

Date of Consolidation: February 1, 2021

Consolidation of Bylaw No. 493-2001

**CITY OF LEDUC COUNCIL PROCEDURES BYLAW
Adopted January 9, 2001**

As Amended By:

Bylaw 877-2014 adopted December 9, 2014
Bylaw 902-2015 adopted September 28, 2015
Bylaw 922-2016 adopted June 13, 2016
Bylaw 1082-2021 adopted January 25, 2021
Bylaw 1092-2021 adopted April 12, 2021
Bylaw 1164-2023 adopted November 20, 2023

Repealed:

Bylaw 01-1907 adopted March 12, 1907

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A BYLAW OF THE CITY OF LEDUC IN THE PROVINCE OF ALBERTA, FOR THE ESTABLISHMENT OF COUNCIL COMMITTEES AND THE REGULATING OF THE FUNCTIONS, PROCEDURES AND CONDUCT OF MEETINGS.

The *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended grants a municipality the authority to pass, amend and repeal a bylaw.

AND, in accordance with the Act, the City of Leduc has enacted Bylaw No. 493-2001, Council Procedures Bylaw, and made amendments to it;

WHEREAS The Committee-of-the-Whole ("Committee") will be better able to fulfill its purpose of reviewing matters or receiving information referred by City Administration or by Committee members through motions required information from City Administration AND Council wishes to allow Council and Committee-of-the-Whole members to participate in meetings via electronic communication;

AND WHEREAS the Committee is limited in the motions it can make;

AND WHEREAS Council of the City of Leduc considered it desirable and necessary to empower the Committee to direct City Administration;

NOW THEREFORE, the Council of the City of Leduc in the Province of Alberta duly assembled, hereby enacts as follows:

PART I: BYLAW TITLE

1. That bylaw shall be known as the 'Council Procedures' Bylaw.

PART II: DEFINITIONS

City:	the Municipal Corporation of the City of Leduc
Committee-of-the-Whole:	a Committee of Council Added with Bylaw 922-2016, June 13, 2016
City Manager:	the Chief Administrative Officer of the City, as appointed pursuant to the <i>Municipal Government Act</i>
Council:	the Council of the City of Leduc. Modified with Bylaw 922-2016, June 13, 2016
Peace Officer:	means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Special Constable

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PART III: APPLICATION

2. Deputy Mayor

- a) The position of Deputy Mayor shall be one month in duration and scheduled during the annual Organizational Meeting of Council.
- b) In the absence of the Mayor and the scheduled Deputy Mayor, the next available Deputy Mayor on the schedule shall be authorized to fulfil the responsibilities or duties required of the Mayor.

3. Agendas

- a) An agenda shall be prepared for all meetings and shall list the order of business. Agendas shall be approved by the City Manager and Mayor, or their designates, prior to the agenda being finalized and made available for distribution.
- b) The order of business on an agenda for a regular Council meeting shall include, but not be limited to, the following, subject to order changes as the Chair directs;
 - i. Adoption of Agenda
 - ii. Adoption of Previous Minutes
 - iii. Public Commentary **Added by Bylaw 1162-2023, November 20, 2023**
 - iv. Consent Agenda
 - v. Public Hearings
 - vi. Presentations
 - vii. Old Business
 - viii. New Business
 - ix. Bylaws
 - x. Information Reports
 - xi. Committee-of-the-Whole
 - xii. Business Arising from Committee-of-the-Whole
 - xiii. Council/Administration Comments
 - xiv. Closed Session
 - xv. Business Arising from Closed Session

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xvi. Adjournment

Amended with Bylaw 1082-2021, January 25, 2021

- c) The agenda for a regular meeting, together with all pertinent correspondence and reports, shall be submitted to each member of Council by 4:30 pm on the Thursday prior to any Council meetings. **Amended with Bylaw 1082-2021, January 25, 2021**
- d) The agenda shall be available to the public at the same time it is available to each member of Council, with the exclusion of any matters that may be within one of the exceptions to disclosure identified in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.

4. Order of Business

- a) The order of business at a meeting is the order of the items on the agenda except:
 - i) when a previous meeting has been adjourned for lack of quorum and no special meeting has been called to deal with the business of the adjourned meeting, the agenda items from the adjourned meeting must be dealt with first, or
 - ii) when Council members in attendance unanimously agree to alter the order of business for the convenience of the meeting.

4.1 Consent Agenda

Members of Council may select items for approval as part of an omnibus Consent Agenda. Subject to an exemption request by any member of Council, items proposed for inclusion in the Consent Agenda, whether proposed bylaws or otherwise, will be voted on as a block. **Amended with Bylaw 1082-2021, January 25, 2021**

5. Quorum

- a) As soon as there is a quorum of members of Council after the time fixed for the meeting to start, the Chairman shall take the Chair and call the meeting to order.
- b) If a quorum is not present within thirty (30) minutes after the time fixed for the meeting to start, the record of the meeting shall show those names of the members of Council who are present and the meeting shall adjourn until the next regular meeting unless a special meeting is called in the meantime.
- c) 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 thirty (30) minutes, the meeting shall stand adjourned.

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6. General Rules of Council

- a) In the event the Mayor or Deputy Mayor is not in attendance within fifteen (15) minutes after the time fixed for the meeting to start and a quorum is present, those Council members in attendance shall select a member to preside during the meeting or until the Mayor or Deputy Mayor arrive.
- b) A motion submitted to Council does not require a seconder.
- c) If the vote on a motion is not unanimous, the minutes shall state the names of the Council members in attendance and state whether the Council member voted for, or against the motion.
- d) If a member arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it shall be so recorded in the minutes.
- e) Notice of a meeting to the public is sufficient if the notice is posted in the Civic Centre Atrium public bulletin board within 24 hours of the start of the meeting.
- f) Any matter of meeting conduct that is not provided for within the *Municipal Government Act* or within this Bylaw shall be determined in accordance with the most recent revision of *Robert's Rules of Order Newly Revised*.
- g) In part, Committee-of-the-Whole is intended as a forum that allows for the relaxation of formalities and procedures that apply to regular Council meetings, thereby facilitating an enhanced free flow of dialogue between and among Council members and Administration. In addition to scheduled Committee-of-the-Whole agenda items, for any other item scheduled for consideration during a particular Council meeting, Council may move into Committee-of-the-Whole if the Chair calls for a Committee-of-the-Whole meeting, or if Council resolves to move into Committee-of-the-Whole.

6.1 Closed Session Items

- a) Before closing all, or any part of, a Council or Council Board/Committee meeting to the public, a resolution must be approved:
 - i) stating the part of the meeting to be closed, and
 - ii) the basis on which, under an exception to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act* the part of the meeting is being closed.
- b) A resolution must be approved to move the meeting back to Open Session at the conclusion of the Closed Session part of the meeting.

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- c) Both resolutions will be recorded in the minutes of Council or of the Council Board/Committee. **Amended with Bylaw 1082-2021, January 25, 2021**

6.2 Participation in Meetings Through Electronic Communication

Added with Bylaw 922-2016, June 13, 2016

- a) A member of Council may participate in a regular Council meeting, or a portion of a regular Council meeting, through electronic communication if:
 - i) There are extenuating circumstances, such as illness or injury to the member or an immediate family member, that prevents the member from personally attending the meeting;
 - ii) The member is out of the City and unable to personally attend the meeting;
 - iii) There is a need to create quorum at the meeting. If this is the circumstance, the member participating through electronic communication must attend the entire meeting.
- b) A member of Council who wishes to participate via electronic communication in regular Council meeting must provide notice of the intent as soon as possible to the City Manager and City Clerk.
- c) The member of Council participating via electronic communication must verbally indicate to the Chair that they wish to speak to the matter. Their name will then be added to the speaking list.
- d) When a vote is called, the member of Council participating via electronic communication must verbally vote if the member cannot be seen, as in video conferencing.

7. Presentations

- a) When a person wishes to appear before Council under the "Presentations" portion of the meeting, a written request must be submitted to the City Clerk no later than 12:00 noon on the Tuesday of the week prior to the meeting.
- b) A written request to appear at a Council meeting shall be legible and contain adequate information to enable Council to deal with the matter. Adequate information includes, but is not limited to, the following:
 - i) name, address and telephone number of the person wishing to make the presentation;
 - ii) clearly identify the topic to be discussed;

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- iii) clearly identify the request being made to Council, if applicable, and
 - iv) contain any background information to support the request, if applicable.
 - c) A presentation request shall not be confirmed as being on a meeting agenda until the agenda has been reviewed by the City Manager and Mayor, or their designates.
- 8. Public Commentary ~~Deleted and replaced by Bylaw 1162-2023, November 20, 2023~~
 - a) The purpose of Public Commentary is to allow people an opportunity to come before Council during a meeting of Council in order to address Council on a matter pertaining to city business, in an abbreviated and less formal manner than would otherwise be more appropriate for a Presentation.
 - b) When registering to request an opportunity to address Council during the Public Commentary portion of a Council Meeting, a person must provide:
 - i) their name;
 - ii) their telephone number and/or email address, if applicable;
 - iii) their home address or property address;
 - iv) the date of the Council Meeting at which they are requesting to address Council; and
 - v) the topic that they intend to speak about.
 - c) A person may register to request an opportunity to address Council during the Public Commentary portion of a Council Meeting. The chair of the Council Meeting may reject requests to present or make public comment, or may otherwise interrupt or terminate the comment, if the subject matter discussed or to be discussed includes commentary or material that:
 - i) promotes harassment or discrimination against an individual or group based on factors such as race, religious beliefs, color, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation;
 - ii) singles out an individual member or members of City of Leduc staff;
 - iii) is an unreasonable invasion of a third party's personal privacy as per section 17 of the Freedom of Information and Protection of Privacy Act;
 - iv) is contrary to the values enshrined in the Canadian Charter of Rights and Freedoms;
 - v) is against public decency;

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- vi) is related to an unresolved legal matter involving the City;
 - vii) is otherwise not germane to city business or matters of public interest; or
 - viii) is on the agenda.
- d) When addressing Council during the Public Commentary portion of a Council Meeting, the speaker may speak only to the topic specified when registering. If a speaker provides commentary that is not related to the topic specified in their registration, they may be asked by the Chair to return to their registered topic, and if they fail to do so, may be required to discontinue their commentary, and may be ejected from the Council Chambers for the remainder of the Council Meeting.
 - e) A Public Commentary presentation shall be verbal only; no audio-visual presentations shall be permitted.
 - f) A Public Commentary presentation may not exceed five (5) minutes in length unless allowed by the Chair.
 - g) Council may by motion abridge these rules for Public Commentary at any time, in order to allow a person to present to Council who would otherwise not be permitted.

9. Minutes

- a) Minutes of meetings shall be made available to the public as soon as is practical after the minutes have been adopted.

10. Council Committee of the Whole

- a) A committee is hereby established called "Council Committee of the Whole" with membership comprised of all members of Council.
- b) The purpose of Council Committee of the Whole is to review matters or receive information referred by City administration or by members of Council.
- c) Council Committee-of-the-Whole may not make motions or take votes and shall refer items to a Council meeting if decisions are required, with the exception of: Repealed and substituted by Bylaw 902-2015, September 28, 2015
 - i) Making a motion, and taking a vote:
 - a) to accept the meeting agenda
 - b) to accept meeting notes of previous Committee-of-the-Whole meetings
 - c) to comply with Section 6.1 – Closed Session Items
 - d) To direct City Administration to investigate matters and present recommendations to either the Committee-of-the-Whole or directly to Council. **Added with Bylaw 922-2016, June 13, 2016**

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11. Improper Conduct

- a) The Chair of a meeting may expel from a meeting any member of Council or any person from the public who disturbs the proceedings of Council by words or actions.
- b) The Chair may request a Peace Officer to remove the person expelled if that person refuses to leave.

12. Advisory Committees or Boards

- a) Council may establish by bylaw any other Advisory Committee, Board or other body as deemed necessary.
- b) Bylaws adopted pursuant to 12.a) shall include the following:
 - i) the purpose and mandate of the Committee, Board or other body
 - ii) the authority and responsibilities of the Board
 - iii) the membership of the Committee, Board or other body which shall include a minimum of one member of Council, and
 - iv) the term of office for the membership.
- c) All Advisory Committees, Boards or other bodies established pursuant to this Bylaw must comply with the procedures of this bylaw and the *Municipal Government Act*, as applicable.
- d) Members of Council who are appointed to any Advisory Committees, Boards or other bodies established by Council have the responsibility of keeping Council informed of any activities of the Advisory Committees, Boards or other bodies they are appointed to.

PART V: REPEAL

- 13. Bylaw 01-1907 and all subsequent amendments are hereby repealed.

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PART VI: ENACTMENT

This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

READ A FIRST TIME IN COUNCIL THIS 8th DAY OF JANUARY, AD 2001.

READ A SECOND TIME IN COUNCIL THIS 8th DAY OF JANUARY, AD 2001.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 8th DAY OF JANUARY, AD 2001.

_____(originally signed)_____

George Rogers
MAYOR

_____(originally signed)_____

Coral Callioux
CITY CLERK

January 9, 2001 _____
Date Signed