



BYLAW 2018-927

VILLAGE OF RYLEY

Procedural Bylaw

THIS BYLAW BEING BYLAW NO. 2018-927 OF THE VILLAGE OF RYLEY, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING THE PROCEDURES AND CONDUCT OF VILLAGE COUNCIL AND COMMITTEES THEREOF

WHEREAS, Council of the Village of Ryley deem it advisable to establish rules and provisions to regulate the conduct of business in Council meetings and committees thereof, to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, remonstrations and submissions to the Council.

NOW THEREFORE, pursuant to section 145 of the Municipal Government Act RSA 2000, chapter M-26, and amendments thereto, the Council of the Village of Ryley, in the province of Alberta, enacts as follows.

1. TITLE

1.1 This Bylaw may be cited as the "Village Procedural Bylaw."

2. DEFINITIONS

2.1 "Act" means the Municipal Government Act, R.S.A., 2000, c. M-26

2.2 ~~"Acting Mayor" is the Councillor who is appointed by resolution of Council from time to time to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor.~~
AMENDED: SEE BYLAW NO. 2023-001

2.3 "Agenda" is the list of items and order of business of any meeting of Council.

2.4 "Business arising from the minutes" is a business which has been raised at the same or previous meeting which has not been completed.

2.5 "Bylaw" is a Bylaw of the Village of Ryley.

2.6 "Chairperson" or "Chair" is the person appointed by Council from among the Councillors to preside at meetings.

2.7 "Chief Administrative Officer" is the person appointed by Council as the Chief Administrative Officer pursuant to the Municipal Government Act.

2.8 "Clear Days" as set out in the Interpretation Act, R.S.A. 2000, c. 1-8.

2.9 "Committee of the Whole" is a committee consisting of all Members of Council.

2.10 "Council" is the Mayor and Councillors of the Village for the time being elected pursuant to

- 2.26 **“Question of Privilege”** is the raising of a question which concerns a Member, or Council collectively, when a Member believes that another Member has spoken disrespectfully towards him/her or Council, or when he believes his/her comments have been misunderstood or misinterpreted by another Member.
- 2.27 **“Quorum”** is the majority of members eligible to vote pursuant to Section 167 of the Act.
- 2.28 **“Recorded Vote”** is the calling by a member, prior to the vote on a motion, for a record to be kept of the members voting for and against a motion.
- 2.29 **“Regular Meeting”** is a meeting of Council held in accordance with Sec. 193 of the Municipal Government Act.
- 2.28 **“Special Meeting”** is a meeting convened by the Mayor pursuant to Section 194 of the Act.

3. APPLICATION

- 3.1 This Bylaw applies to:
- a) all meetings of Council, and
 - b) subject to the provisions of Section 145 of the Act, boards and authorities established by Council, unless permission has been granted to them to establish their own procedures.
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- c) Any matter of the meeting conducted which is not herein provided for shall be determined in accordance with the Act. In the event of any conflict between the provisions of this Bylaw and those contained in any or the authorities set out above, the provisions of the Act shall apply.
 - d) Meeting proceedings shall follow Robert’s Rules of Order where applicable if not addressed in this bylaw, where reasonable.
 - e) In any event of conflict between the provisions of this Bylaw and Robert’s Rules of Order, the provisions of this Bylaw shall apply.
 - f) ~~Council may, at any regular or special meeting of Council, make a resolution to waive one or more provisions or requirements of this Bylaw. Any such resolution:~~
REPEALED: SEE BYLAW NO. 2023-001
 - i) May only be passed by at least 2/3 majority vote of all members of Council present at that meeting;
 - ii) May not be passed if doing so would conflict with one or more statutory obligations of Council or its members; and
 - iii) Will only be effective for the duration of the meeting in which it is passed.
 - g) ~~A resolution waiving any provisions of this Bylaw as provided for in 3.1(f) shall only be effective for the meeting during which it is passed. REPEALED: SEE BYLAW NO. 2023-001~~
 - h) As soon as there is Quorum of Councillors after the hour fixed for the meeting, the Chairperson shall take the Chair and call the meeting to order.

- b) Regular Council Meetings shall established by resolution of Council at their annual Organizational Meeting, or at a Regular Meeting of Council following the Organizational Meeting, as may be appropriate.
- c) Notice of regularly scheduled meetings need not be given.
- d) ~~If the Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours' notice of the change.~~ **AMENDED: SEE BYLAW NO. 2023-001**
 - i) To any councillors not present at the meeting at which the change was made, and
 - ii) To the public.
- e) The following applies to the preparation of the regular meeting agenda:
 - i) Items and supporting documents initiated by Councillors are to be submitted to the office of the Chief Administrative Officer, where practical, to be included in the agenda package submitted to Council members prior to the meeting in which the agenda is to be discussed.
 - ii) An agenda listing the order of business for the use of Councillors shall be prepared by the Chief Administrative Officer and/or designate.
 - iii) The agenda preparation, reviews, distribution and meeting follow-up will be coordinated through the office of the Chief Administrative Officer and/or designate in accordance with timing policies or resolutions approved by Council.
 - iv) Addition of items to the agenda after the agenda has been set shall require the approval of the Chief Administrative Officer.

4.3 **SPECIAL MEETINGS**

This Section is governed by Section 194 of the Act and is provided for information only.

- a) The Mayor may call a Special Meeting whenever the official considers it appropriate to do so.
- b) The Mayor must call a Special Council Meeting if the official receives a written request for the meeting, stating the purpose, from a majority of the Councillors.
- c) A Special Council Meeting called under Subsection 1(b) must be held within fourteen (14) days of the date the Mayor receives the request or any shorter period provided for by in the Bylaw.
- d) The Mayor calls a Special Council Meeting by giving at least twenty-four (24) hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held.
- e) A Special Council Meeting may be held with less than twenty-four (24) hours' notice to all Councillors and without notice to the public if at least two-thirds (2/3) of the whole Council agrees to this in writing before the beginning of the meeting.

- g) The Committee of the Whole will consider all matters included in the agenda and has the authority to make recommendations to Council, give direction to Administration, and or seek further information on any matter referred to it.

4.6 **STANDING COMMITTEES**

- a) All standing committees of council will be formed by bylaw.
- b) Each standing committee to be established by bylaw will include the name of the Standing Committee, the purpose, the legislative authority, membership, term of office, Chairmanship, number of meetings, remuneration, administrative responsibility, reporting requirements, and terms of reference.
- c) Council will determine the necessary resources and allocate them to each Standing Committee.

4.7 **SPECIAL (SELECT, OR AD HOC) COMMITTEES**

- a) Council may from time to time establish a Special (select, or Ad Hoc) Committee to review matters referred to them by Council.
- b) Council may form special committees by resolution.
- c) Each special committee established by resolution of Council shall include in the resolution the name of the committee, the purpose, the legislative authority, membership, estimated term of office, Chairpersonship, number of meetings estimated, remuneration, administrative responsibility, reporting requirements, and terms of reference.
- d) Council will determine the necessary resources and allocate them to each special committee.

4.8 **GENERAL – COMMITTEES**

- a) The Mayor is a member by virtue of office, of all Standing and Special Committees, unless otherwise provided for in the Act. If the Mayor is a member by virtue of office and is present at a Committee meeting, the Mayor must be counted to determine the quorum and has all the rights and privileges of other Committee members including the right to make motions and vote.
- b) Quorum of any committee is a majority of members.
- c) Unless otherwise stated, the following rules apply to all committees:
 - a. Motions need not be seconded.
 - b. There is no limit to the number of times a member may speak to a question.
 - c. A motion for the previous question will not be allowed.
 - d. Informal discussion of a subject is permitted when no motion has been made, and
 - e. The chair may make motions, participate in debate and vote on all motions.
- d) Unless specific rules for a committee procedure exist, Committees must follow the procedural rules of Council.

5. VOTING

The following procedures are governed by Sections 182 to 186 of the Act and are provided for information only.

- ~~6.11 Use of electronic recording devices of any kind during Council meetings by any persons is not permitted unless authorized by a resolution of Council. **REPEALED: SEE BYLAW NO. 2023-001**~~
- 6.12 Public Hearings will be held during Regular or Special Meetings of Council at the discretion of Council on any subject it feels warrants such, or in accordance with requirements set out in Part 17 of the Act.
- 6.13 Whenever possible, persons interested in speaking at a Public Hearing should register with the Chief Administrative Officer prior to the Public Hearing. Names of the registered speakers for a public hearing will not be released to the public prior to the Public Hearing.
- 6.14 The Chairperson shall declare the Public Hearing in session and shall outline Public Hearing procedures.
- 6.15 The Chief Administrative Officer and/or designate shall introduce the resolution or bylaw and shall briefly state the intended purpose. Department presentations shall follow the introduction of the bylaw or resolution.
- 6.16 The Chairperson shall request those who wish to make presentations to identify themselves. The Chairperson shall then open the floor to public presentations.
- 6.17 The Chairperson shall call upon those persons who have registered with the Chief Administrative Officer and/or designate office to speak first, followed by other persons at the meeting who have not yet registered to speak but who wish to address Council. A person who does not identify himself or herself will not be given the opportunity to speak.
- 6.18 Presentations by the public may be made verbally, in writing, or both. Written submissions shall be collected by the Chief Administrative Officer and/or designate and retained for information purposes.
- 6.19 Verbal presentations shall be limited to five (5) minutes unless there is consent by Council to extend the allotted time.
- 6.20 Council shall limit questions of clarification to a total of ten (10) minutes, unless there is consent by Council to extend the allotted time.
- 6.21 Following the public presentations, the Chairperson shall close the Public Hearing.
- 6.22 Debate concerning matters raised at the Public Hearing shall take place at a future regular council meeting following the Public Hearing, or the next regularly scheduled Council Meeting at the discretion of Council.
- 6.23 The following shall apply with respect to the passage of Bylaw following a Public Hearing:
- a) A bylaw shall be introduced for a second reading by a motion that it be read a second time specifying the number of the bylaw.
 - b) After a motion for Second Reading of the bylaw has been presented, Members may debate the substance of the Bylaw and propose and consider amendments to the Bylaw.
 - c) Any proposed amendments shall be put to a vote if required, and if carried, shall be considered as having been incorporated into the Bylaw at second reading.
 - d) When all amendments have been accepted or rejected, the Chairperson shall call the

question, debate and discussion on a question shall be limited to three minutes each.

- 6.32 Through the Chairperson, a Councillor may ask
- a) Questions of another Councillor or staff on a Point of Information relevant to the business at hand
 - b) Questions to obtain information relating to the minutes presented to the meeting, or to any clause contained therein, at the commencement of the debate on the minutes or clause.
- 6.33 Notwithstanding MGA Section 201(2), if the Chief Administrative Officer is unavailable, Council may perform any reasonable meeting support duties to achieve the successful and legal conduct of a meeting. **ADDITION: SEE BYLAW NO. 2023-001**

7. PROHIBITIONS

- 7.1 Councillors shall not:
- a) Use offensive words or unparliamentary language in the meeting.
 - b) Disobey the rules of the meeting or decision of the Chairperson or Councillors on questions of order or practice, or upon the interpretation of the rules of the meeting.
 - c) Leave their seat or make any noise or disturbances while a vote is being taken and the result is declared.
 - d) Interrupt a Councillor while speaking, except to raise a Point of Order or Question of Privilege;
 - e) Pass between a Councillor who is speaking and the Chairperson.
- 7.2 Councillors who persist in a breach of the foregoing section, after having been called to order by the Chairperson, may, at the discretion of the Chairperson, be ordered to leave their seat for the duration of the meeting.
- 7.3 At the discretion of the Chairperson, a Councillor may resume their seat following an apology.
- 7.4 A Councillor who wishes to leave the meeting prior to the adjournment shall so advise the Chairperson and the time of departure shall be noted in the minutes.

8. PROCEEDING AT COUNCIL MEETINGS

- 8.1 Unless otherwise specified in this Bylaw the order of business for a regular meeting of Council shall be contained in the Agenda for the meeting, which shall be prepared by the Village Chief Administrative Officer. Copies of all reports or communications to be dealt with shall be in the agenda package of Council prior to Council Meetings where practicable.
- 8.2 The order of business in the Agenda for the Regular Meetings shall be as follows:
- a) Call to Order
 - b) Additions/Deletions
 - c) Approval of the Agenda

10. DELEGATIONS

- 10.1 Council shall hear all delegations who have brought their items of business onto the Agenda in the order in which they are placed on the Agenda or the order may be changed by a majority vote of members present. All rules of Council in this Bylaw shall apply to each and every member of the delegation. Requests to appear as a delegation shall be made prior to the Thursday before the next scheduled meeting of Council, to the Village Chief Administrative Officer.
- 10.2 Delegations are to be granted 15 minutes to make their presentation to Council. Additional time may be granted at the discretion of Council.
- 10.3 Information presented by an individual or group during a delegation presentation shall relate to the subject matter for which the presentation was originally requested.
- 10.4 Open Door sessions shall be made available to the public at the start of Committee of the Whole meetings for a period of 15 minutes.
- 10.5 Residents speaking at Open Door sessions are asked to present questions or concerns in a respectful manner, and not engage in slander or inappropriate behaviour.
- 10.6 Residents speaking at Open Door sessions are to be granted 5 minutes to make their presentation to Council. Additional time may be granted at the discretion of Council.
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- 10.7 Members of Council may choose to ask questions for clarification or respond to questions during presentations from delegations or during Open Door sessions. Debate of material shall take place at the discretion of Council, or be added to the next available agenda for further discussion.
- 10.8 Council may allow Open Door Sessions to occur at Regular Council Meetings at its discretion.
- 10.9 The maximum amount of time allotted on a Council agenda for all Open Door sessions will be a total of fifteen (15) minutes unless Council, by resolution, extends the amount of time. Information presented at Open Door sessions shall only be accepted as information by Council with a directive to administration of Council so desires.

11. COUNCIL COMMITTEES

- 11.1 **REGULATIONS FOR CONDUCTING BUSINESS IN COMMITTEES OF COUNCIL**
- a) The business of standing and special committees shall be conducted in accordance with the rules governing procedure in the Council, except that no member shall be limited as to the number of times he may speak to the question under consideration, and no member may move the previous question, and in addition, the following rules shall be adhered to:
- i) The Chairman shall preside at each meeting and shall vote on all questions submitted, and upon an equal vote the question shall be negative.
- ii) The name of the Chairman shall appear on all reports and recommendations made by a committee.

- 12.2 The Mayor, in addition to performing the duties of Councillor, must
- a) preside when in attendance at a Council meeting unless a bylaw provides that another Councillor or other person is to preside, and
 - b) perform any other duty imposed on a Mayor by this or any other enactment or bylaw.
- ~~12.3 The Mayor is a member of all Council committees and all bodies to which Council has the right to appoint members under this Act, unless the Council provides otherwise. **REPEALED: SEE BYLAW NO. 2023-001**~~
- ~~12.4 The Mayor is responsible for such other duties as may be delegated to him from time to time by the Council. Such as requirements of special reports, the general operation of the Village, or approval of certain things which have to be done between various Council meetings. Such items could include the approval of canvasses, the attendance of invitations to functions on behalf of the Village, of which he is the chief representative. **REPEALED: SEE BYLAW NO. 2023-001**~~
- 12.5 In carrying out the various duties imposed on the Mayor by the Municipal Acts, the Council, the responsibilities and the time and expense that is required to be put into this administrative work, the Mayor shall receive an annual remuneration as determined by resolution of Council.
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- 12.6 a) A Council must appoint one or more Councillors as Deputy Mayor so that
- i) only one Councillor will hold that office at any one time, and
 - ii) the office will be filled at all times.
- b) A Deputy Mayor must act as the Mayor
- i) when the Mayor is unable to perform the duties of the Mayor, or
 - ii) if the office of Mayor is vacant.
- ~~e) A Council may appoint a Councillor as an Acting Mayor to act as the Mayor~~
- ~~i) if both the Mayor and the Deputy Mayor are unable to perform the duties of the Mayor, or~~
 - ~~ii) if both the office of Mayor and the office of Deputy Mayor are unavailable or vacant. **REPEALED: SEE BYLAW NO. 2023-001**~~

13. MISCELLANEOUS

- 13.1 No member of Council shall have the power to direct or interfere with the performance of any work for the corporation.
- 13.2 A Councilor who desires to address the meeting upon a matter which concerns the rights or privileges of the Councillors collectively or of him or herself as a Councilor thereof shall be permitted to raise such Question of Privilege.
- 13.3 A Question of Privilege shall take precedence over other matters and while the Chairperson is ruling on the Question of Privilege, one shall be considered to be in possession of the

- 15.8 If a member does not elaborate on the subject matter of the Bylaw, or phrase his question so as to set out his opinion for or against the Bylaw, notwithstanding the provisions of Section 15.7, he may ask a question or questions concerning the Bylaw.
- 15.9 A Bylaw shall be introduced for second reading by a motion that it be read a second time, specifying the number of the Bylaw.
- 15.10 After a member has made a motion for second reading of a Bylaw, the Council may:
- i) debate the substance of the Bylaw, and
 - ii) propose and consider amendments to the Bylaw.
- 15.11 A proposed amendment shall be put to a vote and if carried shall be considered as having been read a first time and incorporated in the Bylaw.
- 15.12 Council may after first reading of a Bylaw go into committee of the whole to debate it if the Bylaw falls under a category listed in Section 217 of the Act.
- 15.13 After a motion has been made for second reading of a Bylaw or after the Council has gone into Committee of the whole, to debate second reading, a member may require all or any portion of the Bylaw to be read at length.
- 15.14 The Village Chief Administrative Officer shall be responsible for keeping a record of:
- i) any amendments to a Bylaw passed by Council, and
 - ii) amendments reported by the Committee of the whole.
- 15.15 When all amendments have been accepted or rejected, a motion for second reading of the Bylaw, as amended shall be put.
- 15.16 A motion for third reading shall give the number of the Bylaw.
- 15.17 It shall not be necessary to read a Bylaw aloud for the third reading.

The following procedure is governed by Section 187 if the Act and is provided for information only.

- a) Every proposed Bylaw must have three (3) distinct and separate readings.
- b) Each Councillor present at the meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed Bylaw before the Bylaw receives first reading.
- c) Each Councillor present at the meeting at which third reading is to take place must, before the proposed Bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed Bylaw and of any amendments that were passed after first reading.
- d) A proposed Bylaw must not have more than two (2) readings at a Council Meeting unless the Councillors present unanimously agree to consider third reading.

16. SIGNING AUTHORITY

- ~~16.1 Signing authorities shall be the Mayor or Deputy Mayor along with the Village Chief Administrative Officer. AMENDED: SEE BYLAW NO. 2023-001~~