

TOWN OF RIMBEY

TOWN COUNCIL AGENDA

10:00 AM

AGENDA FOR SPECIAL MEETING OF THE TOWN COUNCIL TO BE HELD ON MONDAY, MARCH 12, 2018 AT 5:00 PM IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

- | | | |
|-----------|---|--------------|
| 1 | Call to Order Special Council Meeting
& Record of Attendance | |
| 2 | Agenda Approval | 1 |
| 3. | 3.1 Bylaw 938/18 Council Code of Conduct..... | 2-23 |
| | 3.2 Bylaw 939/18 Council Procedural Bylaw..... | 24-66 |
| 4. | 4.1 Adjournment | |

Special Council Agenda Item	3.1
Special Council Meeting Date	March 12, 2018
Subject	Bylaw 938/18 Council Code of Conduct
For Public Agenda	Public Information
Background	<p>The Town of Rimbey has its Code of Conduct for Councillors in the Council Procedural Bylaw. The New Municipal Government Acts requires a standalone bylaw for Codes of Conduct for Councillors.</p> <p>The New Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 dated as of January 1, 2018 states:</p> <p style="text-align: center;">Division 1.1 Codes of Conduct</p> <p>Bylaws — codes of conduct</p> <p>146.1(1) A council must, by bylaw, establish a code of conduct governing the conduct of councillors.</p> <p>(2) A code of conduct under subsection (1) must apply to all councillors equally.</p> <p>(3) A council may, by bylaw, establish a code of conduct governing the conduct of members of council committees and other bodies established by the council who are not councillors.</p> <p>(4) A councillor must not be disqualified or removed from office for a breach of the code.</p> <p>(5) The Minister may make regulations</p> <ul style="list-style-type: none">(a) respecting matters that a code of conduct established under subsection (1) must address;(b) respecting the date by which councils must establish a code of conduct under subsection (1);(c) respecting sanctions to be imposed for a breach of a code of conduct established under subsection (1);(d) respecting matters that a council must take into consideration in establishing a code of conduct under subsection (1) or (3), or both;(e) respecting implementation of a code of conduct established under subsection (1) or (3), or both;(f) respecting any other matter the Minister considers necessary or advisable to carry out the intent and purpose of this Division.



TOWN OF RIMBEY REQUEST FOR DECISION

Discussion	Administration has prepared Bylaw 938/18 Council Code of Conduct for this purpose.
Relevant Policy/Legislation	Municipal Government Act S.146.1(1-5) Municipal Government Act Code of Conduct for Elected Officials Regulation 200/2017
Attachments	<ol style="list-style-type: none">1. Municipal Government Act Code of Conduct for Elected Officials Regulation 200/200172. Bylaw 938/18 Council code of Conduct
Recommendation	<ol style="list-style-type: none">1. Administration recommends Council give first reading to Bylaw 938/18 Council Code of Conduct.2. Administration recommends Council give second reading of Bylaw 938/18 Council Code of Conduct.3. Administration recommends Council unanimously consider giving third and final reading of Bylaw 938/18 Council Code of Conduct.4. Administration recommends Council give third and final reading to Bylaw 938/18 Council Code of Conduct.

Prepared By:

Lori Hillis
Lori Hillis, CPA, CA
Chief Administrative Officer

Feb 20/18
Date

Endorsed By:

Lori Hillis
Lori Hillis, CPA, CA
Chief Administrative Officer

Feb 20/18
Date



Province of Alberta

MUNICIPAL GOVERNMENT ACT

**CODE OF CONDUCT FOR
ELECTED OFFICIALS REGULATION**

Alberta Regulation 200/2017

Extract

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Note

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(no amdt)

ALBERTA REGULATION 200/2017
Municipal Government Act
CODE OF CONDUCT FOR ELECTED
OFFICIALS REGULATION

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Code of conduct contents

1 The code of conduct each council is required to establish governing the conduct of its councillors pursuant to section 146.1 of the Act must be consistent with the Act and any regulations made under the Act and, at a minimum, include the following topics:

- (a) representing the municipality;
- (b) communicating on behalf of the municipality;
- (c) respecting the decision-making process;
- (d) adherence to policies, procedures and bylaws;
- (e) respectful interactions with councillors, staff, the public and others;
- (f) confidential information;
- (g) conflicts of interest;
- (h) improper use of influence;
- (i) use of municipal assets and services;
- (j) orientation and other training attendance.

Complaints

- 2** A code of conduct must establish a complaint system including
- (a) who may make a complaint alleging a breach of the code of conduct,
 - (b) the method by which a complaint may be made,
 - (c) the process to be used to determine the validity of a complaint, and
 - (d) the process to be used to determine how sanctions are imposed if a complaint is determined to be valid.

Bylaws

- 3** If any matter required to be included in a code of conduct is addressed in a separate bylaw, the contents of that bylaw shall be incorporated by reference into the code of conduct.

Establishing code of conduct

- 4(1)** When establishing a code of conduct, council shall consider sections 3 and 153 of the Act.
- (2)** A council must establish a code of conduct within 270 days from the date section 16 of the *Municipal Government Amendment Act, 2015* comes into force.

Sanctions for breaching code of conduct

- 5** If a councillor has failed to adhere to the code of conduct, sanctions may be imposed including any of the following:
- (a) a letter of reprimand addressed to the councillor;
 - (b) requesting the councillor to issue a letter of apology;
 - (c) publication of a letter of reprimand or request for apology and the councillor's response;
 - (d) a requirement to attend training;
 - (e) suspension or removal of the appointment of a councillor as the chief elected official under section 150(2) of the Act;
 - (f) suspension or removal of the appointment of a councillor as the deputy chief elected official or acting chief elected official under section 152 of the Act;

- (g) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
- (h) suspension or removal from some or all council committees and bodies to which council has the right to appoint members;
- (i) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings.

Requirement to fulfil duties

6 A code of conduct or any sanctions imposed under a code of conduct must not prevent a councillor from fulfilling the legislated duties of a councillor.


Review of code of conduct

7 Each council must review and update its code of conduct and any related bylaws that have been incorporated by reference into the code of conduct in accordance with section 3, at least once every 4 years starting from the date when the code of conduct is passed.

Coming into force

8 This Regulation comes into force on the coming into force of section 16 of the *Municipal Government Amendment Act, 2015*.



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BYLAW NO. 938/18

BEING A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO REGULATE THE CODE OF CONDUCT OF COUNCIL.

WHEREAS Section 146.1 of the *Municipal Government Act* provides that a council must, by bylaw, establish a code of conduct governing the conduct of councillors;

WHEREAS The *Code of Conduct for Officials Regulation, AR* provides that a Code of Conduct must contain certain provisions;

WHEREAS The Town of Rimbey Council recognizes the constituents of the Town of Rimbey elected Members of Council for the purpose of providing effective leadership for the Town of Rimbey and its residents;

WHEREAS Each individual Councillor of the Town of Rimbey Council hereby commits to upholding this Code of Conduct for the purpose of ensuring that Councillors of the Town of Rimbey maintain appropriate conduct when carrying out their roles as Councillors;

WHEREAS This Code of Conduct must be reviewed every four years from date of passing; and

WHEREAS The Chief Administrative Officer Bylaw is incorporated by reference into the Code of Conduct.

NOW THEREFORE The Council of the Town of Rimbey, duly assembled, hereby enacts as follows:

This Bylaw shall be called the "Council Code of Conduct"

1.0 GUIDING PRINCIPLES

1.1 Council should review this Code of Conduct annually at the Organizational Meeting, to ensure the Bylaw is current and remains relevant to the day to day conduct of Council and individual Councillors.

1.2 Councillors are expected to formally and informally review this Code of Conduct, and their adherence thereto on a regular and ongoing basis.

2.0 MUNICIPAL PURPOSES

2.1 The purposes of the Municipality of Rimbey are to:

- a) to provide good government;
- b) to foster the well-being of the environment;
- c) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality, and
- d) to develop and maintain safe and viable communities and
- e) to work collaboratively with neighbouring municipalities to plan, deliver and fund inter-municipal services.



BEING A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO REGULATE THE CODE OF CONDUCT OF COUNCIL.

3.0 DEFINITIONS

3.1 “Chief Administrative Officer” has the meaning prescribed under the Municipal Government Act, and may be referred to as the “CAO”.

3.2 “Conflict of Interest” means an occurrence where a Councillor’s personal or private interests are, or may be perceived as, influencing the Councillor on a matter of public interest before Town Council, including occurrences which may result in common law bias, including direct or indirect pecuniary interest, prejudice, close mindedness or undue influence.

A Conflict of Interest occurrence also includes using the Councillor’s position, confidential information or Town of Rimbey employees, materials, or facilities for personal or private gain or advancement or the expectation of personal or private gain or advancement. A Conflict of Interest may include advancing the interests of the Councillor’s family, friends or business associates.

3.3 “Complained of Councillor” means the councillor against whom a complaint has been made under this code of conduct.

3.4 “Councillor(s)” has the meaning described under the *Municipal Government Act*, including an individual elected member of the Town of Rimbey Council and the chief elected official (Mayor).

3.5 “Council” means the Town of Rimbey Council.

3.6 “In Camera” means "in private" meeting. It involves a confidential meeting, or a portion of a meeting, taking place with only Council members, the CAO, or any other person invited by Council and are within one of the exceptions to disclosure as outlined in the *Freedom of Information and Protection of Privacy Act*.

3.7 “MGA” means the *Municipal Government Act*.

3.8 “Pecuniary Interest” means those occurrences as prescribed in the *Municipal Government Act, R.S.A. 2000 Chapter M-26*.

3.9 The “**Town**” means the municipality of Rimbey.

4.0 CODE OF CONDUCT FOR COUNCILLORS

The Council has adopted the following principles to ensure all Councillors act honestly, in good faith and in the best interests of the Town. The purpose of this Bylaw is to establish effective governance through proper conduct.

The Town of Rimbey Councillors each agree and commit to the following rules of conduct:

4.1 To act honestly and in good faith at all times,

4.2 To engage in respectful, fulsome and healthy debate on matters in Council meetings, and subsequently, to support the decision of Council,

4.3 To respect all opinions of other Councillors,

4.4 To publicly express personal opinions in such a manner that maintains respect for Council, other Councillors and any decisions made by Council or a Council Committee,



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- 4.5** To ensure any public statements are clearly stated to reflect the personal opinion of the Councillor, not the opinion or position of Council as a whole, unless given express authorization by Council to represent Council's position on an issue,
- 4.6** To strictly follow the Pecuniary Interest requirements provisions of the *MGA R.S.A. 2000 Chapter M-26*,
- 4.7** To avoid occurrences which may result in a Conflict of Interest,
- 4.8** To avoid occurrences where it may be perceived the Councillor is using their position on Council to gain a personal or pecuniary benefit,
- 4.9** To refrain from seeking the award of written service or supply contracts; to refrain applying for positions of employment with the Town, while holding the position of Councillor in order to avoid any public perception the Councillor is using their position on Council to gain a personal or pecuniary benefit. It is acknowledged and agreed the Town will not award any written service or supply contracts nor make offers of employment to any person who holds the position of Councillor,
- 4.10** To incur expenses in a responsible and reasonable manner,
- 4.11** To act with professionalism, and respect when interacting with other members of Council, administration, members of the public and other government officials,
- 4.12** To consider the welfare and interests of the Town as a whole, and to bring to Council's attention anything that would promote the welfare or interests of the Town,
- 4.13** To actively participate in all Council and Council Committee Meetings and meetings of other bodies to which they are appointed by the Council in good faith,
- 4.14** To obtain information about the operation or administration of the Town from the CAO,
- 4.15** To participate generally in developing and evaluating the policies and programs of the Town,
- 4.16** To keep in confidence all matters discussed in private at a Council Meeting or Council Committee Meeting until the matter is discussed at a public meeting,
- 4.17** To demonstrate fairness, accountability and open mindedness on all matters,
- 4.18** To refrain from improper use of their position as a Councillor to:
 - 4.18.1** gain, or attempt to gain or advance, directly or indirectly, a personal or private interest for him/herself or another person,
 - 4.18.2** cause, or attempt to cause, detriment to the Town, the Town Council or any individual Councillor, cause, or attempt to cause, detriment to any member of the Town administration or staff, or
 - 4.18.3** seek personal benefit or gain from any information obtained through their position as a Councillor.



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- 4.19** A council or a councillor must not exercise a power or function or perform a duty that is by this, or other enactment or bylaw, specifically assigned to the CAO or a designated officer. (*MGA Section 201 (2)*),
- 4.20** To perform any other duty or function imposed on councillors by this or any other enactment or by the council,
- 4.21** To promote an integrated and strategic approach to inter-municipal land use planning and service delivery with neighboring municipalities,
- 4.22** To participate in orientation training and other training opportunities with regard to the roles and responsibilities of Council,
- 4.23** Councillors shall dress in a manner that upholds the dignity and decorum of the Municipal Office during all council meetings.
- 4.24** To adhere to all Town bylaws, policies, and procedures,
- 4.25** Adhere to the code of conduct.

5.0 CODE OF CONDUCT IN PRACTICE

5.1 Council Decisions

5.1.1 Council meetings are the appropriate forum for healthy and fulsome debate and discussion of matters before Council,

5.1.2 All Councillors must be given a full opportunity to address issues before Council in a full, open and professional manner, to encourage and promote healthy debate of issues,

5.1.3 Council decisions are made by majority vote by the Councillors. The decision of Council must be accepted and respected by all Councillors even if some individual Councillors do not agree with the majority decision,

5.1.4 While an individual Councillor may publicly state they did not vote with the majority of Council on an issue, this must be made in a manner which respects Council, Council's decision and other members of Council,

5.2 Councillor Expenditures

5.2.1 When incurring expenditures, Councillors shall act responsibly and respect that public monies must be used for the public good,

5.2.2 Councillors shall avoid waste, abuse and inappropriate expenditure in the use of public monies and resources,

5.2.3 Councillors shall be open and accountable with respect to all expenditures,

5.2.4 Councillors shall strictly adhere to all Town guidelines addressing expenditures and reimbursement.



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5.3 Dealings with Town administration, staff and members of the public

5.3.1 Councillors shall respect the professional opinion of Town administration and staff,

5.3.2 Councillors shall not abuse relationships or dealings with Town administration or staff by attempting to take advantage of their position as Councillors. Councillors must refrain from behaviour which may be perceived to be bullying of staff,

5.3.3 All questions or inquiries from Council members to the Administration should be made in writing to ensure clarity and completeness of the request. Such inquiries should be directed through the Chief Administrative Officer for review and distribution to the appropriate department or individual for response.

5.3.4 Councillors may meet with the CAO at any time. However, Councillors must not meet with any staff member(s), and must not discuss municipal business at any time, without the CAO present, unless authorized by the CAO. No member of Council shall have the power to direct or interfere with the performance of any work for the town.

5.3.5 Councillors will treat all people with professionalism, courtesy and respect,

5.3.6 Councillors will treat all people in good faith and without bias and shall not discriminate against any person on the basis of:

5.3.6.1 differences in personal opinions, or

5.3.6.2 race, ancestry, place of origin, colour, ethnic origin, culture, citizenship, religion, creed, language, gender, sexual orientation, age, family status, disability or occupation.

5.3.7 It is the sole responsibility of the CAO to hire, discipline, and terminate staff, and all information pertaining to staff employment matters is confidential. No member of Council, either as an individual or as a group, shall interfere with the CAO role in the hiring, disciplinary action, or termination of any staff member, by way of coercion, persuasion, threats, intimidation, bullying, or any other form of influence. The CAO shall immediately report any incident of this nature to Council as a whole.

5.4 Pecuniary Interest

5.4.1 It is the individual responsibility of each Councillor to be aware of the Pecuniary Interest provisions and the disclosure and procedure requirements as established in *MGA*,

5.4.2 It is the individual responsibility of each Councillor to seek independent legal advice with respect to any occurrence which may result in Pecuniary Interest, at their own expense,

5.4.3 If a Councillor believes they may have or may reasonably be perceived to have a Pecuniary Interest in a matter before Council or a Council Committee, they shall follow the Pecuniary Interest disclosure and procedure requirements as established in the *MGA* including:



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5.4.3.1 Stating the general nature of their Pecuniary Interest at the meeting prior to any discussion of the matter. This will be done on every occasion the matter arises before Council or Council Committee,

5.4.3.2 Refraining from discussing the matter with Council,

5.4.3.3 Subject to 5.4.3, leaving the room in which the meeting is held prior to the matter being discussed until discussion and voting on the matter has concluded, *MGA*, section 172(1)(d),

5.4.3.4 The decision with respect to whether or not the Councillor may have a Pecuniary Interest is the individual Councillor's decision to make, in accordance with the *MGA*.

5.4.4 Where a Councillor believes they may have a Pecuniary Interest in a matter before Council or a Council Committee, they should:

5.4.4.1 Notify the Mayor or Chair of the meeting before the matter is considered that the Councillor has a Pecuniary Interest in the matter,

5.4.4.2 Complete the "Disclosure of Pecuniary Interest" form attached as Schedule "A" prior to the consideration of the matter at the meeting. The "Disclosure of Interest" form shall be received by the Mayor or Chair of the meeting, be read into the meeting minutes and delivered by the Mayor or the Chair to the CAO or his designate. The CAO shall file and maintain the "Disclosure of Interest" forms.

5.5 Conflict of Interest

5.5.1 Receipt and giving of gifts can result in a perceived Conflict of Interest. With the exception of token and minor gifts (having an estimated value under \$50.00), Councillors shall provide a written declaration to the CAO detailing the acceptance of any gifts including estimated value and the donor of the gift, form attached as Schedule "B",

5.5.2 While token and minor gifts can be accepted by Councillors, substantial or material gifts, (over \$50.00), should either be rejected by Councillors or accepted on the condition the gift is accepted on behalf of Council and donated to a local charity,

5.5.3 This bylaw does not apply to gifts donated to the Town, nor to gifts or hospitality which are normally received as a matter of protocol or social obligations that normally accompany the position of Councillor and which are not related to any particular transaction or activity of the Town of Rimbey or decision by Council,

5.5.4 Councillors shall not engage in any activity, which is incompatible or inconsistent with the discharge of a Councillor's duties and obligations as an elected official in the Town,

5.5.5 The decision with respect to whether or not the Councillor may have a Conflict of Interest is the individual Councillor's decision to make,



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BEING A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO REGULATE THE CODE OF CONDUCT OF COUNCIL.

5.5.6 A councillor may seek the advice of the CAO respecting a potential conflict prior to the matter coming before council.

5.5.7 It is the individual responsibility of each Councillor to seek independent legal advice with respect to any situation which may result in a Conflict of Interest.

5.6 Use and Disclosure of Information

5.6.1 Councillors must not use information gained through their position on Council for any private or personal benefit or gain,

5.6.2 Councillors shall inform themselves of and strictly adhere to the provisions of the *Freedom of Information and Protection of Privacy Act, R.S.A. 2000, Chapter F-25* with respect to the access to, gathering, use and disclosure of information,

5.6.3 Councillors must not release, disclose, publish or comment on confidential information including any information received during an "in camera" meeting until such information is disclosed at a public meeting. This obligation continues in perpetuity,

5.6.4 Councillors must not release information which is subject to solicitor-client privilege unless expressly authorized by Council or required by law to do so,

5.6.5 Councillors must not misuse confidential information gained by virtue of their position as Councillor that is not in the public domain, including e-mails and correspondence from other Councillors or third parties, such that it may cause harm, detriment or embarrassment to the Town, Council, other Councillors, Town of Rimbey administration or staff, members of the public or third parties, or such that it may create a benefit to themselves, the Town, Council, other Councillors, Town administration or staff, members of the public or third parties.

6.0 SANCTIONS FOR BREACHING THE CODE OF CONDUCT

6.1 If a Councillor fails to adhere to the Code of Conduct, any or all of the following sanctions may be imposed:

6.1.1 Letter of reprimand addressed to the councillor,

6.1.2 A request to the councillor to issue a letter of apology,

6.1.3 Publication of the letter of reprimand or request for apology and the councillor's response,

6.1.4 Require the councillor to attend training,

6.1.5 Suspension or removal of the appointment of a councillor as the chief elected official under section 150(2) of the *MGA*,

6.1.6 Suspension or removal of the appointment of a councillor as the deputy chief elected official or acting chief elected official under section 152 of the *MGA*,

6.1.7 Suspension or removal of the chief elected official's presiding duties under section 154 of the *MGA*,



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6.1.8 Suspension or removal from some or all of council committees and bodies to which council has the right to appoint members,

6.1.9 Reduction or suspension of remuneration as defined in section 275.1 of the *MGA* corresponding to a reduction in duties, excluding allowances for attendance at council meetings.

This code of conduct, or sanctions imposed under this code of conduct shall not prevent any councillor from fulfilling the legislated duties of a councillor.

7.0 COMPLAINT PROCESS FOR BREACHING CODE OF CONDUCT

7.1 Any elector of the Town of Rimbey may make a complaint alleging a breach of the code of conduct. Complaints regarding a Councillor's conduct shall be submitted in writing to Council through the CAO, using the form attached as Schedule "C",

7.2 Where a contravention of any provision in this Code of Conduct is alleged, Council shall, upon request of any member of Council, hold a Special Council Meeting within 30 days of the complaint, to determine if the Council member has breached this bylaw. All discussions surrounding both alleged and substantiated violations of this code shall be conducted during an In-Camera meeting of Council, with the intent the discussion shall remain confidential under the appropriate sections of the *Freedom of Information and Protection of Privacy (FOIP) Act*,

7.3 The Complained of Councillor shall be given opportunity to address Council at the meeting referred to in section 7.2, and will be provided with sufficient time to address the alleged breach of confidentiality. The Complained of Councillor shall be permitted to introduce evidence, including witnesses to support their position, and may be represented by legal counsel. Should the Complained of Councillor have legal counsel, then the Town shall have the right to legal representation. Should Council determine a member has potentially breached the Code of Conduct, Council shall rise and report such a determination has been made, and shall, at a special open Council session called for that purpose, pass a Resolution that shall require the member to appear before an In-camera Special Council Meeting to be sanctioned,

7.4 The Sanction shall be ratified by Resolution at a Regular Meeting of Council,

7.5 All Sanctions under this By-Law shall be fair and in keeping with the severity of the infraction, giving due regard to the Councillor's previous conduct,

7.6 Nothing in this Section restricts or attempts to countermand a Councillor's legal right to challenge a decision by Council through established legal channels.

8.0 SEVERABILITY

8.1 Should any section, subsection, clause or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole or any part thereof, other than the part so declared to be invalid.



BYLAW NO. 938/18

BEING A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA TO REGULATE THE CODE OF CONDUCT OF COUNCIL.

This Bylaw comes into effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2018.

READ a Second Time in Council this _____ day of _____ 2018.

UNANIMOUSLY AGREED to present this Bylaw for Third and Final Reading.

READ a Third Time and Finally Passed this _____ day of _____, 2018.

Mayor Rick Pankiw

Chief Administrative Officer
Lori Hillis

SIGNATURE

The undersigned member of Council hereby acknowledges receipt of a copy of By-law 938/18, being the Mayor and Councillor's "Code of Conduct By-law".

PRINTED NAME

Signature of Member of Council

Date of Signature Acknowledgement of Receipt of Code of Conduct Bylaw

NOTE: The member of Council acknowledges two copies of the By-law were provided to the member. One signed copy of the By-law was returned to the CAO and the duplicate copy was retained by the member of Council.

Schedule "B"

GIFTS & GRATUITIES REGISTER

DATE: _____

GIFT GIVEN TO: _____

GIFT FROM: _____

GIFT: _____

VALUE: _____

DISPOSITION: _____

COMMENTS: _____

Councillor Signature

Mayor/Chief Administrative Officer

TOWN OF RIMBEY

Council Code of Conduct Complaint Protocol

Formal Complaint Form / Affidavit

I, _____ (please print) of the Town of Rimbey, in the Province of Alberta, do solemnly swear/affirm, and declare the following contents of this affidavit as subscribed are true and correct:

Civic Address: _____; Mailing Address: _____,

of the Town of Rimbey in the Province of Alberta, Postal Code _____

I have personal knowledge of the facts as set out in this Affidavit because (insert reason e.g. I work for..., I attended a meeting at which....., etc.) I have reasonable and probable grounds to believe _____ (name of member) has contravened section(s) _____ of the Council Code of Conduct for the Town of Rimbey. The particulars of which are as follows:

(Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space please use the attached Schedule "A" form and check the appropriate box below. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit "A", "B", etc., and attach them to this Affidavit.

Please see the attached Schedule "C"

This Affidavit is made for the purpose of requesting this matter be reviewed by the Council and/or the Chief Administrative Officer of the Town of Rimbey and for no other purpose.

SWORN BEFORE ME at the City/Town of _____)

in the Province of Alberta,)

this _____ day of _____, 20____)

) _____

Complainant Signature

_____))

A Commissioner for Oath in and for the Province of Alberta)

Note: This is a sworn (affirmed) affidavit of the deponent only. No investigation has been conducted by this authority to confirm or verify the above sworn information. The Criminal Code of Canada provides that: everyone commits perjury who, with intent to mislead, makes before a person who is authorized by law to permit it to made before him a false statement under oath or solemn affirmation by affidavit, solemn declaration or deposition or orally, knowing that the statement is false, is guilty of an indictable offence and liable to a term of imprisonment not exceeding fourteen years. (Section 131, 132), or by summary conviction (Section 134). Signing a false affidavit may expose you to prosecution under Sections 131 and 132 or 134 of the Criminal Code, R.S.C. 1985, c. C-46 and also to civil liability for defamation.



TOWN OF RIMBEY REQUEST FOR DECISION

Special Council Agenda Item	3.2
Special Council Meeting Date	March 12, 2018
Subject	Bylaw 939/18 Council Procedural Bylaw
For Public Agenda	Public Information
Background	The Town of Rimbey had its Code of Conduct for Councillors in Council Procedural Bylaw 924/16. The Municipal Government Act now requires a separate Bylaw for Code of Conduct for Councillors, so any items related to conduct of Councillors needs to be removed from the Council Procedural Bylaw.
Discussion	<p>Administration has prepared new Bylaw 939/18 Council Procedural Bylaw to replace Bylaw 924/16 Council Procedural Bylaw.</p> <p>Administration has provided both Bylaws for Council consideration. In Bylaw 924/16, any items which contain a strikethrough have been removed from the bylaw and any items highlighted in yellow were added to the bylaw. This resulted in the new Bylaw 939/18 Council Procedural Bylaw.</p>
Relevant Policy/Legislation	Municipal Government Act S.146.1(1-5) Municipal Government Act Code of Conduct for Elected Officials Regulation 200/2017
Attachments	<ol style="list-style-type: none">1. Bylaw 939/18 Council Procedural Bylaw (New)2. Bylaw 924/16 Council Procedural Bylaw (One being replaced)
Recommendation	<ol style="list-style-type: none">1. Administration recommends Council give first reading to Bylaw 939/18 Council Procedural Bylaw.2. Administration recommends Council give second reading of Bylaw 939/18 Council Procedural Bylaw.3. Administration recommends Council unanimously consider giving third and final reading of Bylaw 939/18 Council Procedural Bylaw.4. Administration recommends Council give third and final reading to Bylaw 939/18 Council Procedural Bylaw.

Prepared By:

Lori Hillis
Lori Hillis, CPA, CA
Chief Administrative Officer

Feb 20/18
Date

Endorsed By:

Lori Hillis
Lori Hillis, CPA, CA
Chief Administrative Officer

Feb 20/18
Date



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE OF COUNCIL.

WHEREAS Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws in relation to the procedure and conduct of Council; and

WHEREAS The Council of the Town of Rimbey desires to establish a procedural and conduct Bylaw;

NOW THEREFORE The Council of The Town of Rimbey, duly assembled enacts as follows:

PART I BYLAW TITLE

1. This bylaw may be cited as the “Council Procedural Bylaw”.

PART II - DEFINITIONS

In this bylaw, unless the context otherwise requires:

1. “Administrative Inquiry” shall mean a written request from a Member of Council to the Administration, for the future provision of information and report.
2. “Bylaw” shall mean a Bylaw of the Town of Rimbey.
3. “Chairperson” or chair shall mean the Mayor, Deputy Mayor or any other duly appointed Presiding Officer at a constituted meeting.
4. “Chief Administrative Officer” has the meaning prescribed under the *Municipal Government Act*, and may be referred to as the “CAO”.
5. “Conflict of Interest” means an occurrence where a Councillor’s personal or private interests are, or may be perceived as, influencing the Councillor on a matter of public interest before Town Council, including occurrences which may result in common law bias, including direct or indirect pecuniary interest, prejudgment, close mindedness or undue influence.
6. A Conflict of Interest occurrence also includes using the Councillor’s position, confidential information or Town of Rimbey employees, materials, or facilities for personal or private gain or advancement or the expectation of personal or private gain or advancement. A Conflict of Interest may include advancing the interests of the Councillor’s family, friends or business associates.
7. “Council” means the Town of Rimbey Council.
8. “Councillor(s)” has the meaning described under the *Municipal Government Act*, including an individual elected member of the Town of Rimbey Council and the chief elected official (Mayor).
9. “Delegation” shall mean a person or group of persons wishing to appear before the Council to address a specific matter.
10. “Deputy Mayor” shall mean the member who is appointed pursuant to the *Municipal Government Act* to act as Mayor in the absence or incapacity of the Mayor.



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11. “Discrimination” means differential treatment of an individual or group of individuals based on cultural background, religious belief, gender, gender identification, marital status, positions, physical characteristics, or age. Discrimination can be intentional or unintentional and includes systemic discrimination in which neutral systems often have an inconsistent or unequal effect upon a particular group.
12. “Harassment” means any unwanted physical or verbal conduct that is based on, but not restricted to cultural background, age, religion, gender, marital status, position, mental or physical disability, pardoned conviction, gender identification or any other conduct that a reasonable person ought to have deemed as being unwelcome.
13. “In Camera” means "in private" meeting. It involves a confidential meeting, or a portion of a meeting, taking place with only Council members, the CAO, or any other person invited by Council, present and are within one of the exceptions to disclosure as outlined in the *Freedom of Information and Protection of Privacy Act*.
14. “Mayor” shall mean the Chief Elected Official elected in accordance with the Municipal Government Act.
15. “Member” shall mean a member of Council.
16. “MGA” means the *Municipal Government Act*.
17. “Person” shall include an individual, partnership, corporation, trustee, executor or administrator.
18. “Point of Order” shall mean the raising of a question by a member or staff to call attention to any departure from the Procedure Bylaw.
19. “Procedural Bylaw” means the current, active Procedural Bylaw of the Town of Rimbey, which established the procedural guidelines of Council.
20. “Public Forum” shall mean the portion of the meeting where a person(s) present at the meeting are allowed to address Council regarding issues arising from the meeting in progress.
21. “Public Hearing” shall mean a meeting of Council convened to hear matters pursuant to the Municipal Government Act, any other Act, and any other matter at the direction of Council.
22. “Quorum” shall mean a majority of those members elected and serving on Council.
23. The “**Town**” means the municipality of Rimbey.
24. “Written Notice” shall mean letter, email, or facsimile.

PART III - GENERAL

1. This Bylaw shall govern the proceedings of Council.
2. When any matter relating to the proceedings of Council is not addressed in the Bylaw, reference shall be made in accordance with the Municipal Government Act; and then Roberts Rules of Order.



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3. In the event of conflict between the provisions of this Bylaw and Roberts Rules of Order, the provisions of this Bylaw shall apply.
4. In the absence of any statutory obligations, any provision of this Bylaw may be waived by resolution of council, provided a majority of the members vote in favor thereof, to deal with a matter under consideration.
5. In the absence of, or in the inability of the Mayor or Deputy Mayor to act, Council shall appoint any other member as Acting Mayor as provided for by the Act.

PART IV - INAUGURAL MEETING

1. The Organizational Meeting immediately following a General Municipal Election shall be called the Inaugural Meeting.
2. During the Inaugural Meeting the Chief Administrative Officer shall:
 - a. Take the Chair;
 - b. Call the meeting to order;
 - c. Preside over the meeting until the Oath, prescribed by the Oaths of Office Act, has been administered to the Mayor.
3. After the Mayor has taken the Oath and assumed the Chair, the Councillors who have been elected at an election, immediately preceding the meeting shall take the official oath as prescribed by the Oaths of Office Act.

PART V- ORGANIZATIONAL MEETING

1. An Organizational Meeting of Council shall be held annually pursuant to Section 192 of the Municipal Government Act.
2. The Chief Administrative Officer shall fix the time and place of the Organizational Meeting.
3. The agenda for the Organizational Meeting shall be restricted to:
 - a. the administration of the oath and the introduction of new members, should the meeting follow the General Municipal Election;
 - b. the establishment of regular meeting dates and times for Council Meetings;
 - c. the appointment of the Deputy Mayor;
 - d. the appointment of Signing Authorities;
 - e. the appointment of members to act on committees, board and other bodies on which Council is entitled to representation;
 - f. any such other business as is required by the Act.

PART VI – REGULAR MEETINGS OF COUNCIL

1. The Regular Meetings of Council shall be held in the Council Chambers of the Town on days and times established, by resolution of Council, at the annual Organizational Meeting of Council.



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2. In the case where a Regular Council Meeting conflicts with a General Holiday, the Regular Council Meeting shall be held in the Council Chambers of the Town on a day and time established, by resolution of Council, at the annual Organizational Meeting of Council.
3. Regular Meetings of Council may be cancelled or rescheduled by resolution of Council at any duly constituted meeting.

PART VII - IN CAMERA MEETINGS

1. Council may, by resolution, go into an In Camera meeting to consider a matter which is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, which meeting:
 - a. may be held in private;
 - i. may exclude any person or persons therefrom; or include any person or persons, and shall not have the power to pass any resolution except one to revert to the open meeting.
2. Councillors are to keep in confidence matters discussed in private at a Council Meeting until discussed at a meeting held in public.

PART VIII - SPECIAL COUNCIL MEETINGS

1. The Mayor may call a Special Meeting of Council pursuant to Section 194 of the Municipal Government Act, whenever he or she considers it expedient to do so.
2. The Mayor must call a Special Council meeting if he or she receives a written request for the meeting, stating its purpose, from a majority of the Councillors.
3. Where a Special Meeting is requested by a majority of Council, the Mayor shall call such meeting within fourteen (14) days of the date on which the request in writing was delivered to the Mayor.
4. The Mayor calls a Special Meeting of Council by giving at least 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.
5. A Special Council meeting may be held with less than 24 hours' notice to all councilors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
6. No business other than that stated in the notice calling the Special Council meeting shall be transacted at any Special Meeting of Council, unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.
7. The Chief Administrative Officer shall place at the disposal of each Council member a copy of the agenda and supporting material as soon as possible after the call of a Special Meeting.



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PART IX - MEETINGS THROUGH ELECTRONIC COMMUNICATIONS

1. A meeting may be conducted by means of electronic or other communication facilities if,
 - a. Notice is given to the public of the meeting, including the way in which the meeting is to be conducted.
 - b. The facilities enable the public to watch and listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place; and
 - c. The facilities enable all of the meeting's participants to watch or hear each other.
2. Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.
3. With the unanimous consent of Council, an electronic Special Council Meeting via email may be conducted for a very high priority or time sensitive matter and only in exceptional circumstances. The email notice of such meeting shall include the meeting Agenda, any supporting material and the motion to be voted on. Members will vote using "Reply All" to the email indicating "In Favor" or "Opposed" to the motion. At the discretion of the Chief Administrative Officer if there is significant discussion or debate by the members on the resolution, the meeting will be adjourned and the matter brought forward at the next Council Meeting.

PART X - NOTICE OF MEETINGS

1. Section 196(2) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 states: Notice of Council or Council Committee meeting to the public is sufficient if the notice is given in a manner specified by Council.
2. Notice to the public of Regular Council Meetings and Special Council Meetings shall be deemed to be given by the Chief Administrative Officer posting notice of all meeting dates and times at the Town Office, OR advertising the meeting dates and times in the local newspaper OR on its website.

PART XI - QUORUM

1. As soon as there is a quorum of Council after the hour fixed for the meeting, the Chairperson shall call the members to order.
2. In the event the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the hour of a scheduled meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a Chairperson shall be selected by the Council members in attendance, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
3. If a quorum is not present within thirty (30) minutes after the time fixed for a Regular or Special Meeting, the Chief Administrative Officer shall record the names of the members of Council present and the Council shall stand adjourned until the next Regular Council Meeting or another Special Meeting is called.



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PART XII - COUNCIL AGENDA

1. The Agenda shall be prepared by the Chief Administrative Officer or designate in conjunction with the Mayor.
2. All items for the Agenda, including all documents and notice of delegations, shall be delivered in writing to the Chief Administrative Officer by noon on the Wednesday of the week preceding the meeting of Council.
3. The Mayor and Councillors will provide a written report, of their activities which will be included in the agenda package of the second Council Meeting of the month, however, should there only be one scheduled meeting, the reports will be due and included in the agenda package of that meeting. A written report will be included in the next months report.
4. No further additions to the Agenda will be presented unless the addition is of an emergent nature and the Mayor is in agreement.
5. The Chief Administrative Officer shall place at the disposal of each member of Council, a copy of the Agenda and all supporting materials no later than 4:30 p.m. local time on the Friday prior to the Regular Meeting of Council.
6. The order of business on the agenda shall be as follows:
 - 1) Call to Order
 - 2) Adoption of Agenda
 - 3) Approval of Minutes
 - 4) Public Hearings
 - 5) Delegations
 - 6) Bylaws
 - 7) New and Unfinished Business
 - 8) Reports
 - 9) Correspondence
 - 10) Open Forum
 - 11) In Camera
 - 12) Adjournment
7. The order of business established in Part XII 6. shall apply unless Council otherwise determines by a majority vote of the members in attendance.

PART XIII - REQUEST FOR DECISION

1. A Request for Decision must be used to introduce a matter for consideration by Council.



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2. A Request for Decision, with all supporting documentation shall be submitted to the Chief Administrative Officer to be included in a Regular Council Meeting Agenda.

PART XIV - MEMBER DEBATING

1. A member wishing to speak on a matter before the meeting should indicate his or her intentions by raising his or her hand and, being recognized by the Chair, should not speak more than once until every member has had the opportunity to speak, except:
 - a. In the explanation of a material part of the speech which may have been misunderstood; or
 - b. In reply, to close debate, after everyone else wishing to speak has spoken, provided that the member presented the resolution to the meeting.
2. The member shall confine themselves to the question and avoid personality.
3. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
4. Supplementary questions or a series of questions relating to the matter before the meeting may be raised by the member, but each such question requires consent of the Chair.
5. Through the chairperson, a member may ask:
 - a. For an explanation of any part of the previous speaker's remarks; and
 - 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 minute or clause.
6. All questions or debate shall be directed through the Chair.

PART XV - MOTIONS

1. A member of Council may present a motion for consideration. The motion does not require a seconder. The motion shall be recorded and the motion shall be deemed to be "on the floor" and open for formal discussion and debate.
2. Following debate on the motion under consideration, the Chair may call for a vote on the motion.
3. When any member of Council desires to speak, they shall address their remarks to the Chair, confine themselves to the question, and avoid personality. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
4. All motions shall be voted upon by all members of Council in attendance unless abstention by a member is duly noted in the minutes for reasons of conflict of interest.
5. Every motion, when moved and presented to the Chairperson is the property of council; a motion may only be withdrawn with the unanimous consent of Council.



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6. Any member may require the motion under discussion to be read at any time during the debate, except when a member is speaking.
7. The mover of a motion must be present when the vote on the motion is taken.
8. The Chief Administrative Officer or designate shall record all motions in writing before being debated or voted upon.
9. No motion shall be offered that is substantially the same as the one that has already be expressed during the same meeting.
10. Where a matter under consideration contains several distinct propositions, a member may request; or the Chairperson may direct, that each proposition be made as a separate motion.
11. After the Chairperson has called the vote, no member shall speak to the motion nor shall any other motion be made until after the result of the vote has been declared.
12. Voting on all motions shall be done by clearly raising the hand so that the Chairperson may easily count them. After the Chairperson has counted the vote, he or she shall declare whether it was carried or defeated. Except where provided for in this Bylaw or by the applicable legislation, a majority vote of the members present who are eligible to vote, shall decide a motion or question before the Council.
13. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
14. A "Motion to Table" may be made when a member wishes Council to decline to take a position on the main question.
15. Amendment:
 - a. Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The chairperson shall rule on the disputes arising from amendments.
16. Rescinding Motions:
 - a. A Motion to Rescind a previous motion may be accepted by the Chair under special circumstances; and, if passed by a majority vote of the members present, the previous motion referred to would be declared null and void.
 - b. A Motion to Rescind a previous motion may be offered at any time subsequent to the meeting at which the original motion was passed.
 - c. Notice to rescind a motion shall be a request for decision or the inclusion of the item on an agenda delivered to the members of Council before the meeting.



PART XVI - VOTING

1. When the Chairperson, having ascertained that no further information is required, commences to take a vote, no member shall speak to or present another motion until the vote has been taken on such motion or amendment.
2. A member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.
3. Every member present, including the Mayor or Chairperson, shall vote on every matter, unless
 - a. In a specific case, the member is excused by motion of Council from Voting; or
 - b. Disqualified from voting by reason of pecuniary interest;
4. A member who has a reasonable belief that he or she has a pecuniary interest as defined in the Municipal Government Act in any matter before Council, shall so declare and disclose his or her interest and shall abstain from debate and voting on the matter and shall remove him or herself from Council Chambers until the matter is concluded. The minutes shall indicate the declaration disclosure, the time at which the member left the room and the time the member returned. A member whose pecuniary interest arises due to the paying of the bills shall not be required to leave the Council Chambers.

PART XVII - THE VOTE

1. Any Bylaw or motion on which there is an equality of votes shall be deemed to be decided in the negative.
2. All votes shall be recorded with the names of those “in favour” and “opposed” and then declared as carried or defeated.

PART XVIII - MAYOR

1. Pursuant to Section 154 (1)(a) of the MGA, the Mayor shall preside at meetings of Council, and the Mayor, at his discretion, may allow the Deputy Mayor to preside at a Council meeting at which the Mayor is in attendance.
2. The Mayor shall preside over the conduct of the meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any member of Council from any ruling of the Chair.
3. The Mayor shall speak publicly on behalf of Council, and the Mayor at his discretion may allow the Deputy Mayor to publicly speak on behalf Council.

PART XIX - APPEAL RULING

1. The decision of the Chairperson shall be final, subject to an immediate appeal by a member of Council



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2. If the decision is appealed, the Chairperson shall give concise reasons for his ruling and council without debate, shall decide the question. The ruling of Council shall be final.

PART XX - DELEGATIONS

1. A person or representative of a delegation of persons who wishes to bring any matter to the attention of Council:
 - a. shall address correspondence to the Chief Administrative Officer clearly stating the matter or issue to be discussed. Such correspondence shall be included with the Agenda;
2. A delegation, scheduled to address Council on a topic shall address the Chair upon recognition by the Chair. The scheduled delegate shall be limited to a ten (10) minute presentation unless such time is extended by permission of the Chair.
3. The Delegation portion of the Council meeting shall provide:
 - a. An opportunity for any person or representative of any delegation who wishes to bring any matter to the attention of Council, provided they have submitted information in accordance with this Bylaw and their submission has been distributed to Council with the Agenda package
4. Delegations from the same party or parties, or for the same matter as a previous delegation, held within the previous six months, shall not be allowed to appear before Council unless, in the opinion of the Mayor and Chief Administrative Officer new and compelling information comes to light which would warrant the delegation within the six month period.
5. Any delegation wishing to address Council, regarding a matter which is the subject of a Public Hearing, may attend at the Council Chambers at the Public Hearing and shall be heard.
6. Notwithstanding the provisions of the Act respecting petitions, where a person or group of persons wishes to bring any matter to the attention of Council or to have any matter considered by Council, a letter, petition or other communication shall be addressed to the Chief Administrative Officer, which letter, petition or other communication shall:
 - a. be printed, typewritten or legibly written;
 - b. clearly set out the matter at issue and the request made of Council in respect thereof;
 - c. in the case of a letter or communication, be signed with the correct name of the writer and contain the correct mailing address of the writer;
 - d. in the case of a petition, be prepared and presented in accordance with the Act or other Provincial Statute.
7. The Delegation portion of the meeting shall last for a maximum of twenty (20) minutes, unless the majority of council members present agree to extend the time.
8. Council will not entertain submissions from the public on issues that are before the Subdivision and Development Appeal Board, a Statutory Public Hearing; or any other public consultation/communication process.



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PART XXI – OPEN FORUM

1. The open forum shall be for a maximum total of twenty (20) minutes in length to allow members of the public present at the meeting to address Council regarding issues arising from the meeting in progress. No formal decision shall be made on any matter discussed with Council during the open forum session.

PART XXII - MINUTES

1. The Chief Administrative Officer or his or her designate shall:
 - a. Attend all Regular Council and Special Council meetings of the Council
 - b. record all minutes of Council Meetings and Special Meetings in the English language, without note or comment,
 - c. record the names of the Councillors present at Council Meetings
 - d. record the time of arrival and/or departure of Council members at meetings should member of Council arrive late at a meeting or depart prior to the completion of a meeting.
 - e. ensure the minutes of each Council Meeting or Special Meeting are given to Council for adoption at a subsequent Council Meeting;
2. Minor changes may be made to the minutes to correct errors in grammar, spelling and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence. No change shall be allowed which would alter the actual decision made by Council.
3. Administration is authorized to electronically record the Regular Council and Special Council meetings to ensure accuracy of the motions.
4. If a member wished to challenge the accuracy of the minutes of a previous meeting, the Member must make the challenge known to the Chief Administrative Officer before Council has officially confirmed the minutes.
5. Ensure that the last page of the minutes of each meeting is signed by the Mayor or presiding officer and the Chief Administrative Officer.
6. The Chief Administrative Officer may delegate any duties to the Recording Secretary, but the Chief Administrative Officer shall accept all responsibilities of the Recording Secretary.

PART XXIII - ADJOURNMENT

1. A motion to Adjourn the meeting shall be in order except:
 - a. When a member is in possession of the floor; or when it has been decided that the vote now be taken; or
 - b. During the taking of a vote.



PART XXIV - BOARDS AND COMMITTEES

1. The Mayor shall appoint Council representatives to such Committees, Boards and Commissions as required by legislation, agreement or bylaw as they deem necessary. Unless an addition is required mid-term, these appointments shall be made on an annual basis at the Organizational Meeting.
2. The Mayor may make appointments to a Committee at any time, providing that the Council has adopted a motion or Bylaw specifying the Terms of Reference of the Committee.
3. Appointed Councillors shall keep the rest of the Council informed of the Board/Committee actions by providing regular activity highlights through their Councillor reports.
4. The Mayor shall act as ex-officio to all Committee/Board appointments and may attend any meetings.

PART XXV - PROHIBITIONS

1. A member shall not:
 - a. Use offensive words or unparliamentary language or conduct in Council;
 - b. Disobey the rules of the Council or decision of the Chairperson or of Council on questions of order or practice, or upon the interpretation of the rules of Council;
 - c. Leave his or her seat or make any noise or disturbance while a vote is being taken and the result is declared;
 - d. Enter the Council Chambers while a vote is being taken;
 - e. Interrupt a member while speaking, except to raise a point of order or question of privilege.
2. A member who persists in a breach of Section XXV 1, after having been called to order by the Chairperson, may at the discretion of the Chair be ordered to leave his or her seat for the duration of the meeting.
3. At the discretion of the Chair, the member may resume his or her seat following an apology.
4. Should the individual refuse to leave his or her seat, the Mayor may request his or her removal by the police.
5. A member who wishes to leave the meeting of Council, without intent to return prior to the adjournment, shall so advise the Chairperson and the time of departure shall be recorded in the minutes.

PART XXVI - QUESTION OF PRIVILEGE

1. A member who desires to address Council upon a matter which concerns the rights or privileges of the Council collectively, or of him or herself as a member thereof, shall be permitted to raise such question of privilege. A question of privilege shall take precedence over other matters. While the Chairperson is ruling on the question of privilege, no one shall be considered to be in possession of the floor.



PART XXVII - POINTS OF ORDER

1. A member who desires to call attention to a violation of the rules of procedure shall ask leave of the Chairperson to raise a point of order with a concise explanation and shall attend the decision of the Chairperson upon the point of order. The speaker in possession of the floor when the point of order was raised shall have the right to the floor when debate resumes.
2. A member called to order by the Chair person shall immediately vacate the floor until the point of order is dealt with, and shall not speak again without the permission of the Chairperson unless to appeal the ruling of the Chair.

PART XXIII - BYLAWS

1. Where a Bylaw is presented to Council for enactment, the Chief Administrative Officer shall cause the number and short title of the Bylaw to appear on the Agenda.
2. A motion on first reading of a bylaw shall be decided without amendment or debate.
3. Pursuant to the MGA, every proposed bylaw shall receive three separate readings but not more than two on the same day, unless the members of Council present unanimously agree to consider third reading. It shall be read twice before it is committed and engrossed, and the third time before it is signed by the Mayor and Chief Administrative Officer. The Chief Administrative Officer shall include the date of the passing upon every bylaw.
4. When a Bylaw is not subject to a statutory public hearing;
 - a. Council shall vote on the motion for first reading of a Bylaw without amendment or debate;
 - b. A member may ask a question or questions concerning the Bylaw, provided such questions do not indicate the member's opinion for or against the Bylaw;
 - c. A Bylaw shall be introduced for second reading by a motion that it be read a second time, specifying the number of the Bylaw.
 - d. After a motion for second reading of the Bylaw has been presented, Council may debate the substance of the Bylaw and propose and consider amendments to the Bylaw:
 - e. A proposed amendment shall be put to a vote and if carried, shall be considered as having been incorporated in the Bylaw at second reading.
 - f. The Chief Administrative Officer or designate shall be responsible for keeping a record of any amendments to the Bylaw passed by Council
 - g. A motion for third reading shall be introduced specifying the number of the Bylaw, and the Bylaw, upon being passed shall be signed by the Mayor and Chief Administrative Officer and sealed.
5. A Bylaw which requires a statutory public hearing shall be presented on a motion for first reading.
 - a. Council may at this point:
 - i. Debate the substance of the Bylaw, and
 - ii. Propose and consider amendments to the Bylaw



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- b. A proposed amendment shall be put to a vote and if carried shall be considered as having been incorporated into the Bylaw at first reading.
 - c. When all amendments have been dealt with, the motion for first reading of the Bylaw shall be placed.
 - d. Following the Public Hearing, a motion for second reading may be placed and further amendments presented.
 - e. Those members of Council who have not attended the Public Hearing for said Bylaw are not eligible to vote on second and third readings of the Bylaw.
 - f. A motion for third reading shall be introduced specifying the number of the Bylaw, and the Bylaw upon being passed, shall be signed by the Mayor and the Chief Administrative Officer and sealed.
- 6. A Bylaw shall not be given more than two readings at one meeting unless the members present at the meeting unanimously agree that the Bylaw may be presented to Council for third reading at the same meeting at which it received two readings.
 - 7. When Council unanimously agrees that a Bylaw may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the Bylaw than if it had received third reading at a subsequent meeting.
 - 8. A Bylaw shall be passed when a majority of the members present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
 - 9. When a bylaw is defeated at third reading, the first reading and second reading are deemed to be rescinded.
 - 10. When a Bylaw has been given three readings by Council, it is
 - a. A municipal enactment of the Town; and
 - b. Effective immediately unless the Bylaw or an applicable provincial statute provides otherwise.

PART XXIX - PUBLIC HEARINGS

“Adjourn” used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting.

“Close” used in relation to a Public Hearing, means to terminate the Public Hearing.

- 1. At the commencement of a Public Hearing, the Chairperson shall:
 - a. State the matter to be considered at the hearing;
 - b. Inform those present of the procedure, which shall be followed in hearing the respective submissions; advise those members of the public in attendance who wish to speak in favour of or opposed to the Bylaw to include their name and address on the sign-in sheet. A copy of the rules of procedure for public hearings will also be made available to the public.
 - c. Ask the Development Authority if the Public Hearing has been advertised in accordance with the Act;
 - d. Request that the Development Authority present a report on the issue at hand;



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- e. Allow the applicant, and/or their representative(s), up to twenty (20) minutes to present their position, exclusive of the time required to answer questions put to the applicant by a Council member, unless granted a time extension by Council.
2. Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak or provide written submissions in the following order:
 - a. The Development Authority will read out each written submission in favour of the matter being considered.
 - b. The Chairperson will call on each person who is in favour of the matter being considered.
 - c. The Development Authority will read out each written submission opposed to the matter being considered.
 - d. The Chairperson will call on each person who is opposed to the matter being considered.
3. If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on his or her behalf. The authorization must:
 - a. be in legible writing
 - b. name the individual authorized to speak;
 - c. indicated the proposed matter be considered to be spoken to; and
 - d. be signed by the person giving the authorization.
4. The authorized speaker must state the name of the person that the speaker represents and provide written authorization to the Chief Administrative Officer.
5. All speakers shall adhere to the timeframes as set out in the “Rules of Procedure for Public Hearings”.
6. The Chairperson will allow the Development Authority to make closing comments.
7. The Chairperson will allow the applicant to make closing comments.
8. If there is more than one Public Hearing on the Agenda, the Chairperson shall adjourn or close the Public Hearing before opening another Public Hearing.
9. If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter unless it re-opens the Public Hearing.
10. If a Public Hearing is closed, Council shall not receive any additional submissions from the public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.
11. An outline of the Rules of Procedure shall be provided in written form to any person who indicates that he will make a written submission, and further there shall be printed copies of the same available to those in attendance at the Hearing.
12. Any member of Council, who has not attended a Public Hearing for a Bylaw or resolution, is not eligible to vote on said Bylaw or resolution.



PART XXX COUNCIL REVIEW OF ORDERS ISSUED UNDER THE MUNICIPAL GOVERNMENT ACT – SECTION 545/546

1. In this section, the following terms have the following meanings:
 - a. “Appellant” means the person who received a written order under Section 545 or 546 of the Municipal Government Act;
 - b. “Order to Remedy” means an order issued under Section 545 or Section 546 of the Municipal Government Act;
 - c. “Staff” means a designated officer of the Town of Rimbey or an employee whom has been delegated the responsibility to issue an Order to Remedy.

2. Upon receipt of a written request pursuant to Section 547 of the Municipal Government Act, the Chief Administrative Officer will schedule a Council Review at a Regular Council Meeting as soon as practicable after ensuring that all parties have sufficient time to prepare for the Council Review.

3. Written materials, videos, and slide presentations received as submissions from the Appellant and Staff must be submitted not less than seven (7) calendar days prior to the Council Review and will be distributed as part of the Council Agenda.

4. The Appellant is entitled to appear before Council, in person or by an authorized agent, and to be represented by legal counsel.

5. The rules of evidence in judicial proceedings do not apply to a Council Review and evidence may be given in any manner Council considers appropriate.

6. The procedure in a Council Review is as follows:
 - a. The Chair will open the Council Review; introduce members of Council Staff and the Appellant or their representative;
 - b. The Chair will describe the council Review process and deal with any preliminary matters;
 - c. The Appellant will be invited to make opening remarks and presentations (maximum of ten (10) minutes) followed by questions to the Appellant by councilors;
 - d. Staff will be invited to make opening remarks and presentation (maximum of ten (10) minutes) followed by questions to the Staff by Councilors;
 - e. The Appellant will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Appellant by Councilors;

 - f. Staff will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Staff by Councilors; and
 - g. The Appellant will be invited to make closing remarks (maximum of five (5) minutes) followed by questions to the Appellant by Councilors.

7. If the Appellant fails to attend the Council Review despite having been given notice, Council may proceed with the council Review in the absence of the Appellant.

8. At the conclusion of the Council Review, Council may confirm, vary, substitute or cancel the Order to Remedy.



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PART XXXI - CONDUCT OF THE PUBLIC IN COUNCIL MEETINGS

1. Members of the public and media who constitute the audience in the Council Chambers during a Council meeting shall:
 - a. not address Council without permission from the Chairperson;
 - b. maintain order and quiet;
 - c. not applaud or otherwise interrupt any speech or action of the members, or any other person addressing Council;
 - d. refrain from wearing headwear, unless for ethnic/religious reason, in Council Chambers;
 - e. refrain from any use of recording devices in the Council Chambers
2. A member of the public who persists in a breach of this section, after having been called to order by the Chairperson may, at the discretion of the Chair, be ordered to leave Council Chambers.
3. The Chair may, upon request, authorize a person in the public gallery to address Council only on the topic being debated at that time in the meeting and the Chair shall specify the time limit provided to the person wishing to address the matter.

PART XXXII - REPEAL

- 1) Bylaws No. 515/86, No. 611/94, No. 858/10, No. 889/13, 894/14 and 924/16 are hereby repealed.



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PART XXXIII - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Second Time in Council this ____ day of _____ 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

Unanimously Agreed to present this Bylaw for Third and Final Reading.

READ a Third Time and Finally Passed this _____ day of _____, 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis



A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE PROCEDURE AND CONDUCT OF COUNCIL.

WHEREAS Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws in relation to the procedure and conduct of Council; and

WHEREAS The Council of the Town of Rimbeey desires to establish a procedural and conduct Bylaw;

NOW THEREFORE The Council of The Town of Rimbeey, duly assembled enacts as follows:

PART I BYLAW TITLE

1. This bylaw may be cited as the "Council Procedural Bylaw".

PART II - DEFINITIONS

In this bylaw, unless the context otherwise requires:

~~"Act" shall mean the Municipal Government Act, Statues of Alberta, 2000, chapter M-26 as amended or replaced from time to time.~~

"Administrative Inquiry" shall mean a written request from a Member of Council to the Administration, for the future provision of information and report.

~~"Business Casual" means dressing professionally, looking relaxed, yet neat and pulled together.~~

"Bylaw" shall mean a Bylaw of the Town of Rimbeey.

"Chairperson" or chair shall mean the Mayor, Deputy Mayor or any other duly appointed Presiding Officer at a constituted meeting.

~~"Chief Administrative Officer (CAO)" shall mean the person appointed as Manager of the Town of Rimbeey and whatsoever subsequent title may be conferred on him or her by Council or Statute, and includes any person who holds this position in an acting capacity.~~

"Chief Administrative Officer" has the meaning prescribed under the Municipal Government Act, and may be referred to as the "CAO".

~~"Conflict of Interest" means any pecuniary interest, including all those persons, employer and legal entities whose financial interests in a decision of Council will disqualify the Councillor, as defined in Division 6, Section 169 and 170 of the Municipal Government Act, and amendments thereto.~~

"Conflict of Interest" means an occurrence where a Councillor's personal or private interests are, or may be perceived as, influencing the Councillor on a matter of public interest before Town Council, including occurrences which may result in common law bias, including direct or indirect pecuniary interest, prejudice, close mindedness or undue influence.

A Conflict of Interest occurrence also includes using the Councillor's position, confidential information or Town of Rimbeey employees, materials, or facilities for personal or private gain or advancement or



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the expectation of personal or private gain or advancement. A Conflict of Interest may include advancing the interests of the Councillor's family, friends or business associates.

~~"Council" shall mean the Municipal Council of the Town of Rimby, elected pursuant to the provisions of the Municipal Government Act and the Local Authorities Election Act, acting at a duly assembled meeting thereof.~~

"Council" means the Town of Rimby Council.

~~"Councillor" means the current Mayor and members of Town Council elected pursuant to the provisions of the Municipal Election Act and the Local Authorities Election Act, whose term is unexpired, who has not resigned and who continues to be eligible to hold office as such under the terms of the Municipal Government Act.~~

"Councillor(s)" has the meaning described under the *Municipal Government Act*, including an individual elected member of the Town of Rimby Council and the chief elected official (Mayor).

"Delegation" shall mean a person or group of persons wishing to appear before the Council to address a specific matter.

"Deputy Mayor" shall mean the member who is appointed pursuant to the Municipal Government Act to act as Mayor in the absence or incapacity of the Mayor.

"Discrimination" means differential treatment of an individual or group of individuals based on cultural background, religious belief, gender, gender identification, marital status, positions, physical characteristics, or age. Discrimination can be intentional or unintentional and includes systemic discrimination in which neutral systems often have an inconsistent or unequal effect upon a particular group.

"Harassment" means any unwanted physical or verbal conduct that is based on, but not restricted to cultural background, age, religion, gender, marital status, position, mental or physical disability, pardoned conviction, gender identification or any other conduct that a reasonable person ought to have deemed as being unwelcome.

~~"In Camera" shall mean a meeting not open to the public due to the matter(s) to be discussed and are within one of the exceptions to disclosure as outlined in the *Freedom of Information and Protection of Privacy Act*.~~

"In Camera" means "in private" meeting. It involves a confidential meeting, or a portion of a meeting, taking place with only Council members, the CAO, or any other person invited by Council, present and are within one of the exceptions to disclosure as outlined in the *Freedom of Information and Protection of Privacy Act*.

"Mayor" shall mean the Chief Elected Official elected in accordance with the Municipal Government Act.

"Member" shall mean a member of Council.

~~"MGA" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto.~~

"MGA" means the *Municipal Government Act*.



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~~“Person” shall include an individual, partnership, corporation, trustee, executor or administrator.~~

~~“Point of Information” shall mean a request directed to the Mayor, or through the Chair to another member or to staff, for information relevant to the business at hand, but not related to a point of procedure.~~

~~“Point of Order” shall mean the raising of a question by a member or staff to call attention to any departure from the Procedure Bylaw.~~

~~“Point of Procedure” shall mean a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand in order to assist a member to make an appropriate motion, raise a point of order or understand the parliamentary situation or the effect of a motion.~~

~~“Procedural Bylaw” means the current, active Procedural Bylaw of the Town of Rimbey, which established the procedural guidelines and conduct of Council.~~

~~“Public Forum” shall mean the portion of the meeting where a person(s) present at the meeting are allowed to address Council regarding issues arising from the meeting in progress.~~

~~“Public Hearing” shall mean a meeting of Council convened to hear matters pursuant to the Municipal Government Act, any other Act, and any other matter at the direction of Council.~~

~~“Privilege” shall mean a raising of a question which concerns a member of council, or the council collectively when a member believes that another member has spoken disrespectfully towards him or the Council, or when he or she believes his or her comments have been misunderstood or misinterpreted by another member or members.~~

~~“Quorum” shall mean a majority of those members elected and serving on Council.~~

~~“Respect” means consideration for self and others, including consideration for others people’s privacy, their physical space and belongings and respect for different viewpoints, philosophies, physical ability beliefs and personality.~~

~~“Town” means the Town of Rimbey.~~

The “Town” means the municipality of Rimbey.

~~“Written Notice” shall mean letter, email, or facsimile.~~

PART III - GENERAL

1. This Bylaw shall govern the proceedings of Council.
2. When any matter relating to the proceedings of Council is not addressed in the Bylaw, reference shall be made in accordance with the Municipal Government Act; and then Roberts Rules of Order.
3. In the event of conflict between the provisions of this Bylaw and Roberts Rules of Order, the provisions of this Bylaw shall apply.



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4. ~~Any provisions in this Bylaw may be repealed, amended or varied, or additions made, by Bylaw.~~
 5. ~~Notwithstanding the above, and~~ In the absence of any statutory obligations, any provision of this Bylaw may be waived by resolution of council, provided a majority of the members vote in favor thereof, to deal with a matter under consideration.
 6. In the absence of, or in the inability of the Mayor or Deputy Mayor to act, Council shall appoint any other member as Acting Mayor as provided for by the Act.

PART IV - INAUGURAL MEETING

1. The Organizational Meeting immediately following a General Municipal Election shall be called the Inaugural Meeting.
2. During the Inaugural Meeting the Chief Administrative Officer shall:
 - a. Take the Chair;
 - b. Call the meeting to order;
 - c. Preside over the meeting until the Oath, prescribed by the Oaths of Office Act, has been administered to the Mayor.
3. After the Mayor has taken the Oath and assumed the Chair, the Councillors who have been elected at an election, immediately preceding the meeting shall take the official oath as prescribed by the Oaths of Office Act.

PART V- ORGANIZATIONAL MEETING

1. An Organizational Meeting of Council shall be held annually pursuant to Section 192 of the Municipal Government Act.
2. The Chief Administrative Officer shall fix the time and place of the Organizational Meeting.
3. The agenda for the Organizational Meeting shall be restricted to:
 - a. the administration of the oath and the introduction of new members, should the meeting follow the General Municipal Election;
 - b. the establishment of regular meeting dates and times for Council Meetings;
 - c. the appointment of the Deputy Mayor;
 - d. the appointment of Signing Authorities;
 - e. the appointment of members to act on committees, board and other bodies on which Council is entitled to representation;
 - f. any such other business as is required by the Act.

PART VI – REGULAR MEETINGS OF COUNCIL

1. The Regular Meetings of Council shall be held in the Council Chambers of the Town on days and times established, by resolution of Council, at the annual Organizational Meeting of Council.



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2. In the case where a Regular Council Meeting conflicts with a General Holiday, the Regular Council Meeting shall be held in the Council Chambers of the Town on a day and time established, by resolution of Council, at the annual Organizational Meeting of Council.
3. Regular Meetings of Council may be cancelled or rescheduled by resolution of Council at any duly constituted meeting.

PART VII - IN CAMERA MEETINGS

1. Council may, by resolution, go into an In Camera meeting to consider a matter which is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act, which meeting:
 - a. may be held in private;
 - i. may exclude any person or persons therefrom; or include any person or persons, and shall not have the power to pass any resolution except one to revert to the open meeting.
2. Councillors are to keep in confidence matters discussed in private at a Council Meeting until discussed at a meeting held in public.

PART VIII - SPECIAL COUNCIL MEETINGS

1. The Mayor may call a Special Meeting of Council pursuant to Section 194 of the Municipal Government Act, whenever he or she considers it expedient to do so.
2. The Mayor must call a Special Council meeting if he or she receives a written request for the meeting, stating its purpose, from a majority of the Councillors.
3. Where a Special Meeting is requested by a majority of Council, the Mayor shall call such meeting within fourteen (14) days of the date on which the request in writing was delivered to the Mayor.
4. The Mayor calls a Special Meeting of Council by giving at least 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.
5. A Special Council meeting may be held with less than 24 hours' notice to all councilors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
6. No business other than that stated in the notice calling the Special Council meeting shall be transacted at any Special Meeting of Council, unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.
7. The Chief Administrative Officer shall place at the disposal of each Council member a copy of the agenda and supporting material as soon as possible after the call of a Special Meeting.



PART IX - MEETINGS THROUGH ELECTRONIC COMMUNICATIONS

1. A meeting may be conducted by means of electronic or other communication facilities if,
 - a. Notice is given to the public of the meeting, including the way in which the meeting is to be conducted.
 - b. The facilities enable the public to watch and listen to the meeting at a place specified in that notice and a designated officer is in attendance at that place; and
 - c. The facilities enable all of the meeting's participants to watch or hear each other.
2. Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.
3. With the unanimous consent of Council, an electronic Special Council Meeting via email may be conducted for a very high priority or time sensitive matter and only in exceptional circumstances. The email notice of such meeting shall include the meeting Agenda, any supporting material and the motion to be voted on. Members will vote using "Reply All" to the email indicating "In Favor" or "Opposed" to the motion. At the discretion of the Chief Administrative Officer if there is significant discussion or debate by the members on the resolution, the meeting will be adjourned and the matter brought forward at the Next Council Meeting.

PART X - NOTICE OF MEETINGS

1. Section 196(2) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 states: Notice of Council or Council Committee meeting to the public is sufficient if the notice is given in a manner specified by Council.
2. Notice to the public of Regular Council Meetings and Special Council Meetings shall be deemed to be given by the Chief Administrative Officer posting notice of all meeting dates and times at the Town Office, OR advertising the meeting dates and times in the local newspaper OR on its website.

PART XI - QUORUM

1. As soon as there is a quorum of Council after the hour fixed for the meeting, the Chairperson shall call the members to order.
2. In the event the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the hour of a scheduled meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a Chairperson shall be selected by the Council members in attendance, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
3. If a quorum is not present within thirty (30) minutes after the time fixed for a Regular or Special Meeting, the Chief Administrative Officer shall record the names of the members of Council present and the Council shall stand adjourned until the next Regular Council Meeting or another Special Meeting is called.



PART XII - COUNCIL AGENDA

1. The Agenda shall be prepared by the Chief Administrative Officer or designate in conjunction with the Mayor.
2. All items for the Agenda, including all documents and notice of delegations, shall be delivered in writing to the Chief Administrative Officer by noon on the Wednesday of the week preceding the meeting of Council.
3. The Mayor and Councillors will provide a written report, of their activities which will be included in the agenda package of the second Council Meeting of the month, however, should there only be one scheduled meeting, the reports will be due and included in the agenda package of that meeting. ~~Oral reports will be allowed, with A~~ written report **will** ~~to~~ be included in the next months report.
4. No further additions to the Agenda will be presented unless the addition is of an emergent nature and the Mayor is in agreement.
5. The Chief Administrative Officer shall place at the disposal of each member of Council, a copy of the Agenda and all supporting materials no later than 4:30 p.m. local time on the Friday prior to the Regular Meeting of Council.
6. The order of business on the agenda shall be as follows:
 - 1) Call to Order
 - 2) Adoption of Agenda
 - 3) Approval of Minutes
 - 4) Public Hearings
 - 5) Delegations
 - 6) Bylaws
 - 7) New and Unfinished Business
 - 8) Reports
 - 9) Correspondence
 - 10) Open Forum
 - 11) In Camera
 - 12) Adjournment
7. The order of business established in Part XII 6. shall apply unless Council otherwise determines by a majority vote of the members in attendance. ~~and the vote on the matter of priority of business shall be decided without debate.~~



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PART XIII - REQUEST FOR DECISION

1. A Request for Decision must be used to introduce a matter for consideration by Council.
2. A Request for Decision, with all supporting documentation shall be submitted to the Chief Administrative Officer to be included in a Regular Council Meeting Agenda.

PART XIV - MEMBER DEBATING

1. A member wishing to speak on a matter before the meeting should indicate his or her intentions by raising his or her hand and, being recognized by the Chair, should not speak more than once until every member has had the opportunity to speak, except:
 - a. In the explanation of a material part of the speech which may have been misunderstood; or
 - b. In reply, to close debate, after everyone else wishing to speak has spoken, provided that the member presented the resolution to the meeting.
2. The member shall confine themselves to the question and avoid personality.
3. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
4. Supplementary questions or a series of questions relating to the matter before the meeting may be raised by the member, but each such question requires consent of the Chair.
5. Through the chairperson, a member may ask:
 - a. For an explanation of any part of the previous speaker's remarks; and
 - 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 minute or clause.
6. All questions or debate shall be directed through the Chair.

PART XV - MOTIONS

1. A member of Council may present a motion for consideration. The motion does not require a seconder. The motion shall be recorded and the motion shall be deemed to be "on the floor" and open for formal discussion and debate.
2. Following debate on the motion under consideration, the Chair may call for a vote on the motion. ~~The motion may be:~~
 - a. Amended;
 - b. Carried;
 - c. Defeated;
 - d. ~~Withdrawn by the presenter subject to there being no~~



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~~objection by a member of Council;~~

~~e. Tabled to another meeting.~~

3. When any member of Council desires to speak, they shall address their remarks to the Chair, confine themselves to the question, and avoid personality. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
4. All motions shall be voted upon by all members of Council in attendance unless abstention by a member is duly noted in the minutes for reasons of conflict of interest.
5. Every motion, when moved and presented to the Chairperson is the property of council; a motion may only be withdrawn with the unanimous consent of Council.
6. Any member may require the motion under discussion to be read at any time during the debate, except when a member is speaking.
7. The mover of a motion must be present when the vote on the motion is taken.
- ~~8. When a matter is under debate, no motion shall be received other than a motion to:~~
 - ~~a. Fix the time for adjournment;~~
 - ~~b. Adjourn;~~
 - ~~c. Withdraw;~~
 - ~~d. Table;~~
 - ~~e. Call the question (that the vote must now be taken);~~
 - ~~f. Postpone to a certain time or date (only debatable for time and date);~~
 - ~~g. Refer;~~
 - ~~h. Amend;~~
 - ~~i. Postpone indefinitely;~~

~~Which order shall be the order of precedence.~~

9. The Chief Administrative Officer or designate shall record all motions in writing before being debated or voted upon.
- ~~10. When speaking to a motion, a member shall state whether he or she is for or against the motion before entering upon the substance of her or her remarks.~~
11. No motion shall be offered that is substantially the same as the one that has already be expressed during the same meeting.
12. Where a matter under consideration contains several distinct propositions, a member may request; or the Chairperson may direct, that each proposition be made as a separate motion.
13. After the Chairperson has called the vote, no member shall speak to the motion nor shall any other motion be made until after the result of the vote has been declared.
14. Voting on all motions shall be done by clearly raising the hand so that the Chairperson may easily count them. After the Chairperson has counted the vote, he or she shall declare whether it was carried, ~~carried unanimously~~ or defeated. Except where provided for in this Bylaw or by the applicable legislation, a majority vote of the members present who are eligible to vote, shall decide a motion or question before the



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Council.

15. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.
16. A "Motion to Table" may be made when a member wishes Council to decline to take a position on the main question. ~~The motion is not debatable and when passed, may only be resurrected by a "Motion to Raise from the Table."~~
17. ~~A "Motion to Refer" shall require direction as to the person or group to which it is being referred and is debatable.~~
18. ~~A "Motion to Postpone Indefinitely" must include a reason for postponement and is debatable.~~
19. Amendment:
 - a. Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced. All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The chairperson shall rule on the disputes arising from amendments.
 - b. ~~An amendment proposing a direct negative is out of order.~~
 - c. ~~No member shall move to amend his or her own motion.~~
 - d. ~~The amendment shall be voted upon. If any amendment is carried, the main motion as amended shall be put to the vote, unless a further amendment is proposed.~~
 - e. ~~Nothing in this section shall prevent other proposed amendments being read for the information of the members.~~
20. Reconsideration
 - a. ~~After a motion has been voted upon, and before moving to the next item on the agenda, any member who voted with the prevailing side may move for reconsideration and shall state the reason therefore.~~
 - b. ~~Reconsideration shall then be open to debate, voted upon and shall require the votes of a majority of members present to pass.~~
 - c. ~~If a Motion for Reconsideration is moved at a subsequent meeting by a member who voted with the prevailing side, it shall be preceded by a Request for Decision and shall require a majority vote for the members present to carry.~~
 - d. ~~If a Motion to Reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date. Debate on the matter to be reconsidered shall proceed as though it had not previously been voted upon.~~
 - e. ~~Debate on a Motion for Reconsideration must be confined to reasons for or against reconsideration.~~
 - f. ~~A notice for reconsideration of any decided matter shall not operate to stop or delay action on the decided matter, unless the Council by a majority vote of the members present shall so direct.~~



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- ~~g. A motion that has been approved for reconsideration and passes automatically suspends the previous motion.~~

21. Rescinding Motions:

- a. A Motion to Rescind a previous motion may be accepted by the Chair under special circumstances; and, if passed by a majority vote of the members present, the previous motion referred to would be declared null and void.
- b. A Motion to Rescind a previous motion may be offered at any time subsequent to the meeting at which the original motion was passed.
- c. Notice to rescind a motion shall be a request for decision or the inclusion of the item on an agenda delivered to the members of Council before the meeting.

PART XXVI - VOTING

- ~~1. When a Motion to Close Debate and Take the Vote is presented, it shall be put to a vote without debate and, if carried by a majority vote of the members present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.~~
- 2. When the Chairperson, having ascertained that no further information is required, commences to take a vote, no member shall speak to or present another motion until the vote has been taken on such motion or amendment.
- 3. A member who disagrees with the announcement made of the result of a vote may immediately object to the declaration and the vote shall be retaken.
- 4. Every member present, including the Mayor or Chairperson, shall vote on every matter, unless
 - a. In a specific case, the member is excused by motion of Council from Voting; or
 - b. Disqualified from voting by reason of pecuniary interest;
- 5. A member who has a reasonable belief that he or she has a pecuniary interest as defined in the Municipal Government Act in any matter before Council, shall so declare and disclose his or her interest and shall abstain from debate and voting on the matter and shall remove him or herself from Council Chambers until the matter is concluded. The minutes shall indicate the declaration disclosure, the time at which the member left the room and the time the member returned. A member whose pecuniary interest arises due to the paying of the bills shall not be required to leave the Council Chambers.

PART XVII - THE VOTE

- 1. Any Bylaw or motion on which there is an equality of votes shall be deemed to be decided in the negative.
- 2. All votes shall be recorded with the names of those "in favour" and "opposed" and then declared as carried or defeated.



PART XVIII - MAYOR

1. Pursuant to Section 154 (1)(a) of the MGA, the Mayor shall preside at meetings of Council, and the Mayor, at his discretion, may allow the Deputy Mayor to preside at a Council meeting at which the Mayor is in attendance.
2. The Mayor shall preside over the conduct of the meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal by any member of Council from any ruling of the Chair.
3. The Mayor shall speak publicly on behalf of Council, and the Mayor at his discretion may allow the Deputy Mayor to publicly speak on behalf Council.

PART XIX - APPEAL RULING

1. The decision of the Chairperson shall be final, subject to an immediate appeal by a member of Council
2. If the decision is appealed, the Chairperson shall give concise reasons for his ruling and council without debate, shall decide the question. The ruling of Council shall be final.

PART XX - DELEGATIONS

1. A person or representative of a delegation of persons who wishes to bring any matter to the attention of Council:
 - a. shall address correspondence to the Chief Administrative Officer clearly stating the matter or issue to be discussed. Such correspondence shall be included with the Agenda;
2. A delegation, scheduled to address Council on a topic shall address the Chair upon recognition by the Chair. The scheduled delegate shall be limited to a ten (10) minute presentation unless such time is extended by permission of the Chair.
3. The Delegation portion of the Council meeting shall provide:
 - a. An opportunity for any person or representative of any delegation who wishes to bring any matter to the attention of Council, provided they have submitted information in accordance with this Bylaw and their submission has been distributed to Council with the Agenda package
 - ~~b. An opportunity for members of the public to ask questions or make brief presentations to Council on matters of public interest or concern.~~
4. Delegations from the same party or parties, or for the same matter as a previous delegation, held within the previous six months, shall not be allowed to appear before Council unless, in the opinion of the Mayor and Chief Administrative Officer new and compelling information comes to light which would warrant the delegation within the six month period.



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5. Any delegation wishing to address Council, regarding a matter which is the subject of a Public Hearing, may attend at the Council Chambers at the Public Hearing and shall be heard.
 6. Notwithstanding the provisions of the Act respecting petitions, where a person or group of persons wishes to bring any matter to the attention of Council or to have any matter considered by Council, a letter, petition or other communication shall be addressed to the Chief Administrative Officer, which letter, petition or other communication shall:
 - a. be printed, typewritten or legibly written;
 - b. clearly set out the matter at issue and the request made of Council in respect thereof;
 - c. in the case of a letter or communication, be signed with the correct name of the writer and contain the correct mailing address of the writer;
 - d. in the case of a petition, be prepared and presented in accordance with the Act or other Provincial Statute.
 7. The Delegation portion of the meeting shall last for a maximum of twenty (20) minutes, unless the majority of council members present agree to extend the time.
 8. ~~All persons wishing to address Council will be required to give their name, topic of concern and whether there has been any previous contact with a member of Council or Administration regarding the matter.~~
 9. Council will not entertain submissions from the public on issues that are before the Subdivision and Development Appeal Board, a Statutory Public Hearing; or any other public consultation/communication process.

PART XXI – OPEN FORUM

1. The open forum shall be for a maximum total of twenty (20) minutes in length to allow members of the public present at the meeting to address Council regarding issues arising from the meeting in progress. No formal decision shall be made on any matter discussed with Council during the open forum session.

PART XXII - MINUTES

1. The Chief Administrative Officer or his or her designate shall:
 - a. Attend all Regular Council and Special Council meetings of the Council
 - b. record all minutes of Council Meetings and Special Meetings in the English language, without note or comment,
 - c. record the names of the Councillors present at Council Meetings
 - d. record the time of arrival and/or departure of Council members at meetings should member of Council arrive late at a meeting or depart prior to the completion of a meeting.
 - e. ensure the minutes of each Council Meeting or Special Meeting are given to Council for adoption at a subsequent Council Meeting;



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2. Minor changes may be made to the minutes to correct errors in grammar, spelling and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence. No change shall be allowed which would alter the actual decision made by Council.
3. Administration is authorized to electronically record the Regular Council and Special Council meetings to ensure accuracy of the motions.
4. If a member wished to challenge the accuracy of the minutes of a previous meeting, the Member must make the challenge known to the Chief Administrative Officer before Council has officially confirmed the minutes.
5. Ensure that the last page of the minutes of each meeting is signed by the Mayor or presiding officer and the Chief Administrative Officer.
6. The Chief Administrative Officer may delegate any duties to the Recording Secretary, but the Chief Administrative Officer shall accept all responsibilities of the Recording Secretary.

PART XXIII - ADJOURNMENT

1. A motion to Adjourn the meeting shall be in order except:
 - a. When a member is in possession of the floor; or when it has been decided that the vote now be taken; or
 - b. During the taking of a vote.
- ~~2. When at any session of the Council, the duration of time reaches a total of ninety (90) minutes, the Chair shall call for a review of the agenda and Council will determine the action. When it has been determined that the meeting shall be in recess for the evening, the time and date of resumption of the meeting shall be by a majority vote of Council.~~

PART XXIV - BOARDS AND COMMITTEES

1. The Council **Mayor** shall appoint Council representatives to such Committees, Boards and Commissions as required by legislation, agreement or bylaw as they deem necessary. Unless an addition is required mid-term, these appointments shall be made on an annual basis at the Organizational Meeting.
2. The Council **Mayor** may make appointments to a Committee at any time, providing that the Council has adopted a motion or Bylaw specifying the Terms of Reference of the Committee.
3. Appointed Councillors shall keep the rest of the Council informed of the Board/Committee actions by providing regular activity highlights through their Councillor reports.
4. The Mayor shall act as ex-officio to all Committee/Board appointments and may attend any meetings.



PART XXV - PROHIBITIONS

1. A member shall not:
 - a. Use offensive words or unparliamentary language or conduct in Council;
 - b. Disobey the rules of the Council or decision of the Chairperson or of Council on questions of order or practice, or upon the interpretation of the rules of Council;
 - c. Leave his or her seat or make any noise or disturbance while a vote is being taken and the result is declared;
 - d. Enter the Council Chambers while a vote is being taken;
 - e. Interrupt a member while speaking, except to raise a point of order or question of privilege.
2. A member who persists in a breach of Section XXV 1, after having been called to order by the Chairperson, may at the discretion of the Chair be ordered to leave his or her seat for the duration of the meeting.
3. At the discretion of the Chair, the member may resume his or her seat following an apology.
4. Should the individual refuse to leave his or her seat, the Mayor may request his or her removal by the police.
5. A member who wishes to leave the meeting of Council, without intent to return prior to the adjournment, shall so advise the Chairperson and the time of departure shall be recorded in the minutes.

~~PART XXVI - ADMINISTRATIVE INQUIRY~~

- ~~1. All questions or administrative inquiries from Council should be directed through the Chief Administrative Officer.~~
- ~~2. No member of Council shall have the power to direct or interfere with the performance of any work for the town. This shall in no way however, interfere with or restrict the right of a Councillor to seek information through the Chief Administrative Officer.~~
- ~~3. The Chief Administrative Officer may approve a meeting of a Councillor with a member of staff, through an appointment only, but the information gathered must be presented/distributed to all member of Council.~~
- ~~4. All questions or inquiries from Council members to the Administration should be made in writing to ensure clarity and completeness of the request. Such inquiries should be directed through the Chief Administrative Officer for review and distribution to the appropriate department or individual for response.~~
- ~~5. Once the Chief Administrative Officer acquires the response(s) to and administrative inquiry, it will be distributed to all members of Council for information, regardless of who submitted the inquiry.~~



PART XXVII - QUESTION OF PRIVILEGE

1. A member who desires to address Council upon a matter which concerns the rights or privileges of the Council collectively, or of him or herself as a member thereof, shall be permitted to raise such question of privilege. A question of privilege shall take precedence over other matters. While the Chairperson is ruling on the question of privilege, no one shall be considered to be in possession of the floor.

PART XXVIII - POINTS OF ORDER

1. A member who desires to call attention to a violation of the rules of procedure shall ask leave of the Chairperson to raise a point of order with a concise explanation and shall attend the decision of the Chairperson upon the point of order. The speaker in possession of the floor when the point of order was raised shall have the right to the floor when debate resumes.
2. A member called to order by the Chair person shall immediately vacate the floor until the point of order is dealt with, and shall not speak again without the permission of the Chairperson unless to appeal the ruling of the Chair.

PART XXIX - PUBLIC HEARINGS

“Adjourn” used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting.

“Close” used in relation to a Public Hearing, means to terminate the Public Hearing.

1. The only document distributed to Council and the Public will be the Request for Decision included in the agenda package.
2. At the commencement of a Public Hearing, the Chairperson shall:
 - a. State the matter to be considered at the hearing;
 - b. Inform those present of the procedure, which shall be followed in hearing the respective submissions; advise those members of the public in attendance who wish to speak in favour of or opposed to the Bylaw to include their name and address on the sign-in sheet. A copy of the rules of procedure for public hearings will also be made available to the public.
 - c. Ask the ~~Chief Administrative Officer~~ Development Authority if the Public Hearing has been advertised in accordance with the Act;
 - d. Request that the ~~administrative staff~~ Development Authority present a report on the issue at hand;
 - e. Allow the applicant, and/or their representative(s), up to twenty (20) minutes to present their position, exclusive of the time required to answer questions put to the applicant by a Council member, unless granted a time extension by Council.
3. Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak or provide written submissions in the following order:



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- a. The ~~Chairperson~~ **Development Authority** will read out each written submission in favour of the matter being considered.
 - b. The Chairperson will call on each person who is in favour of the matter being considered.
 - c. The ~~Chairperson~~ **Development Authority** will read out each written submission opposed to the matter being considered.
 - d. The Chairperson will call on each person who is opposed to the matter being considered.
4. If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on his or her behalf. The authorization must:
 - a. be in legible writing
 - b. name the individual authorized to speak;
 - c. indicated the proposed matter be considered to be spoken to; and
 - d. be signed by the person giving the authorization.
 5. The authorized speaker must state the name of the person that the speaker represents and provide written authorization to the Chief Administrative Officer.
 6. All speakers shall adhere to the timeframes as set out in the “Rules of Procedure for Public Hearings”.
 7. The Chairperson will allow ~~staff~~ **the Development Authority** to make closing comments.
 8. The Chairperson will allow the applicant to make closing comments.
 9. If there is more than one Public Hearing on the Agenda, the Chairperson shall adjourn or close the Public Hearing before opening another Public Hearing.
 10. If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter unless it re-opens the Public Hearing.
 11. If a Public Hearing is closed, Council shall not receive any additional submissions from the public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.
 12. An outline of the Rules of Procedure shall be provided in written form to any person who indicates that he will make a written submission, and further there shall be printed copies of the same available to those in attendance at the Hearing.
 13. Any member of Council, who has not attended a Public Hearing for a Bylaw or resolution, is not eligible to vote on said Bylaw or resolution.

PART XXX - BYLAWS

1. Where a Bylaw is presented to Council for enactment, the Chief Administrative Officer shall cause the number and short title of the Bylaw to appear on the Agenda.
2. A motion on first reading of a bylaw shall be decided without amendment or debate.



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3. Pursuant to the MGA, every proposed bylaw shall receive three separate readings but not more than two on the same day, unless the members of Council present unanimously agree to consider third reading. It shall be read twice before it is committed and engrossed, and the third time before it is signed by the Mayor and Chief Administrative Officer. The Chief Administrative Officer shall include the date of the passing upon every bylaw.
 4. When a Bylaw is not subject to a statutory public hearing;
 - a. Council shall vote on the motion for first reading of a Bylaw without amendment or debate;
 - b. A member may ask a question or questions concerning the Bylaw, provided such questions do not indicate the member's opinion for or against the Bylaw;
 - c. A Bylaw shall be introduced for second reading by a motion that it be read a second time, specifying the number of the Bylaw.
 - d. After a motion for second reading of the Bylaw has been presented, Council may debate the substance of the Bylaw and propose and consider amendments to the Bylaw:
 - e. A proposed amendment shall be put to a vote and if carried, shall be considered as having been incorporated in the Bylaw at second reading.
 - f. The Chief Administrative Officer or designate shall be responsible for keeping a record of any amendments to the Bylaw passed by Council
 - ~~g. When all amendments have been accepted or rejected, a motion for second reading of the Bylaw shall be placed.~~
 - h. A motion for third reading shall be introduced specifying the number of the Bylaw, and the Bylaw, upon being passed shall be signed by the Mayor and Chief Administrative Officer and sealed.
 5. A Bylaw which requires a statutory public hearing shall be presented on a motion for first reading.
 - a. Council may at this point:
 - i. Debate the substance of the Bylaw, and
 - ii. Propose and consider amendments to the Bylaw
 - b. A proposed amendment shall be put to a vote and if carried shall be considered as having been incorporated into the Bylaw at first reading.
 - c. When all amendments have been dealt with, the motion for first reading of the Bylaw shall be placed.
 - d. Following the Public Hearing, a motion for second reading may be placed and further amendments presented.
 - e. Those members of Council who have not attended the Public Hearing for said Bylaw are not eligible to vote on second and third readings of the Bylaw.
 - f. A motion for third reading shall be introduced specifying the number of the Bylaw, and the Bylaw upon being passed, shall be signed by the Mayor and the Chief Administrative Officer and sealed.
 6. A Bylaw shall not be given more than two readings at one meeting unless the members present at the meeting unanimously agree that the Bylaw may be presented to Council for third reading at the same meeting at which it received two readings.
 7. When Council unanimously agrees that a Bylaw may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the Bylaw than if it had received third reading at a subsequent meeting.



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8. A Bylaw shall be passed when a majority of the members present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
9. ~~A Bylaw which has been defeated at first or second reading may be subject to a motion to reconsider and section XV 20 shall apply.~~
10. When a bylaw is defeated at third reading, the first reading and second reading are deemed to be rescinded. ~~and the Bylaw is not eligible for reconsideration.~~
11. When a Bylaw has been given three readings by Council, it is
 - a. A municipal enactment of the Town; and
 - b. Effective immediately unless the Bylaw or an applicable provincial statute provides otherwise.

PART XXXI COUNCIL REVIEW OF ORDERS ISSUED UNDER THE MUNICIPAL GOVERNMENT ACT – SECTION 545/546

1. In this section, the following terms have the following meanings:
 - a. “Appellant” means the person who received a written order under Section 545 or 546 of the Municipal Government Act;
 - b. “Order to Remedy” means an order issued under Section 545 or Section 546 of the Municipal Government Act;
 - c. “Staff” means a designated officer of the Town of Rimbeey or an employee whom has been delegated the responsibility to issue an Order to Remedy.
2. Upon receipt of a written request pursuant to Section 547 of the Municipal Government Act, the Chief Administrative Officer will schedule a Council Review at a Regular Council Meeting as soon as practicable after ensuring that all parties have sufficient time to prepare for the Council Review.
3. Written materials, videos, and slide presentations received as submissions from the Appellant and Staff must be submitted not less than seven (7) calendar days prior to the Council Review and will be distributed as part of the Council Agenda.
4. The Appellant is entitled to appear before Council, in person or by an authorized agent, and to be represented by legal counsel.
5. The rules of evidence in judicial proceedings do not apply to a Council Review and evidence may be given in any manner Council considers appropriate.
6. The procedure in a Council Review is as follows:
 - a. The Chair will open the Council Review; introduce members of Council Staff and the Appellant or their representative;
 - b. The Chair will describe the council Review process and deal with any preliminary matters;
 - c. The Appellant will be invited to make opening remarks and presentations (maximum of ten (10) minutes) followed by questions to the Appellant by councilors;
 - d. Staff will be invited to make opening remarks and presentation (maximum of ten (10) minutes) followed by questions to the Staff by Councilors;
 - e. The Appellant will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Appellant by Councilors;



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- f. Staff will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Staff by Councillors; and
 - g. The Appellant will be invited to make closing remarks (maximum of five (5) minutes) followed by questions to the Appellant by Councillors.
7. If the Appellant fails to attend the Council Review despite having been given notice, Council may proceed with the council Review in the absence of the Appellant.
8. At the conclusion of the Council Review, Council may confirm, vary, substitute or cancel the Order to Remedy.

Part XXXII—Statutory Rules of Conduct

1. Each member of Council must be familiar with Part 5, Division 6 of the Municipal government Act, including the following:
 - a. Pecuniary interest, including all those persons and legal entities whose financial interests in a decision of council will disqualify the Councillor (Section 170)
 - b. The definition of “Councillor’s family” including the definition of “Spouse” (Section 169)
 - c. The duty of a Councillor to declare a conflict of interest as soon as it arises, not take part in any discussion of the issue giving rise to the conflict of interest and to excuse him or herself from Council Chambers (Section 172)
2. Council members have an obligation to vote, as per Section 183 (1) of the Municipal Government Act and must be familiar with the consequences of failing to vote on a matter and the consequences of wrongly voting in the presence of a conflict of interest (disqualification).
3. Each Council Member has the right to administrative advice on possible or identified conflict of interest issues and on defenses if necessary.
4. Council shall be familiar with the following statutory rules of conduct for Councillors:
 - a. Absenteeism, Sections 174(1)(d) of the Municipal Government Act states the Councillor is absent from all regular council meetings held during any period of eight (8) consecutive weeks, starting with the date that the first meeting is missed, unless subsection (2) or (3) applies,
 - b. section 174(1)(e)(i) of the Municipal Government Act refers to conviction of a criminal offence punishable by five or more years in prison,
 - c. Violations of section 124 or 125 of the Criminal Code of Canada refers to the improper use of public office,
 - d. Section 174(i) of the Municipal Government Act refers to a Councillor’s use of information obtained while serving on Council to gain a pecuniary benefit in respect of any matter,
 - e. The Local Authorities Election Act reference to political contributions
 - f. Disqualification in accordance with any portion of Section 174 of the Municipal Government Act.

PART XXXIII—CONDUCT OF COUNCIL IN COUNCIL CHAMBERS

1. Members of Council shall conduct themselves in a professional manner



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within the Council Chambers by observing the following;

- a. ~~No offensive language or rude gestures,~~
 - b. ~~No shouting or rising out of the chair during debate;~~
 - c. ~~no physical or verbal personal attacks on fellow Council Members, Administration, the public or the media,~~
 - d. ~~No defamation (i.e. an act of communication that causes someone to be shamed, ridiculed, held in contempt or lower in the estimation of the community);~~
 - e. ~~Shall not portray behavior that will limit the right of others to express their opinion~~
 - f. ~~Shall not use electronic devices for recording during council meetings for purposes other than meeting related duties~~
 - g. ~~Shall dress in a business casual manner that is non-offensive, neat, clean and appropriate for the representation of Council~~
 - h. ~~Shall demonstrate respect for the role of the Chair, particularly with regard to the Chair's right to restore order and limit debate~~
 - i. ~~Shall raise objections only through the appropriate process and motions~~
 - j. ~~Shall demonstrate respect for the role of the chief Administrative Officer as the principle employee of Council.~~
 - k. ~~Shall refrain from unauthorized or improper use of Town property, included but not limited to, telephones, computers, copier, fax machine, and other office equipment.~~
2. ~~Members of Council shall support the decision making role of Council by adhering to and demonstrating respect for policies, Bylaw, resolution and decision of the Town. This does not in any way limit an individual Councillor's right to have and articulate a different opinion than the majority during debate of a matter before Council.~~
 3. ~~Once a decision is reached and voted on, each member of Council is expected to honor and respect the decision and support the whole of Council on the decision.~~

~~PART XXIV CONDUCT OF MEMBERS OF COUNCIL OUT OF CHAMBERS~~

1. ~~Members of Council demeanor while representing the Town at outside functions shall be in a professional manner consistent with all provisions of this Bylaw.~~
2. ~~Members of Council shall act in the best interest of the Town in carrying out the functions and duties entrusted upon them.~~
3. ~~Members of Council shall not use their positions to secure special privileges, favour or exemptions for themselves or any other person.~~
4. ~~Any work related questions pertaining to administration and the operations of the Town shall be directed through the Chief Administrative Officer.~~
5. ~~Members of Council shall not pledge the credit of the Town in connection with any matter whatsoever.~~
6. ~~Members of Council will direct their inquiries and requests for assistance through the Chief Administrative Officer.~~
7. ~~No members of Council shall attempt to direct the work of Town staff or the Town's contractors.~~
8. ~~Members of Council will respect the work space and schedule of staff~~



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and will not unduly disrupt the day to day work of the Town Staff.

9. ~~Members of Council shall not access file cabinets/rooms, the safe, staff work desk/space or storage areas unless they are required to do so by direction of Council or approval of the Chief Administrative Officer.~~
10. ~~Without restricting the ability of Councillors to decide the best use of their time, it is expected that Councillors be in attendance at events where related registration fees and or living expenses are paid by the Town.~~

PART XXXV - CONDUCT OF THE PUBLIC IN COUNCIL MEETINGS

1. Members of the public and media who constitute the audience in the Council Chambers during a Council meeting shall:
 - a. not address Council without permission from the Chairperson;
 - b. maintain order and quiet;
 - c. not applaud or otherwise interrupt any speech or action of the members, or any other person addressing Council;
 - d. refrain from wearing headwear, unless for ethnic/religious reason, in Council Chambers;
 - e. refrain from any use of recording devices in the Council Chambers
2. A member of the public who persists in a breach of this section, after having been called to order by the Chairperson may, at the discretion of the Chair, be ordered to leave Council Chambers.
3. The Chair may, upon request, authorize a person in the public gallery to address Council only on the topic being debated at that time in the meeting and the Chair shall specify the time limit provided to the person wishing to address the matter.

~~PART XXXVI - SPEAKING OR ACTING ON BEHALF OF COUNCIL OR THE TOWN~~

1. ~~The Mayor or designated appointee shall not speak for the Council or the Town unless a demonstrable understanding that a consensus exists among the majority of Council~~
2. ~~Member of Council using social media sites must ensure postings do not speak on behalf of Council.~~
3. ~~Member of Council who establish social media sites outside of the Town shall post a disclaimer as follows: "The postings on this site are my own and don't necessarily represent the Town's position or opinions"~~
4. ~~Members of council may present facts and information about Council that are in the public domain — e.g. motions of Council, facts and recommendations in reports to Council. Opinions or positions must be clearly identified as those of the Councillor posting the comments.~~

~~PART XXXVII - WORKPLACE RESPECT~~

1. ~~Members of Council and staff are equally entitled to dignity and respect in the performance of their duties. As with any workplace, discrimination, harassment, breach of procedures and or misconduct is~~



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~~detrimental to the Town. Any infractions involving a council member will be fully investigated by the Chief Administrative Officer in consultation with the Mayor or Deputy Mayor.~~

- ~~2. All matters related to such investigation shall be treated in the strictest confidence.~~
- ~~3. The Chief Administrative Officer shall make recommendations to the Mayor or Deputy Mayor following such an investigation.~~
- ~~4. Council will determine if it is appropriate to issue a written warning, impose sanctions or pursue disqualification against any Council member who displayed harassing, discriminatory behavior, breach of procedures or misconduct. Any actions they deem appropriate will be communicated to the Council member in writing.~~

PART XXXVIII – CONFIDENTIALITY

- ~~1. Members of Council shall safeguard any confidential information which comes before them and respect the requirements of the Freedom of Information and Protection of Privacy Act, or its successor, the Municipal Government Act or any other legislation which creates legal requirements which are specific to Council.~~
- ~~2. Members of Council shall not use confidential information for the personal profit of themselves or any other person.~~
- ~~3. Members of Council shall not communicate confidential information to anyone not entitled to receive it.~~

PART XXXIX - REPEAL

1) Bylaws No. 515/86, No. 611/94, No. 858/10, No. 889/13, 894/14 and **924/16** are hereby repealed.

PART XL - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a First Time in Council this _____ day of _____ 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis



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READ a Second Time in Council this ____ day of _____ 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis

READ a Third Time and Finally Passed this _____ day of __, 2018.

Mayor Rick Pankiw

Chief Administrative Officer Lori Hillis