



**Jasper Municipal Council
Legislative Committee Meeting**

July 2, 2024, 10:00am

Jasper Library and Cultural Centre - Quorum Room

AGENDA

1. Call to order – Councillor Hall to Chair
 2. Additions or deletions for July 2, 2024 agenda
 3. Approval of July 2, 2024 agenda
 4. Jasper Municipal Leasehold Assets Society update verbal
 5. Procedure Bylaw Review: Part 6 – Motions attachment
 - City of Grande Prairie motions section attachment
 - Town of Canmore motions section attachment
 - Town of Banff motions section attachment
 6. Legislative Committee Motion Action List attachment
 7. Next meeting
 8. Adjournment
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Jasper Municipal Council Legislative Committee members and a limited number of staff are in Council chambers in the Quorum Room of the Jasper Library and Cultural Centre for meetings. Members of the public can attend meetings in person and are invited to view agendas and meeting minutes on the Municipality's website at <https://www.jasper-alberta.ca/> .

**MUNICIPALITY OF JASPER
BYLAW #XXX**

**BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA
TO ESTABLISH PROCEDURES FOR COUNCIL AND COMMITTEE OF THE WHOLE
MEETINGS.**

PART 1 – INTERPRETATION

- 1.0 Citation
- 2.0 Definitions
- 3.0 Application and Interpretation
- 4.0 Severability

PART 2 – COUNCIL MEETINGS

- 5.0 Inaugural Meeting and Oath of Office
- 6.0 Organizational Meeting
- 7.0 Campaign Period
- 8.0 Notice of Meeting
- 9.0 Notice of Special Meeting
- 10.0 Meeting Changes
- 11.0 Meeting in Public
- 12.0 Closed Session
- 13.0 Quorum
- 14.0 Committee of the Whole Meeting
- 15.0 Meeting by Electronic Means

Part 3 – DUTIES OF OFFICIALS

- 16.0 Duties of the Mayor
- 17.0 Duties of the Deputy Mayor
- 18.0 Duties of the Chair
- 19.0 Duties of the Chief Administrative Officer

Part 4 – PECUNIARY INTEREST

- 20.0 Pecuniary Interest

Part 5 – AGENDA

- 21.0 Agenda
- 22.0 Agenda Submission Deadlines
- 23.0 Provision of Agendas
- 24.0 Approval of Agenda

Part 6 – MOTIONS

Part 7 – DEBATE & VOTING

Part 8 – BYLAWS

Part 9 – PUBLIC PARTICIPATION

Input on approved agenda items
Correspondence
Presentations and Delegations
Conduct in Chambers

~~Part 10 – COUNCIL DOCUMENTS/RECORDS or AGENDA or AGENDAS & MINUTES~~

Part 11 – PUBLIC HEARINGS

PURPOSE

WHEREAS pursuant to Section 145 of the *Municipal Government Act*, RSA 2000, cM-26, Council may pass a bylaw to establish procedures to be followed by council, council committees and other bodies established by the council.

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

NOW THEREFORE BE IT RESOLVED that the Council of the Specialized Municipality of Jasper, in the Province of Alberta, duly assembled, enacts:

PART 1 – INTERPRETATION

1. CITATION

- 1.1. This Bylaw may be cited as the “Procedure Bylaw”.
- 1.2. Municipality of Jasper bylaw #190, the “Procedure Bylaw” is hereby repealed.

2. DEFINITIONS

- 2.1. “Act” means the *Municipal Government Act*, RSA 2000, cM-26, as amended, or any statute enacted in its place.
- 2.2. “Adjourn” used in relation to any meeting, except a public hearing, means to terminate the meeting.
- 2.3. “Administration” means the employees of the Municipality of Jasper.
- 2.4. “Agenda” means the list of items and order of business for any Meeting of Council or Committee.
- 2.5. “Chair” means the Mayor, Deputy Mayor, or other person who has authority to preside over a meeting.

- 2.6. “Chief Administrative Officer” or “CAO” means the person appointed by Council to the position of Chief Administrative Officer, or designate.
- 2.7. “Closed Session” means a Meeting or portion of a Meeting at which only Council and any other persons specified by Council may attend.
- 2.8. “Committee of the Whole” means a Committee comprised of all Council which conducts itself as a Committee of Council.
- 2.9. “Council” means the duly elected Council of the Specialized Municipality of Jasper.
- 2.10. “Council Committee” means a Committee, Board, or other body, established by Council under the Act that is carrying out a power, duty or function delegated to it by Council, but excluding Committee of the Whole.
- 2.11. “Councillor” means a member of Council duly elected, excluding the Chief Elected Official.
- 2.12. “Deputy Mayor” means the Councillor appointed by Council to act as Mayor in the absence or incapacity of the Mayor.
- 2.13. “Electronic Means” means an electronic communication method that enables all persons attending a meeting to hear and see each other during the course of the meeting, as determined by the CAO.
- 2.14. “*Freedom of Information and Protection of Privacy Act*” (FOIP Act) means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, cF-25, as amended, or any statute enacted in its place.
- 2.15. “Mayor” means the Chief Elected Official of the Municipality of Jasper, or designate.
- 2.16. “Meeting” means a Meeting as outlined in sections 192, 193, 194 or 195 of the Act. These are an Annual Organizational Meeting, a Council Regular Meeting, a Council Special Meeting, or a Council Committee of the Whole Meeting.
- 2.17. “Member” means an elected Member of Council.
- 2.18. “Municipality” means the Specialized Municipality of Jasper in Jasper National Park in the province of Alberta.
- 2.19. “Pecuniary Interest” means something which could monetarily affect the Member, Member’s spouse, or adult interdependent partner, Member’s children, Member’s parents or the parents of the Member’s spouse, or a business which employs a Member or in which a Member has an interest.
- 2.20. “Public Hearing” means a Meeting or portion of a Meeting that Council is required to hold under the Act or another enactment for the primary purpose of hearing submissions.
- 2.21. “Reconsider” means to bring forward for consideration of Council a motion that has already been brought before, and voted upon by Council, earlier in that same meeting.

- 2.22. “Refer” means to send a motion made but not voted upon or agenda item to a Council committee or the administration for investigation and report.
- 2.23. “Senior Leadership Team” means the senior management team responsible for the planning, organization, development, implementation and administration of the service areas of the Municipality, as established or defined by the CAO.
- 2.24. “Urgent Business” means business, which is of an urgent nature, which requires action prior to the next meeting of Council.
- 2.25. “Quorum” means the number of Members to be present at a Meeting to legally conduct business at the Meeting.

3. APPLICATION AND INTERPRETATION

- 3.1. This bylaw shall apply to all Meetings of Council and Committee of the Whole.
- 3.2. Council may make this Bylaw applicable to other Council Committees completely or in part.
- 3.3. The precedence of rules governing the procedures of Council is:
 - 3.3.1. the Act;
 - 3.3.2. other federal or provincial legislation; and
 - 3.3.3. this Bylaw.

Suspension of Rules

- 3.4. With the exception of requirements imposed by federal or provincial legislation, Council may temporarily waive or vary all or part of the provisions of this Bylaw for a Meeting or a portion of a Meeting, if the Council Members present vote unanimously to do so.

4. SEVERABILITY

- 4.1. If any section in this bylaw is found to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

PART 2 – COUNCIL MEETINGS

5. INAUGURAL MEETING AND OATH OF OFFICE

- 5.1. The organizational meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2. The CAO shall set the date, time and place of the inaugural meeting.
- 5.3. Until the Mayor has taken the oath of office, the CAO shall chair the inaugural meeting (or be the designated chair).
- 5.4. Each Councillor, and the Mayor, shall sign the oath of office and the Council Code of Conduct prior to the inaugural meeting.

- 5.5. In the event of a by-election, a duly elected Mayor or Councillor shall take the prescribed oath of office as the first order of business upon being elected to office.
- 5.6. Unless otherwise agreed, the roster for Deputy Mayor on a rotating two month basis shall be determined by random selection for the Council's term of office.
- 5.7. The outgoing Deputy Mayor shall be the Acting Mayor except that immediately after a general election the Acting Mayor will be chosen by random selection.
- 5.8. Orientation training shall be provided for participation by each Councillor, including the Mayor, within the timelines set out in the *Act*.

6. ORGANIZATIONAL MEETING

- 6.1. Council shall hold an organizational meeting annually no later than two weeks after the third Monday in October.
- 6.2. At the organizational meeting, Council will:
 - 6.2.1. provided that all Members are present, set the dates, times and place of regular Council meetings and Committee of the Whole meeting;
 - 6.2.2. adopt a schedule for the position of Deputy Mayor and Acting Mayor, appointing Councillors to the positions for a two-month period on a rotating basis;
 - 6.2.3. on the recommendation of the Mayor, appoint Members to serve on Council Committees and external boards and agencies;
 - 6.2.4. conduct other business as identified on the organizational meeting agenda.
- 6.3. If not all Members are present at the Organizational meeting, the dates, times and location of regularly scheduled meetings shall be established by resolution at the next Regular Council meeting with all Members present.
- 6.4. No Council or Committee of the Whole meetings, other than a special meeting, shall be scheduled on a Canadian national holiday or a statutory holiday in Alberta.

7. CAMPAIGN PERIOD

- 7.1. No regularly scheduled Council or Committee of the Whole meetings shall be held between nomination day and the inaugural organizational meeting each year a general election is held.

8. NOTICE OF MEETING

- 8.1. Notice does not need to be given for the meetings scheduled under section 6.2.1 herein. The approved meeting schedule will be posted on the municipal website.
- 8.2. Changes to the meeting schedule established under section 6.2.1 herein may be made in accordance with the *Act* and this Bylaw.

- 8.3. The CAO shall notify Council and the public as soon as possible, no less than twenty-four (24) hours in advance, when meetings are scheduled, re-scheduled, postponed or cancelled.
- 8.4. Notice is deemed to be given by:
 - 8.4.1. notifying Council by electronic mail;
 - 8.4.2. posting on the Municipality's website; and
 - 8.4.3. posting the meeting calendar, and notifications of subsequent changes, in a place in the Municipality's office which is accessible by the public.

9. NOTICE OF SPECIAL MEETING

- 9.1. The notice for a special meeting must include the date, time and place of the meeting, and include the matters to be considered by Council at the Special Meeting.
- 9.2. If a matter is not specified in the notice of Special Meeting, it may not be dealt with unless all Members, including the Mayor, are present and pass a motion, by majority vote, to deal with the matter.

10. MEETING CHANGES

- 10.1. Changes to scheduled meetings must be determined with input from the CAO to minimize conflict between meetings and to ensure proper notification to the public.
- 10.2. The date, time or place of a meeting, including cancellation of a meeting, may be changed:
 - 10.2.1. by resolution at a previously held Regular or Committee of the Whole meeting;
 - 10.2.2. with the written consent of a majority of Members, provided twenty-four (24) hours' notice is provided to Members and the public; or
 - 10.2.3. if less than twenty-four (24) hours' notice is provided, with the written consent of two-thirds (five) Members.

11. MEETING IN PUBLIC

- 11.1. All meetings of Council and Committee of the Whole must be held in public, though a portion of the meeting may be closed to the public.

12. CLOSED SESSION

- 12.1. The only matters to be considered in Closed Sessions are matters pertaining to one of the exceptions to disclosure in Part 1, Division 2 of the FOIP Act.
- 12.2. Before holding a Closed Session, Council must adopt a motion in a public meeting, and the motion must include:

- 12.2.1. the title or general subject of the item(s) to be discussed; and
- 12.2.2. a listing of specific sections under Part 1, Division 2 of the FOIP Act, which provides the legislative authority to discuss the matters in a closed meeting.
- 12.3. Members of Administration, as deemed necessary by Council or Committee of the Whole, may attend a closed session.
- 12.4. The only motion that can be passed in a Closed Session is to revert to an open meeting where member of the public and media are permitted to attend.
- 12.5. Where a portion of a meeting is closed to the public, in addition to the resolution to do so, the CAO shall record in the minutes:
 - 12.5.1. The time that the Closed Session portion of the meeting started and ended; and
 - 12.5.2. The names of additional people attending.
- 12.6. No business other than that described within the resolution pursuant to section 12.2 may be discussed.
- 12.7. Matters discussed or to be discussed in a Closed Session are to be kept in confidence until discussed at a public meeting of Council or Committee of the Whole.

13. QUORUM

- 13.1. Quorum for Council and Committee of the Whole meetings is a majority of Members.
- 13.2. If quorum is not present within 30 minutes after the scheduled time set for the start of the meeting, the CAO will record the names of the Members present and the meeting will be adjourned for lack of quorum.
- 13.3. If quorum is lost after the meeting is called to order, the meeting will be recessed until quorum is obtained. If quorum cannot be obtained within 30 minutes of the start of the recess, the meeting will be adjourned for lack of quorum.

14. COMMITTEE OF THE WHOLE

- 14.1. There must be a Committee of the Whole comprising all Members.
- 14.2. The Deputy Mayor will be the chair of the Committee of the Whole. The Mayor may at any time resume the Chair.
- 14.3. Committee of the Whole may resolve that the date, time and place of a subsequent meeting be other than as resolved at the organizational meeting.
- 14.4. Council, by majority vote, may schedule a Committee of the Whole meeting or may resolve itself into Committee of the Whole.

- 14.5. A motion to move into Committee of the Whole may be debated only regarding the desirability of committing the main motion to Committee of the Whole but not in the main motion itself.
- 14.6. Subject to the *Act*, Committee of the Whole may consider any matter, including but not limited to:
 - 14.6.1. the budget;
 - 14.6.2. the audit;
 - 14.6.3. transportation issues;
 - 14.6.4. strategic planning;
 - 14.6.5. legislative reform;
 - 14.6.6. policing matters; and
 - 14.6.7. policy formulation.
- 14.7. Committee of the Whole may:
 - 14.7.1. conduct meetings;
 - 14.7.2. receive delegations and submissions;
 - 14.7.3. meet with other municipalities and other levels of government;
 - 14.7.4. meet with representatives from Indigenous governing bodies and others who represent or advocate for the interests of Indigenous peoples;
 - 14.7.5. make recommendations to Council on the appointment of Members or members of the public to Council committees or external committees;
 - 14.7.6. receive information or briefings from Administration;
 - 14.7.7. discuss and debate policy matters;
 - 14.7.8. make recommendations to Council for motions or bylaws;
 - 14.7.9. give direction to the CAO in the preparation and continued development of a matter being reviewed by Committee of the Whole, prior to those matters being recommended from Committee of the Whole to Council.
- 14.8. When Council moves into Committee of the Whole within a Council meeting with the intention of returning to Council for a decision at the same meeting, Committee of the Whole is not required to vote on a recommendation to Council.

- 14.9. When Council moves into Committee of the Whole to consider a matter delegated to the Committee of the Whole by Council, Members are required to vote on a recommendation to Council.
- 14.10. In Committee of the Whole the procedures of Council shall be relaxed as follows:
 - 14.10.1. a Member may speak even though there is no motion on the floor, but if there is a motion on the floor, a Member must only address that motion;
 - 14.10.2. a Member may speak more than once, provided that each Member who wishes to speak to the matter has already been permitted to do so; and
 - 14.10.3. the Mayor may make a motion without relinquishing the Chair.

15. MEETING BY ELECTRONIC MEANS

- 15.1. All Council and Committee meetings may be conducted by Electronic Means, or partially by Electronic Means, according to the provisions of the *Municipal Government Act* and associated regulations.
- 15.2. Members may participate in any meeting by attending in person, or by Electronic Means when the circumstances dictate and when the Member is unable to attend in person.
- 15.3. Any Member who is planning to attend via Electronic Means shall notify the meeting Chair, CAO and the Legislative Services Coordinator at least 24 hours before the meeting of their intention to attend the meeting remotely.
- 15.4. Subject to the discretion of the Chair, Members who are participating in Council or Committee proceedings remotely must have the audio and video functions enabled at all times. While a Member's face must be clearly visible at all times, microphones may be turned off when appropriate.
- 15.5. When a Member is attending by Electronic Means, the Chair must visually identify the Member prior to the start of the meeting and after returning from a recess.
- 15.6. A Member who is participating remotely retains all rights and privileges as stated in the Procedure Bylaw.
- 15.7. Members that are physically present at the meeting location or participating via Electronic Means are deemed to be present at the meeting and shall be counted towards quorum.
- 15.8. Except for any part of a meeting closed pursuant to section XX, the CAO shall provide access to a live, publicly available audio and video view of the meeting location where it is being held.
- 15.9. If a meeting is closed pursuant to section XX, Members participating by Electronic Means must confirm to the Chair that they are in a private location and able to maintain confidentiality over the item to be discussed, and that no recording of the meeting is occurring.

- 15.10. An individual Member may attend a Council or Committee meeting by Electronic Means a maximum of eight (8) consecutive meetings, unless otherwise approved by Council or Committee.
- 15.11. The agenda list will include instructions meant for both Members and the public for joining the meeting via Electronic Means and will include the access link, date and time.
- 15.12. The CAO shall provide the opportunity for presenters and speakers to participate in a Council or Committee meeting remotely, provided that they have submitted materials and have been authorized by the CAO to be added to the meeting agenda. Such requests must be communicated to the Legislative Services Coordinator by 12:00pm (noon) on the day of the publication of the meeting agenda.
- 15.13. Members, presenters and speakers attending the meeting by Electronic Means must not make use of the chat feature while in the meeting.

PART 3 – DUTIES OF OFFICIALS

16. DUTIES OF THE MAYOR

- 16.1. The Mayor shall, when present, chair all meetings of Council.

17. DUTIES OF THE DEPUTY MAYOR

- 17.1. The Deputy Mayor shall chair Committee of the Whole meetings and Regular meetings of Council when the Mayor is absent or unable to act as Mayor, and shall have all the powers and responsibilities of the Mayor under this bylaw in the absence or incapacity of the Mayor.
- 17.2. In the absence or inability of the Mayor and Deputy Mayor to act, the previous Deputy Mayor on the schedule shall Chair Council meetings and have all the powers and responsibilities of the Mayor under this Bylaw.

18. DUTIES OF THE CHAIR

- 18.1. The Chair shall:
 - 18.1.1. maintain order and decorum in a manner which promotes fairness, forward progress, and the efficient and effective conduct of the meeting;
 - 18.1.2. determine the order of speakers and recognize Council Members, Administration, delegations or the public to speak at the appropriate segments of an established and approved agenda;
 - 18.1.3. rule on Points of Order and Questions of Privilege;
 - 18.1.4. provide the opportunity to ensure Council Members and Administration understand the motion put before them;
 - 18.1.5. ensure that each member of Council who wishes to speak on a debatable motion is granted the opportunity to do so;

- 18.1.6. must vacate the Chair in order to make a motion and must remain out of the Chair until the item, including any associated bylaw reading, has been concluded.

19. DUTIES OF THE CHIEF ADMINISTRATIVE OFFICER

- 19.1. The CAO shall be subject to the Act and the bylaw governing the responsibility, authority, and specific duties of the CAO.

PART 4 – PECUNIARY INTEREST

20. PECUNIARY INTEREST

- 20.1. A Member who has a pecuniary interest, as defined in the Act, in a matter before Council, Committee or any other body to which the Member is appointed as a representative of the Council, must:
 - 20.1.1. disclose the general nature of the pecuniary interest prior to any discussion of the matter;
 - 20.1.2. abstain from voting on any question relating to the matter;
 - 20.1.3. abstain from any discussion of the matter; and
 - 20.1.4. leave the room in which the meeting is being held until discussion and voting on the matter are concluded.
- 20.2. If the matter with respect to which a Member has a pecuniary interest is a question on which, under the Act or another enactment, the Member as a taxpayer, an elector or an owner has a right to be heard by Council the Member may exercise a right to be heard in the same manner as a person who is not a Member.
- 20.3. Where a Member has left the meeting due to a pecuniary interest, the CAO must record in the minutes the reason for and time of the Member's departure, and return.

PART 5 – AGENDA

21. AGENDA

- 21.1. Items placed on Council agendas shall follow the Agenda Structure as set out in Schedule "A".
- 21.2. Agenda items for regular Council meeting shall be reviewed as follows:
 - 21.2.1. The CAO and Senior Leadership Team must establish agenda items no less than four (4) business days prior to the meeting.
 - 21.2.2. The CAO must approve the draft agenda no less than two (2) business days prior to the meeting.

22. AGENDA SUBMISSION DEADLINES

- 22.1. Submissions from Administration must be in accordance with administrative guidelines established by the CAO. Submissions received after the stated deadline shall be placed on the next agenda of the respective Meeting for which the submission deadline has not passed.
- 22.2. Any Member has the right to add an item to any agenda by notifying the CAO in writing of the proposed item no later than five (5) p.m., four (4) business days prior to the date of the meeting.
- 22.3. Submissions from members of the public must be in accordance with the Correspondence Policy established by Council, and the administrative guidelines established by the CAO. This policy and administrative procedures shall be posted on the Municipality's website for consultation by members of the public.
- 22.4. When the date for receipt of submissions falls on a statutory holiday, the date for receipt shall be the next business day.

23. PROVISION OF AGENDAS

- 23.1. Council and Committee of the Whole Meeting agendas, all bylaws and other materials published as part of an agenda are retained by the CAO in the permanent Corporate Record.
- 23.2. The CAO must provide copies of Council agendas for each meeting as follows:
 - 23.2.1. Delivered electronically to Members, and Administration, as soon as possible after all submissions to the meeting have been approved;
 - 23.2.2. Published on the Municipality's website for the general public and media; and
 - 23.2.3. Made available for review in person by posting the agenda cover pages in a place in the Municipality's offices which is accessible by the public.

24. APPROVAL OF AGENDA

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

25. URGENT BUSINESS

- 25.1. A Member may make a motion to add Urgent Business to a Council meeting agenda, including at the request of the CAO.
- 25.2. Urgent Business must be kept to a minimum in accordance with the principle of conducting municipal business in a transparent manner where notice of matters coming before Council is shared with the public in advance.
- 25.3. The Member introducing an urgent matter is responsible for defining why it is urgent.

- 25.4. If the proposed Urgent Business is in written form, the CAO will make all reasonable efforts to distribute it in advance of the meeting.

26. PROTOCOLS OF AGENDA ITEMS

- 26.1. The protocol for addressing each agenda item shall be:
- 26.1.1. Administration introduction/presentation;
 - 26.1.2. Questions of clarification from Members to Administration;
 - 26.1.3. Informal discussion by Members;
 - 26.1.4. Formal motion;
 - 26.1.5. Formal discussion/debate; and
 - 26.1.6. Vote.

PART 6 – MOTIONS

27. MAIN MOTIONS

- 27.1. A main motion may arise out of recommendations related to Administrative reports, directed by either Council, Council Committees, or when Administration deems a report necessary to fulfill a duty or inform Council.
- 27.2. All efforts must be made to ensure that recommendations and proposed resolutions which come before Council are concise, unambiguous and do not compete with previously adopted direction.
- 27.3. Main motions must be provided to all Members, the public and Administration in writing as part of the meeting agenda, except motions from a Member without notice.
- 27.4. The input of Administration must be incorporated into motions to ensure that any legal, financial and operational impacts are professionally addressed.
- 27.5. The Member who has made a motion cannot withdraw a motion once stated by the Chair except by general consent or by **Majority vote**.
- 27.6. The Chair must state the motion before putting it to a vote, to ensure that the Members and the public fully understand what is being voted on.
- ~~27.7. A main motion may arise out of the following sources:~~
- ~~27.7.1. recommendations related to reports from Administration;~~
 - ~~27.7.2. recommendations related to reports from Council Committees;~~
 - ~~27.7.3. proposed motions related to a Notice of Motion; or~~

~~27.7.4. proposed motion from a Member without notice in accordance with the rules for a motion without notice.~~

- 27.8. Recommendations and proposed motions which come before Council or Council Committees should be concise, unambiguous, and within the jurisdiction of Council.
- 27.9. A recommendation or proposed motion is not a motion and debate shall not commence until it is moved.
- 27.10. A motion once passed is a resolution.
- 27.11. Any Council Member may require that the motion under discussion be read or displayed at any time during the debate, except when a Council Member is speaking.

28. NOTICE OF MOTION

- 28.1. A Member, wishing to introduce a motion for consideration, must provide Notice of Motion to the CAO no later than one (1) week prior to the meeting.
- 28.2. The CAO must place the Notice of Motion on the next Council meeting agenda for which the submission deadline has not passed.

29. WITHDRAWING A MOTION

- 29.1. A motion may be withdrawn by the mover any time before voting occurs, subject to no objection from any Member present. Motions withdrawn in that manner shall not be recorded in the minutes.

30. DIVIDING THE QUESTION

- 30.1. Any Member may request that a motion be divided and voted upon separately, but only if the divided parts can stand on their own.
- 30.2. The motion can be divided by Consensus or by majority vote.

31. AMENDMENTS

- 31.1. A motion to amend is used to change the wording of another motion before voting on it.
- 31.2. A motion to amend may not interrupt a speaker and may not be contrary to the motion it purports to amend.
- 31.3. An amendment is debatable.
- 31.4. An amendment to an amendment is allowed, but a third level amendment is not.
- 31.5. An amendment to an amendment is voted on prior to the vote on the amendment.
- 31.6. A motion to amend requires a majority vote.

32. FRIENDLY AMENDMENTS

- 32.1. A friendly amendment means a change that does not affect the substance of a motion and clarifies the motion's intent.
- 32.2. The Member making a motion, after debate on a main motion has begun, may, with Consensus, propose a friendly amendment or agree to a friendly amendment proposed by another Member without a motion to amend.

33. MOTION TO REFER

- 33.1. A motion to refer is used to send the pending motion to a Committee or Administration with instructions.
- 33.2. The motion to refer may not interrupt a speaker and is debatable only as to:
 - 33.2.1. the advisability of referral;
 - 33.2.2. the body to which it is referred, and
 - 33.2.3. the instructions on the referral.
- 33.3. A motion to refer requires a **majority vote.**

34. MOTION TO POSTPONE TO A CERTAIN TIME

- 34.1. A motion to postpone to a certain time is used to postpone the consideration of a main motion to a specified later meeting or to a specific time or place on the agenda.
- 34.2. The motion to postpone to a certain time may not interrupt a speaker and is only debatable or amendable as to the time to which the motion is to be postponed and the advisability of postponement.
- 34.3. A motion to postpone to a certain time requires a **majority vote.**

35. MOTION TO POSTPONE INDEFINITELY

- 35.1. A motion to postpone indefinitely is used to dispose of a motion without bringing it to a direct vote.
- 35.2. The motion to postpone indefinitely may not interrupt a speaker and is debatable, including as to the merits of the main question, but is not amendable.
- 35.3. A motion to postpone indefinitely requires a **majority vote.**

36. MOTION TO RECESS

- 36.1. A motion to recess is used to formally request a break in the proceedings.
- 36.2. A motion to recess may not interrupt a speaker and is not debatable but can be amended as to the duration of the recess.

36.3. A motion to recess requires a majority vote or may be informally decided by Consensus.

37. MOTION TO CALL THE PREVIOUS QUESTION

37.1. A motion to call the previous question is used to close debate on a pending motion by moving to a vote immediately on a pending motion.

37.2. A motion to call the previous question may not interrupt a speaker and is not debatable.

37.3. A motion to call the previous question requires a Two-Thirds Vote.

38. MOTION TO SUSPEND THE RULES

38.1. A motion to suspend the rules is used to temporarily suspend the rules of procedure to allow Council to do something that would normally be in violation of this Bylaw.

38.2. The motion to suspend the rules may not interrupt a speaker and is not debatable. The motion to suspend the rules requires a Two-Thirds Vote.

39. MOTION TO RECONSIDER

39.1. A motion to reconsider is used to reconsider a decision after the taking of the vote on a motion at the same meeting.

39.2. A motion to reconsider may be moved after a motion has been voted upon but may only be moved prior to the meeting being adjourned.

39.3. A motion to reconsider must be moved by a Member who voted with the prevailing side.

39.4. The Member making the motion to reconsider must state the reason for reconsideration.

39.5. Debate must be confined to reasons for or against reconsideration.

39.6. A motion to reconsider requires a majority vote.

39.7. If a motion to reconsider is carried, the reconsidered motion is then the next order of business.

40. MOTION TO RESCIND

40.1. A motion to rescind is used to overturn a motion made at a previous meeting.

40.2. A motion to rescind is debatable as to the merits of the motion it is proposing to rescind.

40.3. If a motion to rescind relates to an action taken at a previous meeting and the matter does not appear on the Agenda, a Notice of Motion is required to introduce the motion to rescind.

40.4. A motion to rescind is not in order if it proposes to undo irrevocable actions that have been taken as a result of the motion previously passed.

41. MOTION TO AMEND SOMETHING PREVIOUSLY ADOPTED

- 41.1. The motion to amend something previously adopted is guided by the same rules as the motion to rescind; however, a motion to amend something previously adopted is used to change part of the text or to substitute alternative wording for a motion made at a previous meeting.

42. MOTION TO RENEW

- 42.1. If a motion fails, the same, or substantially the same, motion may not be renewed unless:
- 42.1.1. it is brought more than one year after the date of the original motion;
 - 42.1.2. it is brought after a general election which has taken place since the date of the original motion; or
 - 42.1.3. the Member who wishes to have Council renew a motion provides prior Notice of Motion setting out in writing what special circumstances or significant new developments have occurred in respect of the issue to warrant further consideration.

43. OBJECTION TO THE CONSIDERATION OF A QUESTION

- 43.1. An objection to the consideration of a question is used to avoid a main motion altogether when it is undesirable for the main motion to come before Council.
- 43.2. The objection must be raised before there has been any debate on the motion and before any subsidiary motion has been stated by the Chair.
- 43.3. The objection is neither debatable nor amendable and requires a Two-Thirds Vote.

44. MOTION TO ADJOURN

- 44.1. A motion to adjourn may be used to end the meeting, may not interrupt a speaker, and is neither debatable nor amendable.
- 44.2. The motion to adjourn requires a majority vote; however, when there are no more agenda items to be addressed, the Chair may adjourn the meeting without a motion.

SCHEDULE A – AGENDA STRUCTURE

The order of business for Regular Council Meetings is outlined below, where applicable, and subject to change as approved through a motion of Council:

Call to Order
Approval of Agenda
Approval of minutes
Delegations
Correspondence
New Business (including Urgent Business, if any)
Notice of Motion
Council Member Reports
Adjournment

The order of business for Committee of the Whole Meetings is outlined below, where applicable, and subject to change as approved through a motion of Council:

Call to Order
Approval of Agenda
Business arising from minutes
Delegations
Correspondence
New Business
Motion Action List
Adjournment

PART 9 - MOTIONS

Main Motions

- 9.1 A main motion may arise out of recommendations related to Administrative reports, directed by either Council, Standing Committees, or when Administration deems a report necessary to fulfill a duty or inform Council.
- 9.2 All efforts must be made to ensure that recommendations and proposed resolutions, which come before Council or Standing Committees are concise, unambiguous and do not compete with previously adopted direction.
- 9.3 Main motions must be provided to all Members, the public and Administration in writing as part of the meeting agenda, except motions from a Member without notice.
- 9.4 The input of Administration must be incorporated into motions to ensure that any legal, financial and operational impacts are professionally addressed.
- 9.5 The Member who has made a motion cannot withdraw a motion once stated by the Chair except by general consent or by Majority vote.
- 9.6 The Chair must state the motion before putting it to a vote, to ensure that the Members and the public fully understand what is being voted on.

Friendly Amendment

- 9.7 The Member making a motion, after debate on a main motion has begun, may, with general consent, make minor changes to the wording or agree to a minor change proposed by another Member.

Questions During Debate

- 9.8 Administration should provide their best professional judgment on issues and Members must not engage in debate with, or ask argumentative questions of Administration.

Secondary Motions

- 9.9 When a main motion has been made and is being considered, a Member may make a secondary motion. Secondary motions include subsidiary, privileged, and incidental motions. Schedule "D" provides the main rules for secondary motions that are most likely to be used at meetings.
- 9.10 Secondary motions to the main motion are introduced, debated and voted on in a "last-in-first-out" sequence, e.g.: If an amendment is moved while a main motion is pending, the amendment is then debated and voted on, and then debate on the main motion resumes.
- 9.11 At a given time, only one (1) amendment to the main motion and only one (1) amendment to that amendment will be in order.

Notice of Motion

Extract from City of Grande Prairie Procedure Bylaw

- 9.12 A Member, wishing to introduce a motion for consideration, must provide the Notice of Motion to the City Clerk no later than one (1) week prior to the meeting.
- 9.13 The City Clerk must place the Notice of Motion on the next Council meeting agenda for which the submission deadline has not passed.

Reconsideration of Motions

- 9.14 Members may bring a motion back before Council or a Standing Committee under the following rules:

Situation	Rule	Motion Previously Carried	Motion Previously Defeated
Reconsider motion and original motion occur during the same meeting.	Reconsider revisits the entire motion.	<p><u>Step 1:</u> Reconsideration may only be moved by a Member who voted in favour of the motion.</p> <p><u>Step 2:</u> If reconsideration is carried (Majority vote required), the original vote is cancelled and the motion is debated again.*</p>	<p><u>Step 1:</u> Reconsideration may only be moved by a Member who voted against the motion.</p> <p><u>Step 2:</u> If reconsideration is carried (Majority vote required), the original vote is cancelled and the motion is debated again.*</p>
Reconsider motion is made at a subsequent meeting as the original vote.	Reconsider revisits all or a portion of the original motion.	<p><u>Step 1:</u> Reconsideration may be moved by any Member and must state whether reconsideration is in full or in part.</p> <p><u>Step 2:</u> If reconsideration is carried (by 2/3 vote), only the portion of the motion Reconsidered is debated again.*</p>	Any Member regardless of how they voted on a defeated motion, can bring back the motion under the procedures for introducing a Notice of Motion (Section 9.12).

*** A motion to Reconsider is debatable only when the motion being Reconsidered is Debatable. An adopted motion may only be Reconsidered if it has not been acted upon in a manner that is impossible to reverse or modify and does not attempt to interfere with a contractual liability. The Chair, in consultation with Administration, shall make such determination. Any reading of a proposed bylaw may be Reconsidered. However, a bylaw that has received three readings and has been signed in accordance with Section 213 of the Act, may not be Reconsidered.**

- 9.15 A Member may only make a motion to Reconsider a motion from a previous meeting by submitting a Notice of Motion, distributed in advance of the meeting. The Notice of Motion must contain the date of the original decision, and the action, which is proposed to be taken on the matter.

Extract from Town of Canmore Procedure Bylaw

MOTIONS

- 49 Members may ask questions of administration through the presiding officer before a motion is made, for the purposes of determining what motion should be made in relation to the item.
- 50 All motions shall be presented in writing unless members present unanimously agree to consider a verbal motion.
- 51 Motions based on recommendations by administration will be moved by the presiding officer. Amending motions and subsequent motions on the same topic may be made by any member.
- 52 The presiding officer may speak to a motion at any time after it has been moved.
- 53 All members speaking to a motion must comply with meeting procedures as stated in this bylaw.
- 54 Any motion substantially the same as a motion voted on in the previous six months, with the exception of a motion to reconsider, is out of order.
- 55 A motion may be withdrawn by the member that made the motion any time before voting occurs, subject to no objection from any member present. Motions withdrawn in this manner shall not be recorded in the minutes.
- 56 A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion, may be proposed and adopted if the mover of the motion approves. Only the motion as amended by the friendly amendment shall appear in the minutes.
- 57 When a motion contains more than one distinct proposition, council shall vote on each proposition separately if any member so requests or the presiding officer so directs.
- 58 After a motion has been made a member may request further information. The presiding officer shall provide the information or direct the request to administration or to the appropriate member.
- 59 After a motion for first, second or third reading of a bylaw, members may
- a) debate the substance of the bylaw,
 - b) propose and vote on amendments to the bylaw,
 - c) make a motion to postpone the vote on the motion for a reading of the bylaw; and
 - d) vote on the bylaw reading.
- 60 After a motion has been made, no other motion may be made except for
- a) a motion to amend the motion on the floor,
 - b) a motion to table the motion until a time later in the meeting, or
 - c) a motion to postpone the main motion to a specific date.
- 61 Amending motions shall be made in accordance with the following:
- a) Only one amendment to the main motion and one amendment to that amendment shall be on the floor at any given time.
 - b) A member who moved a motion may not move an amendment to that motion, except the presiding officer who moves a motion recommended by administration.
 - c) The main motion shall not be debated until all amendments to it have been put to the vote.
 - d) Amendments shall be voted on in the reverse order in which they were moved.
 - e) When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.

Extract from Town of Canmore Procedure Bylaw

- 62 A member may not move an amendment which
- a) does not relate to the subject matter of the main motion, or
 - b) is contrary to the main motion.
- 63 A motion to postpone must include the reason for postponement and a specific date when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of council.
- 64 A motion to table must include the reason and time within the current meeting to which the matter is to be tabled. A motion to table is not debatable.
- 65 A motion to reconsider a motion that has already been voted on
- a) must be made by a member who voted on the prevailing side of the motion in question,
 - b) must be made the same day the vote was taken on the motion in question or added to a future agenda in accordance with the provisions related to member submissions in this bylaw,
 - c) is debatable,
 - d) may be postponed,
 - e) must be decided by a two-thirds vote, and
 - e.1) may not be made if a vote for which the reconsideration sought has caused an irrevocable action.
- 66 A motion to rescind a motion which has been passed
- a) may be added to a future agenda in accordance with the provisions related to member submissions in this bylaw,
 - b) is debatable,
 - c) may be postponed,
 - d) must be decided by a two-thirds vote, and
 - e) may not be made if a vote for which the rescission is sought has caused an irrevocable action.
- 67 A motion to adjourn may be made by any member except when
- a) another member has the floor,
 - b) a call for a vote has been made,
 - c) the members are voting,
 - d) the meeting is in camera, or
 - e) a previous motion to adjourn has been defeated, and no other proceedings have taken place.
- 68 A motion to adjourn is not debatable and cannot be reconsidered.
- 69 When considering approval or acceptance of a document
- a) a motion to approve a document provides direction for administration to implement any actions or direction articulated in the document, subject to council approval of actions or directions with unbudgeted financial implications,
 - b) a motion to accept a document for planning purposes provides direction for administration to use the document as a guide, and to gain council approval before taking action or establishing a direction, and
 - c) a motion to accept as information provides direction for administration to take no action related to the document.
- 70 Any member may request the motion under consideration to be read at any time, but not so as to interrupt a member who is speaking.
- 71 Any member may request that the presiding officer call a vote on a motion, and the presiding officer

Extract from Town of Canmore Procedure Bylaw

- shall consider and rule on the request immediately.
- 72 Once the presiding officer has called the vote on a motion on the floor, no member may speak to the motion until after the result of the vote has been declared.
- 73 Unless otherwise provided for in this bylaw, motions will be decided by majority vote of council.
- 74 Motions receiving a unanimous vote shall be recorded in the minutes as “carried unanimously” or “defeated unanimously” and, in the case of a split vote, as “carried” or “defeated,” and the names of those who voted for and against the motion shall be recorded.
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Notice of Motion Provisions:

MEMBER SUBMISSIONS

- 23 A member wishing to introduce a new matter for consideration may submit a motion and any supporting information, in the form of a request for decision, to the CAO in accordance with section 16. (*section 16 = 22 calendar days prior to the meeting*)
- 24 If approved for inclusion in the agenda, a request for decision submitted by a member will be included as new business at the next regular meeting or special meeting called to complete regular business.
- 25 If a request for decision submitted by a member is not approved for inclusion in the agenda, the member may submit a notice of motion. The notice of motion will appear on the agenda for the next regular meeting or special meeting called to complete regular business.
- 26 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 27 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 minutes.
- 28 The motion for which notice was given and any supporting documents must be submitted to the CAO in the form of a request for decision by 4:30 p.m. on the fourth day following the meeting at which the notice of motion was made.
- 29 The motion on notice shall be added as new business on the agenda for the subsequent regular meeting or special meeting called to complete regular business.
- 30 Council may waive the requirement for notice by a two-thirds vote and add the matter to the agenda as urgent business.

Extract from Town of Banff Procedure Bylaw

9.0 MOTIONS

Main Motions

- 9.1 Council or Committee may discuss an item on the Agenda, including asking questions of Administration, before a motion is made, for the purposes of determining what, if any, motion should be made in relation to the item.
- 9.2 A motion does not require a seconder.
- 9.3 A recommendation in a report:
 - a) Is not a motion unless a Member moves it; and
 - b) May be moved as the main motion with or without an amendment included.
- 9.4 All efforts must be made to ensure that recommendations and proposed resolutions which come before Council or Committees are concise, unambiguous and do not compete with previously adopted direction.
- 9.5 Motions, including motions to amend:
 - a) May take into consideration the input of Administration so as to ensure that any legal, financial, and operational impacts are professionally addressed; and
 - b) May be provided to the Municipal Clerk and Town Manager in writing prior to a Meeting to facilitate this process.
- 9.6 Upon consultation with the Town Manager, Municipal Clerk, or Administrative Resource, the Presiding Officer may rule that a motion is out of order if it violates the MGA, this bylaw, or any other applicable legislation, rules, or policies. When ruling that the motion is out of order, the Presiding Officer must cite the provision that would be violated by the motion.
- 9.7 After a motion has been made and is being considered, no other motion may be made except for:
 - a) A motion to amend the motion on the table;
 - b) A motion to refer the main motion to some other group for consideration (may include a definite time that the motion will be returned to Council);
 - c) A motion to postpone the main motion to a definite time (usually the next regular Meeting);
or
 - d) A motion to postpone a main motion indefinitely.
- 9.8 A motion may be withdrawn at any time before voting, subject to no objection from any Member present. Motions withdrawn in this manner shall not be recorded in the minutes.
- 9.9 When a motion contains more than one distinct proposition, Council shall vote on each proposition separately if a Member so requests or the Presiding Officer so directs.

Extract from Town of Banff Procedure Bylaw

- 9.10 When a motion has been made, all discussion shall be restricted to the subject of the motion except when:
- a) A Member believes that a rule or procedure pertaining to the conduct of the Meeting has been violated; or
 - b) A Member requires more information about a rule or procedure before proceeding with debate or making a motion; or
 - c) A Member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake, or that confidential information is about to be revealed.
- 9.11 Any matters brought forward under Section 9.10 shall be considered immediately and ruled upon by the Presiding Officer.

Amending Motions

- 9.12 Amending motions must relate to the subject matter of the motion under discussion. At any given time, only one amendment to the main motion and only one amendment to that amendment will be allowed.
- 9.13 A member who moved a motion may not move an amendment to that motion.
- 9.14 Amendments shall be voted on in the reverse order in which they were moved.
- 9.15 A friendly amendment, or a change in wording that enhances and strengthens the original motion, may be proposed and adopted if no Members present object. Only the motion as amended by the friendly amendment will appear in the minutes.
- 9.16 A member may not move an amendment which:
- a) Does not relate to the subject matter of the main motion, or
 - b) Is contrary to the main motion.
- 9.17 When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.

Motions Arising Out of Main Motions

- 9.18 A Motion Arising is in order at Council and Committee Meetings, provided that the Presiding Officer, in consultation with Administration, determines that the required administrative effort to respond to the Motion Arising is inconsequential.
- 9.19 A Motion Arising which requires significant Administration resources, requires reconsideration of a motion adopted at an earlier Meeting, or requires professional, legal, or financial input must be submitted by Notice of Motion.

Debate on Motions

- 9.20 A Member:

Extract from Town of Banff Procedure Bylaw

a) May debate more than once on a motion if introducing new information, with an allocation of no more than five (5) minutes, per initial debate and two (2) minutes per subsequent debate, subject to the discretion of Council or Committee.

b) Who moved the main motion will be given the opportunity to close debate and may speak for two minutes prior to the vote.

9.21 A motion to postpone is debatable only with respect to time.

Adopted and Defeated Motions

9.22 An adopted motion may be revisited at a subsequent Meeting at which the original motion was decided via a motion to rescind or amend something previously adopted provided it has not been acted upon. The motion:

a) May be made by a Member who voted on the prevailing side, a Member who was not present when the vote was taken on the motion in question, or any Member after six months have passed; and

b) Is debateable.

9.23 A defeated motion may be revisited at a subsequent Meeting by being reintroduced as new business, following the normal processes that apply to the introduction of new business.

9.24 The same or substantially the same motion that receives the same outcomes at two Meetings shall not be revisited for six months after the date of the original motion, unless the Members, by a two-thirds vote, agree to do so.

9.25 Debate on a motion to reconsider, rescind something previously adopted or to amend something previously adopted must be confined to reasons for or against reconsideration, or whether the original motion will be rescinded or amended.

Bylaw Readings

9.26 A bylaw is passed after it receives three readings and is signed.

9.27 For the purposes of Section 9.26, a signature may be affixed to a bylaw by mechanical or electronic means.

9.28 After a motion for first reading of a bylaw, Council shall vote on first reading without amendment or debate on the substance of the bylaw. A Member may ask questions concerning the bylaw provided that such questions are simply to clarify the intent, purpose or objective of the bylaw, and do not indicate the Member's opinion for or against the bylaw. Debate on a motion for first reading must be confined to the appropriateness of continuing with further consideration of the bylaw.

9.29 After a motion for second or third reading of a bylaw, Members may:

a) Debate the substance of the bylaw;

Extract from Town of Banff Procedure Bylaw

- b) Propose and vote on amendments to the bylaw,
- c) Refer by motion the bylaw to Administration for further information or a Committee for further review, and/ or
- d) Make a motion to postpone the vote on a motion for a reading.

Pecuniary Interest

9.30 A Member who has a pecuniary interest in a matter before Council or a Committee must:

- a) Disclose the general nature of the pecuniary interest; and
 - b) Leave the Meeting before discussion and voting if required and return after the vote is declared.
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Notice of Motions Provisions

Notice of Motions

8.16 Members wishing to introduce a Notice of Motion for consideration as part of a Meeting of Council may:

- a) Submit the Notice of Motion in writing to the Town Manager in accordance with Section 8.7; or
- b) Give verbal notice at a Regular Meeting of their intention to introduce a Notice of Motion and/or proposal at the following Regular Meeting and submit the motion and/or document to the Town Manager in accordance with Section 8.7; and

8.17 A Notice of Motion may be brought as Urgent Business to a Council Meeting in accordance with Section 8.13.

8.18 A Notice of Motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.

LEGISLATIVE COMMITTEE MOTION ACTION LIST

SHORT TITLE	REQUESTED (DATE)	RESPONSIBLE (WHO)	COUNCIL MOTION (DESCRIPTION)	TARGET (DATE)	STATUS
Procedure Bylaw	November 1, 2022	Director of Protective & Legislative	That Committee direct Administration to draft a revision to Bylaw #190, using the Banff, Grande Prairie, and Strathcona County examples as a model and present at a future legislative committee meeting.	August 20, 2024	In progress
Jasper Municipal Leasehold Assets Society	June 4, 2024	Director of Protective & Legislative	That Legislative Committee direct Administration to schedule a meeting of the Jasper Municipal Leasehold Assets Society to amend the society’s memorandum of association; and That Legislative Committee direct Administration to conduct research into the present holdings of the Jasper Municipal Leasehold Assets Society.	July 2, 2024	In progress