Point of Privilege.
- (3) Where the Chairperson has ruled that a matter raised is a Point 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 forward.
- (4) If the Point of Privilege concerns a situation, circumstance, or event which arose between Meetings, the Member bringing forward the matter shall do so immediately after the adoption of the minutes of the previous Meeting.
- (5) A Member may call a Point of Privilege at any time but shall not move an adjournment of the Meeting or to end the debate under cover of such question.

**21. APPEAL**

- (1) The decision of the Chairperson on conduct of a Member, Point of Order, or a Point of Privilege, may be immediately appealed by a Member.
- (2) An appeal of the decision of the Chairperson is not debatable except that it is customary for both the appellant, the Chairperson, and other directly affected Members (in that order) to be given an opportunity to explain the reasons for their position.
- (3) Upon the decision of the Chairperson being appealed, the Chairperson shall state the point of appeal and put the question to Council without debate, asking whether the decision of the Chairperson shall be sustained.
- (4) The question shall be decided by a Simple Majority Vote.

**22. INQUIRY**

- (1) Any Member requiring information may make an inquiry to the Mayor or the C.A.O. and that person shall, subject to Subsection (3), supply the necessary information within a reasonable time, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

- (2) Unless an inquiry from a Member specifies that the Member wishes the inquiry and the answer thereto, to appear on a subsequent Meeting Agenda, the Mayor or the C.A.O. shall send or give the answer to the inquiry directly to the Member making the inquiry and neither the inquiry nor the answer shall appear on the Agenda.
- (3) Where a Member's inquiry involves a written answer and it appears to the Mayor and the C.A.O. that an extraordinary cost to the Town will be incurred by reason of:
- (a) detracting from performance of Town employees' regular duties or causing excessive overtime to be worked;
  - (b) requiring the hiring of additional employees; or
  - (c) the necessity of obtaining and paying for the information from other than Town employees, and no appropriation has been made for such expenditure in the budget of any department,
- the C.A.O. shall report the anticipated cost to Council and shall not proceed with the investigation necessary to answer the inquiry unless and until Council directs that the inquiry is to be made and provision is also made for payment of the cost.
- (4) The subject matter of an inquiry is not debatable until the reply thereto has been made or presented to Council.
- (5) A Member wishing to obtain information or make an inquiry may, instead of following the procedure hereinbefore set forth, reduce the request or inquiry to writing and forward the same to the C.A.O.
- (6) On receipt of a written inquiry or request, the C.A.O. may:
- (a) refer the inquiry to an appropriate Committee; or
  - (b) refer the inquiry to the appropriate department of the Town administration for a report to be made either:
    - i. to an appropriate Committee; or
    - ii. directly to the Member who made the inquiry, or
  - (c) proceed in accordance with Subsection (3) hereof.

### **23. NOTICE OF MOTION**

- (1) A Notice of Motion shall be used to give notice of the introduction of a new matter when an extended period of time is advisable prior to considering the matter.
- (2) A Notice of Motion may be presented and described prior to the closing of a Meeting by a Member reading the Notice of Motion, which shall then be recorded in the minutes and shall form part of the Agenda for the subsequent Meeting.
- (3) Subsection (1) shall not be construed as preventing a motion on a Point of Order or Point of Privilege.

### **24. MOTIONS OF COUNCIL AND THE COMMITTEE OF THE WHOLE**

- (1) After a motion has been properly presented and is being considered by Council or the Committee of the Whole, no Member may make any other motion except a motion to:
- (a) Refer the main question;
  - (b) amend the main question or an amendment to it;
  - (c) Table the main question;
  - (d) Postpone the main question;
  - (e) fix the time for adjournment.
- (2) When a motion to Refer has been made, no Member may make an amendment to the main question or enter into any debate on the main question unless the referral motion has been decided in the negative.
- (3) A Member who is moving a motion to Refer shall include in the motion, the terms on which the motion is being referred and may include in the motion:
- (a) whatever explanation is necessary as to the purpose of the motion; and
  - (b) the time when the referral is returnable.
- (4) A motion to Table a matter shall not be debated except as to the reason for tabling.
- (5) A motion to lay a matter on the table may neither be debated nor amended.
- (6) A motion to Postpone a matter shall not be debated except as to the reason for the postponement and the time when the matter will again be considered.

**25. MOTIONS CONTAINING DISTINCT PROPOSITIONS**

- (1) A motion containing several distinct propositions is not out of order for that reason alone.
- (2) When a motion contains more than one distinct proposition and Council or the Committee of the Whole requires by Simple Majority Vote, or the Chairperson directs, each proposition in such motion shall be dealt with separately.

**26. AMENDMENTS TO MOTIONS**

- (1) Notwithstanding anything elsewhere herein contained, no amendment shall be made to a motion:
  - (a) to Refer a question;
  - (b) to Table a question;
  - (c) to Postpone discussion on a matter;
- (2) While a motion is under discussion by Council or the Committee of the Whole, a Member may not move:
  - (a) an amendment which does not relate to the subject matter of the principal motion, or
  - (b) an amendment directly contrary to the principal motion.
- (3) The Chairperson, after consultation with the mover, may determine that a proposed amendment does not change the intent of the motion and therefore is considered a "friendly" amendment not requiring a formal motion, debate, and vote.
- (4) Where an amendment has been moved to a motion which is under discussion, an amendment to the amendment may be moved, but no further amendment may be moved to the amendment or to the principal question until after the amendment to the amendment is voted upon.
- (5) The Chairperson shall not allow debate on the principal motion until all amendments to it have been put forward and voted upon.
- (6) The Chairperson shall put forward amendments in the reverse order to which they have been moved.
- (7) When all amendments are voted upon, the Chairperson shall put forward the principal motion incorporating, therein, any amendments already adopted.

**27. DEBATE OF MOTIONS**

- (1) No Member shall speak more than once on the same item without the leave of the Chairperson, except that a Member may speak:
  - (a) in explanation of a material part of said Member's speech which may have been misunderstood; or
  - (b) in reply after everyone else wishing to speak has spoken, if he has presented the motion to Council.
- (2) No Member, without leave of the Chairperson, shall speak to clear up a misunderstanding, or in reply, for a period of longer than five (5) minutes.
- (3) A Member may ask a question, stated concisely, of the previous speaker to explain any part of the previous speaker's remarks.
- (4) A Member may ask questions of the C.A.O. or a municipal official to obtain information relating to a report presented to Council or the Committee of the Whole or to any clause contained therein, at the commencement of the debate on the report or on the clause.
- (5) When it is a Member's turn to speak during debate, before speaking, the Member may ask questions of the C.A.O. or a municipal official in order to obtain information relating to the report or clause in a question.
- (6) A Member's question shall not be ironic, rhetorical, offensive, or contain epithet, innuendo, satire, or ridicule, be trivial, vague, or meaningless.
- (7) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- (8) When the motion has been declared as having been put to a vote, no Member shall debate further on the question or speak any words except to request that the motion be read aloud.
- (9) The Chairperson shall determine when a motion is to be put to a vote.
- (10) A motion submitted to Council do not require a seconder.

**28. RESCINDING A MOTION**

- (1) A motion to rescind a previous motion may be accepted by the Chairperson and, if passed by a majority of the Members present, the previous motion referred to shall be declared null and void.

**29. RECONSIDERING A MOTION**

- (1) After a motion has been voted upon, and before moving to the next item on the Agenda, any Member who voted with the prevailing side may move for reconsideration and shall state the reason therefore. Reconsideration shall then be open to debate, voted upon, and shall require a Simple Majority Vote to pass.
- (2) A motion for reconsideration at a subsequent Meeting shall be preceded by a Notice of Motion and shall require a Simple Majority Vote to pass.
- (3) Debate on a motion for reconsideration shall be confined to reasons for or against the purpose for reconsideration.
- (4) If a motion to reconsider is decided in the affirmative, the original motion shall become the next order of business.
- (5) A motion for reconsideration that does not pass cannot be brought forward for reconsideration again until the third Meeting after the initial reconsideration motion was made.
- (6) A motion that has been approved for reconsideration and subsequently passes automatically rescinds the previous motion.

**30. CONDUCT OF THE PUBLIC**

- (1) Members of the public who constitute the gallery during a Meeting shall maintain order and peace and shall not applaud or otherwise interrupt any speech or action of the Members.
- (2) The Chairperson may direct that any person in the gallery who creates any disturbance during a Meeting leave Council Chambers immediately, and if that person does not forthwith leave, may have such person removed.

**31. WRITTEN COMMUNICATIONS AND PETITIONS**

- (1) Where a communication intended for Council or the Committee of the Whole is received, the C.A.O shall determine if the communication is:
- (a) a courtesy item to be provided directly to Members, or
- (b) is a matter of public information in which case it shall be placed on the Agenda.
- (2) Where a person wishes to bring any matter to the attention of Council or the Committee of the Whole or to have any matter considered by Council or the Committee of the Whole, the person may address a letter or other written communication to Council or the Committee of the Whole and said letter or other communication shall:
- (a) be typewritten or legibly written by hand;
- (b) be signed by the correct name of the writer;
- (c) contain the phone number and full mailing address of the writer; and/or
- (d) indicate if the writer wishes to address Council or the Committee of the Whole on the matter or to answer to questions in relation to the communication.
- (3) A group of persons who wish to present a petition to Council on any matter within the jurisdiction of Council shall cause the petition to be filed with the C.A.O. who shall determine its sufficiency.

**32. DELEGATIONS**

- (1) The Chairperson may request a person to address Council or the Committee of the Whole but a Member may raise a Point of Order.
- (2) Subject to Subsection (3), individuals or groups who have made a request to the C.A.O. to address Council or the Committee of the Whole no later than three (3) Clear Working Days prior to the Meeting, will be allowed to make a personal presentation to Council in accordance with the Agenda.
- (3) Personal presentations to Council or the Committee of the Whole shall not be allowed with regard to an undisposed matter, which has been the subject of a public hearing that has been closed.

- (4) No person shall address Council or the Committee of the Whole for more than ten (10) minutes, and no more than two spokespersons shall be heard on behalf of any one delegation for a total time not exceeding twenty (20) minutes, exclusive of the time required to answer questions of Council, unless:
  - (a) an applicable statute or other overriding law in force in the Province of Alberta requires that a longer time be allowed; or
  - (b) the time is extended by the Chairperson; or
  - (c) the time is extended by a Simple Majority Vote of Council,
- (5) Every person addressing Council shall adhere to the rules of decorum set out for Members in this Bylaw.

### **33. PUBLIC HEARINGS**

- (1) A public hearing on any matter to be heard by Council shall be conducted in accordance with this Section.
- (2) A non-statutory public hearing may be heard by the Committee of the Whole.
- (3) Any person(s) who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by Council or the Committee of the Whole either by oneself or one's agent.
- (4) Any person wishing to file a written submission relating to a public hearing shall file said submission with the C.A.O. no later than three (3) Clear Working Days prior to the public hearing.
- (5) The procedure for conducting public hearings shall be as follows:
  - (a) the C.A.O. shall introduce the subject matter and reason for the public hearing;
  - (b) the Chairperson shall determine the names of those persons who wish to speak in favour of the proposal, who wish to speak against the proposal, and who wish to make general comments;
  - (c) If written submissions have been made in respect to the proposed public hearing, the C.A.O. shall inform Council of the numbers, the nature of written submissions, and the numbers in favour of and opposed to the subject matter of the public hearing;
  - (d) The Chairperson shall inquire of the public present if there be any person or persons who desire to make oral representations, and if any persons so declare themselves, shall proceed with the public hearing.
  - (e) if no person or persons present desire to make an oral submission, the Chairperson shall declare the public hearing closed and proceed to the Meeting.
- (6) The procedure for hearing oral representations shall be as follows:
  - (a) the order of speaking shall be determined by the Chairperson, whose decision shall be final;
  - (b) persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf, for another person, or for a group, and address the Chairperson when providing information or responding to questions.
  - (c) each person who is in favour of the proposal, whether or not the person has filed a written submission, shall be given ten (10) minutes to make representation before Council or the Committee of the Whole, exclusive of the time required to answer questions put to the person by Council or the Committee of the Whole;
  - (d) the Chairperson shall ask Members if any Member has questions of those making submissions in favour of the proposal;
  - (e) each person who is opposed to the proposal, whether or not the person has filed a written submission, shall be given ten (10) minutes to make representation before Council or the Committee of the Whole, exclusive of the time required to answer questions put to the person by Council or the Committee of the Whole;
  - (f) the Chairperson shall ask Members if any Member has questions of those making submissions in opposition to the proposal;

- (g) each person who wishes to make general comments on the proposal, whether or not the person has filed a written submission, shall be given ten (10) minutes to make representation before Council or the Committee of the Whole, exclusive of the time required to answer questions put to the person by Council or the Committee of the Whole;
  - (h) the Chairperson shall ask Council if any Member has questions of those making general comments.
  - (i) Members may not debate the issue in the public hearing;
  - (j) the Chairperson shall declare the public hearing closed and proceed to the Meeting.
- (7) An outline of the foregoing rules of procedure shall be provided in written form to any person who indicates that he wishes to make a written submission, and further, there shall be printed copies of the same available to those in attendance at the public hearing.
  - (8) Written presentations received during the public hearing may be given to the C.A.O. but will not be read into the minutes. Presenters at the public hearing can speak from their written presentation before submitting it to the C.A.O.
  - (9) Time extensions for presentations may be granted by the Chairperson.
  - (10) Only one presentation per person in the gallery is allowed with the exception of the applicant.
  - (11) The Chairperson reserves the right to abbreviate repetitious oral submissions.
  - (12) The use of slides, maps, and videos is permitted and these along with written submissions become the property of the Town of Viking as exhibits to the public hearing.
  - (13) Debate or any discussions between parties in the gallery is not allowed.
  - (14) Recording devices are allowed to be used by the public at the discretion of the Chairperson but must be declared at the beginning of the public hearing.

#### **34. IN CAMERA SESSION**

- (1) When a majority of the Members present is of the opinion that all or a portion of the Meeting must be held in private in accordance with the Act, Council or the Committee of the Whole may, by resolution, hold an In Camera session.
- (2) The rules of order for the conduct of a Meeting shall apply to the In Camera session.

#### **35. BYLAWS**

- (1) Where Council or a Committee of Council approves the principle of the subject matter of a proposed Bylaw, it shall refer the matter, with instructions for preparation of the Bylaw, to the C.A.O.
- (2) Council shall vote on the motion for the first reading of the Bylaw without amendment or debate.
- (3) Notwithstanding Subsection (2), a Member may ask questions concerning the Bylaw as long as the Member does not thereby attempt to elaborate on the Bylaw's subject matter or express an opinion for or against the Bylaw.
- (4) After a Member has made the motion for the second reading of the Bylaw, Council may:
  - (a) debate the substance of the Bylaw; and
  - (b) propose and consider amendments to the Bylaw.
- (5) Proposed amendments to a Bylaw that has been given first reading shall be put to a vote and if carried, shall be considered as having been read a first time and incorporated in the Bylaw.
- (6) When a Bylaw is being considered for third reading at a Meeting, and the Bylaw received first and second readings at a previous Meeting or Meetings, Council may:
  - (a) debate the substance of the Bylaw; and
  - (b) propose and consider amendments to the Bylaw.
- (7) Proposed amendments to a Bylaw that has been given second reading shall be put to a vote and, if carried, shall be considered as having been read a first and second time and incorporated in the Bylaw.
- (8) After passage, a Bylaw shall indicate the date on which it was signed.

**36. GENERAL PROVISIONS**

- (1) Where rules of procedure are unknown, the Act shall prevail. Where the rules of procedure are not provided by the Act, the current edition of Robert's Rules of Order shall prevail.
- (2) In the event of any conflict between the provisions of this Bylaw and any other Bylaw of the Town of Viking, the provisions of this Bylaw shall prevail, subject to the provisions of the Act.
- (3) All communication with Council regarding agendas, council information packages, and all other written communications shall be sent to Council by means of e-mail.
- (4) This Bylaw shall rescind Bylaw 2009-608 and shall take effect on the date of its third and final reading.

**READ A FIRST TIME** this 15th day of October, 2012.

**READ A SECOND TIME** this 15th day of October, 2012.

**READ A THIRD TIME** and passed this 12th day of November , 2012.

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**MAYOR**

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**CHIEF ADMINISTRATIVE OFFICER**