

CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE TO REGULATE
THE PROCEEDINGS OF CITY COUNCIL AND ITS COMMITTEES
AND TO DEFINE CERTAIN DUTIES OF CITY COUNCIL, ITS
COMMITTEES AND CERTAIN OFFICERS

WHEREAS, pursuant to the Municipal Government Act, City Council may pass Bylaws in relation to the establishment and functions of Council Committees, and the procedure and conduct of Council and Council Committees.

AND WHEREAS, pursuant the Municipal Government Act, City Council may by Bylaw delegate its powers, duties or functions to a City Council Committee.

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

The City Council of the City of Lethbridge enacts as follows:

1. This Bylaw may be cited as The Procedure Bylaw.
2. From the date this Bylaw is passed, the following rules and regulations shall be observed for the order and dispatch of business in City Council and in all Committees thereof and all motions, rules or regulations existing and inconsistent with this Bylaw are hereby repealed.
3. If not covered in this Bylaw, Robert's Rules of Order Newly Revised shall be followed for governing the proceedings of the City Council and the conduct of its members.
4. This Bylaw may not be repealed, amended or suspended by the City Council when in session unless:
 - (i) by a Bylaw unanimously passed at a subsequent Regular Meeting or Special Meeting of the City Council at which all the members are present and vote
 - (ii) by a Bylaw passed at a Regular Meeting of the City Council in pursuance of a notice of motion in writing given at the next Regular Meeting of City Council and setting forth the terms or substantial effect of the proposed Bylaw.

DEFINITIONS AND INTERPRETATION

5. In this Bylaw words meaning male persons include female persons.
- (a) "ACTING MAYOR" is the Member selected by City Council to preside at any Meeting of City Council in the absence or incapacity of both the Mayor and the Deputy Mayor.
 - (b) "ADMINISTRATIVE INQUIRY" is an inquiry made by a member of City Council to the City Manager relating to City business.
 - (c) "AGENDA" is the list of items and order of business for any Regular or Special Meeting of City Council or its Committees prepared by the City Clerk.
 - (d) "BYLAW" is a Bylaw of the City.
 - (e) "CHAIR" is the person presiding at the Meeting of City Council or a Committee.
 - (f) "CHALLENGE" is an appeal of a ruling of the Chair.
 - (g) "CITY" is the Corporation of the City of Lethbridge and, where the context so requires, means the area included within the boundaries of the City.
 - (h) "CITY CLERK" is the designated officer appointed to that position by City Council pursuant to the Municipal Government Act.
 - (i) "CITY COUNCIL" is the Mayor and Council Members, elected pursuant to the provisions of the Municipal Government Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Municipal Government Act.
 - (j) "CITY MANAGER" is the Chief Administrative Officer within the meaning of the Municipal Government Act.
 - (k) "CLOSED MEETING" is an incamera meeting of the members of City Council without the presence of the public and media.
 - (l) "COMMITTEE" is a Committee, Board, Commission, Authority or other body to which City Council may appoint members.
 - (m) "COMMUNITY ISSUES COMMITTEE (CIC)" an information gathering Committee of City Council relating to community issues and actively involves citizens, community organizations and businesses on issues that affect them.
 - (n) "DEPUTY MAYOR" is the Member who is appointed by City Council to act as Mayor in the absence or incapacity of the Mayor.

DEFINITIONS AND INTERPRETATION – CONT'D.

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- (o) D E L E T E D
- (p) "FINANCE COMMITTEE" is a Committee established to review budget and financial matters and make recommendations to City Council.
- (q) "MAYOR" is the Member duly elected as Mayor and continuing to hold office, and is the presiding officer at all Meetings of Council.
- (r) "MEETING" is any meeting of City Council or a Committee, including a Regular Meeting or a Special Meeting.
- (s) "MEMBER" is a Member of City Council duly elected and continuing to hold office, or a Member of a Committee of City Council duly appointed to that Committee.
- (t) "PERSON" includes an individual, partnership, association, corporation, trustee, executor, administrator, or legal representative.
- (u) "POINT OF ORDER" means a demand that the Chair enforce the rules of procedure and takes precedence over any other motion.
- (v) "NOTICE OF MOTION" is a written notice, including the name of the mover advising City Council that a motion described therein will be brought at a subsequent meeting.
- (w) "POINT OF INFORMATION" is a request to the Chair to ask a question.
- (x) "POSTPONE" is to delay the consideration of any matter either:
 - (i) to a definite time when further information is likely to be obtained, or
 - (ii) indefinitely.
- (y) "PRIORITIES AND AGENDA COMMITTEE" is a committee comprising the Mayor, Deputy Mayor, Acting Mayor, City Manager and City Clerk to consider agenda preparation.
- (z) "PRIVILEGE" means a request made to the Chair or City Council on any matter related to the rights and privileges of City Council or individual City Councillors and includes the:
 - (i) organizing or existence of City Council
 - (ii) comfort of City Councillors
 - (iii) conduct of city employees or members of the public in attendance at the meeting
 - (iv) accuracy of the reports of City Council's proceedings
 - (v) reputation of City Councillors or City Council

DEFINITIONS AND INTERPRETATION – CONT'D.

- (aa) “PUBLIC HEARING” is a City Council meeting held for statutory hearings.
- (bb) “PUBLIC MEETING” is a non-statutory meeting of Council to obtain citizen input.
- (cc) “QUORUM” is, in the case of:
 - (i) City Council, the majority of Members, as established by the Municipal Government Act
 - (ii) All other committees, a majority of the appointed members unless the Bylaw or Resolution establishing such body specifies a different quorum.
- (dd) “REQUEST FOR DECISION (RFD)” is a form used for Administrative submissions to City Council in order to clarify and provide the information required by City Council to deliberate and make decisions.
- (ee) “TABLE” is a motion to delay consideration of any matter until later in the meeting or a specified meeting date. If a motion is not taken from the table within twelve months after the date that it was tabled the motion dies.
- (ff) “TWO-THIRDS” is a vote by at least two thirds of City Council present at the meeting and entitled to vote.

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MAJORITY

6. Wherever this Bylaw requires that a motion be made, a Bylaw be passed, or any other action be taken by a vote of:
- (a) a simple majority of the City Council
 - (b) two-thirds or any other stipulated fraction of City Council Members
 - (c) all Members of City Council

the requirement shall be interpreted as meaning such majority, fraction or total of the Members of City Council who are present and permitted to vote on the matter.

APPLICATION OF BYLAW

7. (1) This Bylaw applies to:
- (a) all Regular and Special Meetings of the City Council
 - (b) the conduct of the Meetings of all Committees of City Council.

APPLICATION OF BYLAW - CONT'D.

- (2) Notwithstanding subsection (1), the rules governing the procedure of City Council shall be observed in Committee insofar as applicable except that:
 - (a) no motion shall be required to be seconded
 - (b) the number of times of speaking on a question shall not be limited
 - (c) a Member shall not be restricted to asking questions only of the previous speaker but the questions must relate directly to the matter under discussion.
- (3) City Council may suspend any provision of this Bylaw, for a defined period of time, by Special Resolution except:
 - (a) the provisions about statutory hearings
 - (b) the provisions for amending or repealing this Bylaw.

ORGANIZATIONAL MEETINGS OF CITY COUNCIL

8.
 - (1) The City Clerk shall fix the time and place for the first Meeting of City Council.
 - (2) The Organizational Meeting of City Council shall be held annually in accordance with the Municipal Government Act.
 - (3) Written notice of the Organizational Meeting of City Council stating the time and place at which it is to be held, and the nature of the business to be transacted thereafter, shall be delivered to each City Council member at his residence or place of business no less than 24 hours (twenty-four hours) prior to the Meeting.

OATH OF OFFICE

9.
 - (1) Every member of City Council shall make and subscribe the official oath prescribed by the Oath of Office Act before entering upon the duties and shall deposit the oath with the City Clerk.
 - (2) Unless the Mayor has been elected at the last municipal election immediately preceding the Organizational Meeting, he shall take the chair and call the Meeting to order.
 - (3) If the Mayor has been elected at the last municipal election immediately preceding the Meeting, the City Clerk shall call the Meeting to order and shall preside over the Meeting until every member of City Council present has made and subscribed the official oath prescribed by the Oath of Office Act.

OATH OF OFFICE - CONT'D.

- (4) Immediately upon completion by every Member of City Council present and making and subscribing of the Official Oath, the City Clerk shall retire from the Chair, and the Mayor shall take the Chair.

DEPUTY MAYOR AND ACTING MAYOR

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10.

- (1) City Council, at its Organizational Meeting, shall adopt a roster of Deputy Mayors and Acting Mayors for the following four years.
- (2) When the Mayor, through illness, absence, or other cause, is unable to perform the duties of his office, or when the office is vacant, the Deputy Mayor shall perform all the duties of the Mayor during his inability or absence and shall preside at all such meetings of City Council.
- (3) When both the Mayor and the Deputy Mayor, through illness, absence, or other cause, are unable or unwilling to perform the duties of the office, the Acting Mayor shall preside.
- (4) While in the capacity of Deputy or Acting Mayor, such City Councillors shall have all the powers and shall perform all the duties of the Mayor during such time.
- (5) In the absence, or inability, of the Mayor, Deputy Mayor or Acting Mayor to act City Council may appoint any other Member as Acting Mayor.

COMMITTEE APPOINTMENTS – MEMBERS OF CITY COUNCIL

11.

- (1) All appointments of City Council Members to act on Committees, Commissions, Boards and other bodies on which City Council is entitled to representation, shall be made yearly at the Organizational Meeting.
- (2) There shall be a permanent Nominating Committee composed of the Mayor, Deputy Mayor, Acting Mayor with the City Manager and City Clerk providing support services to the Committee to bring in recommendations for appointments to Committees, Boards and Commissions and City Council's representatives on other organizations desiring the same.
- (3) The Nominating Committee in making its recommendations shall:
 - (a) prior to meeting, undertake to discover the wishes of City Council members
 - (b) withdraw from the City Council Chambers to deliberate its recommendations

COMMITTEE APPOINTMENTS - CONT'D

- (c) make its recommendations based upon the following considerations in the order listed:
 - (i) seniority of service
 - (ii) convenience to members
 - (iii) competence as judged by the Committee
 - (iv) willingness to serve
 - (v) wishes expressed
 - (d) prepare a nominations list based on the Committee's recommendations
 - (e) report to City Council as expeditiously as practical with its recommendations.
- (4) The City Clerk shall circulate the nominating list as recommended by the Nominating Committee confidentially to members of City Council.
 - (5) City Council shall hold a Closed Meeting to consider the recommendations of the Nominating Committee.
 - (6) City Council may by a majority change the nominating list.
 - (7) Based on the nominating list discussed in a Closed Meeting, the City Clerk shall prepare a Resolution for presentation to City Council.
 - (8) Subsequent to the Closed Meeting, City Council shall report back, in open session, and shall proceed to consider the appointment of the Members of the various Committees, Boards, Commissions and other bodies which are within its jurisdiction to appoint.

PLACES, DATES AND TIMES OF MEETINGS

- 12. (1) All Regular Meetings of City Council shall be held in the City Council Chambers or a designated site on every alternate Monday, commencing with the Organizational Meeting.
- (2) Notwithstanding anything contained in subsection (1) and (3), City Council may if all of City Council is present at any Regular Meeting of City Council, by Resolution direct:
 - (a) the next City Council Meeting will be held on a day other than the Monday on which it would fall due
 - (b) the Meeting of City Council will commence at any time other than one-thirty o'clock in the afternoon
 - (c) that no notice of any such Meeting is necessary.

PLACES, DATES AND TIMES OF MEETINGS – CONT'D.

- (3) Unless otherwise determined regular City Council Meetings shall commence at one-thirty o'clock (1:30 p.m.) in the afternoon.
- (4) Meetings may be conducted by means of electronic communications in accordance with the Municipal Government Act.
 - (a) if a designated officer is in attendance
 - (b) if the public is given notice of the meeting and the manner in which it will be conducted
 - (c) if the facilities accommodate public attendance and enable the meeting's participants to interact with one another.

SPECIAL MEETING

- 13. (1) The Mayor may whenever he considers it expedient to do so, summon a Special Meeting at such time as he deems fit by a notice in writing given at least twenty-four hours prior to the Meeting and indicating in general terms the business to be transacted at the meeting.
- (2) When requested by a majority of City Council in writing, the Mayor shall summon a Special Meeting at such time as the request of City Council shall indicate and shall notify all the members of City Council at least twenty-four hours prior to the meeting, by a notice which shall indicate:
 - (a) that the Meeting has been called at the request of the members
 - (b) the business to be transacted at the meeting.
- (3) Notwithstanding the provisions of subsections (1) and (2), the Mayor may call a Special Meeting of City Council upon such shorter notice, either oral or written, as he considers sufficient if at least two-thirds of all the members of City Council give their consent in writing to such notice before the commencement of the Meeting.

LEGAL HOLIDAYS

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- 14. When the day fixed for a Regular Meeting of the City Council falls upon a declared holiday such Meeting of City Council shall be held upon the next day following which is not a legal holiday.

POSTPONING MEETINGS

- 15. (1) The Mayor may whenever he considers it expedient to do so, upon giving each Member of City Council at least two clear days' written notice, postpone any Regular Meeting of City Council.

POSTPONING MEETINGS – CONT'D.

- (2) Each notice postponing a Regular Meeting shall give the reasons and name the new time, day and place the postponed Regular Meeting shall be held.
- (3) Any delegation named in the Agenda as planning to appear before City Council at the postponed Regular Meeting shall be given a notice of the postponed Regular Meeting and the new time and day the postponed Regular Meeting shall be held.
- (4) All proceedings at the postponed Regular Meeting shall be considered in the same manner as if it had been the Regular Meeting.

CITY CLERK SUMMONS SPECIAL MEETING

16. When the Mayor, Deputy Mayor and Acting Mayor through illness, absence or other cause, are unable or unwilling to perform the duties of the office, upon receiving a written request from and signed by the majority of the members of City Council, the City Clerk shall summons a Special Meeting of City Council.

AGENDA FOR CITY COUNCIL MEETINGS

17. (1) A Priorities and Agenda Committee is hereby constituted and shall be composed of the Mayor, Deputy Mayor, Acting Mayor, City Manager and City Clerk.
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- (2) The Priorities and Agenda Committee shall hold a Meeting at 1:30 p.m. (one-thirty o'clock) on each Wednesday afternoon preceding a Regular Meeting of City Council and shall prepare an Agenda for every Regular Meeting of City Council, which shall set forth all matters of business to come before the City Council at its Meeting and in addition, the Agendas for any other Meetings which shall set forth all matters of business to come before the Meetings.
- (3) The Priorities and Agenda Committee may exercise its discretion in:
- (a) directing inquiries and requests directly to an administrative officer when, in the opinion of the Committee, to do so would result in more speedy and efficient disposition of such matters without infringing upon the rights of any citizen
 - (b) providing guidance to the City Clerk with regard to Agenda materials which should be distributed in confidence to City Council members and administrative officers
 - (c) ensuring that all matters requiring City Council action, and that all important information pertinent to decisions City Council must make, are provided to City Council and that all citizens with legitimate requests or recommendations regarding City business find ready access to City Council.

AGENDA FOR CITY COUNCIL MEETINGS – CONT'D

- (4) Should any Member or Members of the Agenda Committee be unable to attend a Meeting of the Committee, the remaining Member or Members shall constitute a sufficient quorum to conduct the business of the Committee.
- (5) The business of the City Council intended to be taken up will be stated in the Agenda together with all communications.
- (6) Should the Priorities and Agenda Committee exclude any items from the Agenda, it shall provide City Council with a statement of the disposition of such items.
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4/8/15 (7) All material for inclusion in the Agenda shall be in the hands of the City Clerk not later than 1:00 p.m. (one o'clock) the afternoon of the Monday immediately preceding the Monday on which the City Council Meeting is held for which the Agenda is prepared.
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4/8/15 (8) Subject to Subsection (9), no matter or business shall be placed on the Agenda for City Council considerations at a Meeting by any delegation, written communication, inquiry or otherwise, unless written notice giving details of the nature of such matter or business is delivered to and received by the City Clerk prior to 1:00 p.m., (one o'clock) the afternoon of the Monday immediately preceding such Meeting of the City Council.
- (9) Unless City Council shall unanimously direct otherwise, material which has not been received by the City Clerk in time for the Agenda may not be considered at the Meeting for which the Agenda is prepared.
- (10) The City Clerk shall ensure copies of the Agenda are:
 - (a) hand delivered or electronically mailed to each Member of City Council and the City Manager at his residence or place of business on the Thursday immediately preceding the Monday on which the City Council Meeting is held for which the Agenda is prepared
 - (b) be distributed to all City officials who are entitled to receive copies
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4/8/15 (c) be made available to all members of the media on the Thursday immediately preceding the City Council Meeting.
- (11) Administrative Reports should be in the Request for Decision (RFD) format

COMMENCEMENT OF A CITY COUNCIL MEETING

- 18.
- (1) If there are not sufficient Members assembled at any Meeting to constitute a quorum within half an hour from the time of commencement of the Meeting, the City Clerk shall record the names of all the members present at that time and unless a Special Meeting be duly called in the meantime, City Council shall be deemed to be adjourned until the next Regular Meeting.
 - (2) When City Council is unable to meet for lack of a quorum the Agenda delivered for the proposed Meeting shall be considered at the next Regular Meeting prior to the consideration of the Agenda for the subsequent Meeting or at a Special Meeting called for that purpose.
 - (3) If there is a quorum present at the time the Meeting should be called to order and the Mayor, Deputy Mayor and Acting Mayor are absent, the City Clerk shall call the Meeting to Order and shall call for an Acting Mayor to be chosen by a Resolution of the Meeting.
 - (4) If there are sufficient Members present to constitute a quorum at the time set for the commencement of the Meeting or as soon thereafter as a quorum is present the Mayor or in the absence of the Mayor, the Deputy Mayor, or in the absence of both of them, an Acting Mayor shall take the chair and call the Meeting to order.
 - (5) The Mayor shall preside at all Meetings of City Council whenever he is present.

CONTROL AND CONDUCT OF CITY COUNCIL MEETINGS

- 19.
- (1) Subject to being overruled by a majority vote of Members of City Council which vote shall be taken without debate, the Mayor (Chair) shall preside over the conduct of the Meeting and:
 - (a) shall maintain order and preserve decorum of the Meeting
 - (b) shall decide points of order without debate or comment other than to state the rule governing
 - (c) shall determine which Member has a right to speak
 - (d) shall ascertain that all Members who wish to speak on a motion have spoken thereon and that the Members are ready to vote by asking "Are you ready for the question?"
 - (e) shall rule when a motion is out of order
 - (f) may call a member to order.

CONTROL AND CONDUCT OF CITY COUNCIL MEETINGS – CONT'D.

- (2) When the Chair is called upon to decide a point of order or practice, the point shall be stated succinctly and without unnecessary comment, except to cite the rule or authority applicable to the case.
- (3) The Chair shall treat such question in a judicial spirit, but shall not take part in the debate of City Council.
- (4) The Chair may, at his discretion, give explanations and recommendations or information within his knowledge from the Chair in respect to the business being discussed at the Meeting that he considers will better the finances, health, security, well being, cleanliness, comfort, ornamentation and prosperity of the City.
- (5) The Mayor or other presiding Chair may, at his discretion step down from the Chair for the purpose of taking part in the debate, in which case the Deputy Mayor, the Acting Mayor, or other City Council Member may be called by him to take the Chair.
- (6) Subject to the *Municipal Government Act* or any other statute of Alberta as may be relevant, all questions before the City Council shall be decided by a majority of City Council Members present.
- (7) Any Bylaw or Resolution upon which there is an equality of votes shall be deemed to be decided in the negative.
- (8) The City Clerk shall, whenever a recorded vote is demanded by a member of City Council, record in the minutes the name of each member of City Council present and whether the member voted for or against the matter.

ADDRESSING CITY COUNCIL

20. (1) Every Member wishing to speak at City Council shall address the Chair and be recognized by the Chair before commencing to speak.
- (2) The Chair shall determine the order of speakers subject to appeal by a Member of City Council.

CONDUCT OF MEMBERS

21. (1) When a Member of City Council is addressing the Chair, every other Member shall remain quiet, shall not interrupt the speaker except on a point of order, and shall not carry on a private conversation.

CONDUCT OF MEMBERS – CONT'D.

- (2) When a Member of City Council is addressing City Council he shall:
 - (a) not shout or immoderately raise his voice, or use profane, vulgar or offensive language
 - (b) speak on matters other than the matter then before City Council
 - (c) obey the rules of procedure of City Council
 - (d) not comment on the person of any Member of City Council
 - (e) not speak disrespectfully of the Sovereign or any of the Royal Family, or of the Governor General or of the Lieutenant Governor, or of any member of any other governing body in Canada.
- (3) If any Member of City Council acts contrary to subsection (2), he shall be immediately admonished by the Chair.
- (4) When a Member of City Council has been admonished by the Chair, the City Clerk shall record the same in the Minutes of the Meeting of City Council.
- (5) If any Member of City Council acts contrary to subsection (2) for a second or more times in a Meeting of City Council, he shall, on the order of the Chair, be excluded from the City Council Meeting and City Council Chambers.
- (6) City Council may then proceed to a Closed Meeting to consider the excluded City Council Member.
- (7) If the excluded City Council Member should adequately apologize to City Council, he may, by a majority vote of the remaining Members of City Council, be permitted to take his seat.
- (8) No exclusion of a City Council Member shall be for more than the Meeting then in progress.
- (9) A City Council Member called to order by the Chair shall immediately cease speaking, but may afterward explain his position in making the remark for which he was called to order.
- (10) The decision of the Chair shall be final, unless the Member called to order appeals to City Council.
- (11) Upon a matter of order being appealed in City Council, City Council shall vote on the matter without debate.

CONDUCT OF MEMBERS – CONT'D

- (12) Where a Member wishes to leave the City Council Chambers while a Meeting of City Council is in progress, he shall rise and await the silent acknowledgment of the Chair before leaving his place.
- (13) No member shall leave City Council Chambers after a question is put to vote, until the vote is taken.

MEMBERS OF PUBLIC

- 22. (1) Until he obtains permission from the Chair, no person, not a Member or Officer of City Council shall address City Council.
- (2) Members of the public who constitute the audience in City Council Chambers during a City Council Meeting shall maintain order and quiet and shall not applaud or otherwise interrupt any speech or action of members of City Council.
- (3) The Chair may direct that any person in the audience who creates a disturbance during a Meeting leave City Council Chambers immediately, and if that person does not leave, may have him removed.

MATTERS OF PRIVILEGE

- 23. The following motions are privileged motions and may, if the Chair determines that they are of overriding importance, interrupt the debate on another motion:
 - (a) a call to follow the order of the Agenda
 - (b) a point of privilege
 - (c) a motion to recess
 - (d) a motion to adjourn
 - (e) a motion to fix the time to adjourn.

POINT OF ORDER

- 24. (1) A Point of Order which requires immediate attention may interrupt a speaker and is not debatable or amendable.
- (2) The Chair must rule on a Point of Order and no vote will be taken unless there is a Challenge.

APPEAL/CHALLENGE TO THE RULING OF THE CHAIR

- 25.
- (1) The decision of the Mayor (Chair) may be appealed to City Council by the Member of City Council raising the point of order stating that he is appealing the decision of the Mayor (Chair).
 - (2) Upon the decision of the Mayor (Chair) being appealed, the Chair shall give the terms of this decision and the point of appeal, and put the question to City Council stating, "Is the ruling of the Chair upheld ?".
 - (3) The question shall be decided by majority vote of City Council Members present without debate.
 - (4) A Member of City Council may rise to a question of order or privilege at any time but shall not move on adjournment of the Meeting or of the debate.

ORDER OF BUSINESS

- 26.
- (1) Subject to the provisions of this section, the order of business for the Meeting shall be as contained in the Agenda for the Meeting.
 - (2) If an alteration of the order of business is desired for the convenience of the meeting, the Mayor (Chair) may make any such alteration of the order of the business but shall not in so doing delete any portion of the business which is set out in the Agenda.
 - (3) City Council or Priorities and Agenda Committee may establish a specific time for debate on any matter and that matter will be a special order of the day.

INQUIRY

- 27.
- (1) A Member wishing to make an inquiry shall submit the request, in writing, to the City Manager for response.
 - (2) On receipt of the inquiry and the request, the City Manager may:
 - (a) refer the inquiry to an appropriate Committee
 - (b) refer the inquiry to the appropriate department of the City for a report to be made either
 - (i) to an appropriate committee
 - (ii) to City Council
 - (iii) directly to the Member, who made the inquiry, with copies provided to all members, City Clerk, and Administration attending City Council Meetings.

MINUTES OF THE PREVIOUS MEETING

- 28.
- (1) The City Clerk shall prepare the Minutes of each City Council Meeting and shall distribute a copy to each Member of City Council with a subsequent City Council Agenda.
 - (2) The Mayor (Chair) shall present the Minutes to City Council with a request for a motion to adopt the Minutes.
 - (3) Any Member may make a motion requesting that the Minutes be amended to correct any inaccuracy or omission; however, the City Clerk should be advised of the change to the Minutes before they are officially adopted by City Council.
 - (4) Only minor changes may be made 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; but no change shall be allowed which would alter or affect, in a material way, the actual decision made by City Council.

COMMUNICATIONS AND PETITIONS

- 29.
- (1) In addition to the provisions of the Municipal Government Act regarding petitions, when a person wishes to have any matter considered by City Council or a committee, a letter, petition or other communication shall be addressed to the Mayor and City Council, and the letter, petition or communication shall:
 - (a) be printed, typewritten or legibly written by hand
 - (b) include the correct name of the writer
 - (c) contain the mailing address of the writer
 - (d) indicate if the writer wishes to address City Council
 - (e) in the case of a petition adhere to the requirements of the Municipal Government Act.
 - (2) On receipt of communication intended for City Council, the City Clerk will include it as an item for consideration by the Priorities and Agenda Committee for:
 - (a) inclusion as an item on the Agenda for the next Regular Meeting of City Council
 - (b) inclusion in the Information Package provided to City Council with the Agenda for the next Regular Meeting of City Council

(c) refer it to the Administration for reply.

COMMUNICATIONS AND PETITIONS – CONT'D.

- (3) Unless the communication indicates that the writer wishes to be on City Council Agenda it need not be included in the City Council Agenda.

PERSONS WISHING TO ADDRESS CITY COUNCIL

30.

- (1) If a representative of any group of persons wishes to address City Council on a general matter which is not on the Agenda, City Council may on a majority affirmative vote, allow the representative or any other person to address the matter.
- (2) Unless:
- (a) an applicable statute or other overriding law in force in the Province of Alberta requires a time longer than five minutes be allowed; or
- (b) the time is extended by a majority vote of City Council.

no person shall address City Council for more than five minutes, exclusive of the time required to answer questions put to him by the City Council.

PUBLIC HEARINGS

31.

- (1) Public Hearings on any matter to be heard by City Council require notice in accordance with The Municipal Government Act.
- (2) Any person who claims that he will be affected by the subject matter of the Public Hearing shall be afforded an opportunity for himself or his agent to be heard by City Council. If an agent represents more than one person he will be allowed only five minutes to speak, unless the Chair rules otherwise.

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- (3) Any person who desires to be heard at a General Public Hearing may file a written submission with the City Clerk prior to noon on the Monday preceding the date of the Public Hearing.
- (4) At the time called for the Public Hearing, the Chair must state the matter to be considered at the Hearing and the rules of procedures as outlined in paragraph (5).
- (5) All Public Hearings must be conducted in the following manner:
- (a) The Administration introduces the proposed Bylaw or resolution and may speak as long as is required to do so.
- (b) The applicant or his agent will be allowed five minutes to speak to the proposal.

PUBLIC HEARINGS – CONT'D.

- (c) Any person or persons desiring to make a verbal presentation to the Public Hearing will stand, and upon being recognized by the Chair, must state their name. Upon being recognized, that person will be allowed five minutes to speak.
 - (d) The Chair must ask three times if there are any persons present who wish to make a verbal submission to City Council pertaining to the matter of the Public Hearing.
 - (e) Any Member of City Council may ask speakers relevant questions after all persons who wish to speak have been heard.
 - (f) The Chair, at his discretion, may allow any person making a presentation a three minute rebuttal period.
 - (g) City Council must file all written communications.
 - (h) At the conclusion of the Public Hearing, the Chair must declare the Public Hearing closed.
- (6) When a Public Hearing has been scheduled and the City Clerk or designate advises that the application has been withdrawn, no Public Hearing may commence.

PUBLIC MEETINGS

32. Public Meetings follow the same rules of procedure as Public Hearings.

MOTIONS IN CITY COUNCIL

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- 33.
- (1) Unless a member of City Council has presented to the Office of the City Clerk a typed or neatly written notice of motion by 1:30 p.m. (one-thirty in the afternoon) of the Monday preceding a Regular Meeting of City Council, a Member shall not make a motion introducing a new matter for consideration of City Council.
 - (2) Subsection (1) shall not be construed as preventing a motion on any subject matter appearing on the Agenda from being discussed or dealt with or preventing a motion on a question of privilege.
 - (3) Notwithstanding subsection (1), City Council may on a two-thirds vote, waive the requirement for notice contained in this section.

MOTIONS IN COUNCIL – CONT'D.

- (4) If the motion is one for which no notice of motion is required or if City Council has waived the requirement for notice pursuant to subsection (3), either the Member making the motion or the City Clerk shall prepare the motion before it is considered by City Council.
- (5) City Council shall not consider any oral motion until it has been seconded.
- (6) After a motion has been properly presented it is the property of City Council and may not be withdrawn without the consent of the majority of City Council.
- (7) Before the motion has been put and voted on City Council may give permission to withdraw the motion.
- (8) Except as elsewhere specifically provided in this Bylaw, the following motions are debatable by City Council:
 - (a) a motion arising out of any matter included in the Agenda for the City Council Meeting at which it is debated
 - (b) a motion concerning any question, matter or subject tabled indefinitely from a previous Meeting of City Council or tabled for a Meeting at which it is discussed
 - (c) a motion for concurrence in or rejection of a motion arising out of any matter dealt with in a report to City Council
 - (d) a motion for the second reading of a Bylaw
 - (e) a motion for the third reading of a Bylaw
 - (f) a motion for appointment of a Committee or dismissal of a Committee
 - (g) a motion for the City Council to go into a Closed Meeting
 - (h) a motion of referral of a matter may be debated by all members only as it relates to the appropriateness of referral, not to the original issue.
 - (i) a motion for amendment to any Bylaw properly before City Council or any matter arising directly out of any Bylaw properly before City Council;
 - (j) such other motion made upon routine proceedings as may be required for the observance of the proprieties of City Council, the maintenance of its authority, the appointment or conduct of its officers, the management of its business, the arrangements of its proceedings, the correctness of its records, the fixing of its sittings or the days and times of its sittings or the time of the Meeting or adjournment.

MOTIONS IN COUNCIL – CONT'D.

- (9) When a motion has been properly presented and is being considered by City Council, no Member may make any other motion except:
- (a) a motion to refer the main question to some other person or group for consideration
 - (b) a motion to amend the main question or an amendment to it
 - (c) a motion to table the main question
 - (d) a motion to postpone the main question until some future time
 - (e) a motion to adjourn the Meeting.
- (10) A member of City Council who moves to table a motion shall include in the motion:
- (a) the terms on which the motion is being tabled
 - (b) the time when the tabled motion is returnable
 - (c) whatever explanation is necessary as to the purpose of the motion either in writing, verbally or both.
- If a motion is not taken from the table within twelve months after the date that it was tabled the motion dies.
- (11) When there is a Committee appointed for a specific purpose, a City department normally dealing with the subject matter of a motion or a City official who would normally deal with such matters, shall have the appropriate Committee, department or official deal with the matter.
- (12) When a referral motion has been made no Member may make an amendment to the main motion or enter into any debate on the main motion unless the referral motion has been decided in the negative.
- (13) A member of City Council who is moving a referral motion shall include in the motion:
- (a) the terms on which the motion is being referred
 - (b) the time when the referred motion is returnable
 - (c) whatever explanation is necessary as to the purpose of the motion either in writing, verbally or both.

MOTIONS CONTAINING DISTINCT RECOMMENDATIONS/DIVISIONS

34. (1) A motion containing several distinct recommendations or divisions is not out of order for that reason alone.

MOTIONS CONTAINING DISTINCT RECOMMENDATIONS/DIVISIONS – CONT'D.

- (2) Where a motion contains two or more recommendations or divisions, City Council shall vote on each recommendation or division separately:
 - (a) if a majority of City Council so require
 - (b) if the Chair or other officer presiding so orders

AMENDMENTS

- 35. (1) Notwithstanding anything elsewhere in this Bylaw, no amendment shall be made to a motion:
 - (a) to refer a question to some other person or body for consideration
 - (b) to table a question except as to time
 - (c) to postpone discussion on a matter to a stated time
 - (d) to adjourn a Meeting
 - (e) for the first reading of a Bylaw.
- (2) While a motion is under discussion by City Council a member may not move an amendment which;
 - (a) does not relate to the subject matter of the principal motion
 - (b) is directly contrary to the principle motion
 - (c) enlarges the scope of the amendment or subamendment (amendment to the amendment)
- (3) The Chair shall allow only one amendment at a time to the main motion and only one amendment to that amendment may be allowed at a time.
- (4) A member who moved a motion may not move an amendment to it.
- (5) The Chair shall not put the main motion under debate until all amendments to it have been put and voted upon.
- (6) The Chair shall put amendments in the reverse order to which they have been moved.
- (7) When all amendments are voted upon the Chair shall put the main motion incorporating therein any amendments already adopted.

MOTION OUT OF ORDER

36. (1) When a motion is out of order the Chair shall so advise City Council and shall cite the applicable rule or authority.
- (2) Any Member of City Council may raise the question of whether or not a motion is in order.

DEBATE ON MOTION

37. (1) No Member shall speak more than once on any motion, except under the following circumstances:
- (a) in clarification of the motion
 - (b) if he presented the motion to City Council, a Member may reply after everyone else wishing to speak has spoken. A Member shall not be allowed to speak to his motion if a Member has moved the following:
 - (i) to extend the time of the Meeting
 - (ii) to refer
 - (iii) to amend
 - (iv) to lay on the table
 - (v) to postpone
 - (vi) to adjourn
- (2) A Member may speak to the same motion for longer than five minutes if permitted by the Chair.
- (3) A Member may ask a question stated concisely of the previous speaker to explain any part of the previous speaker's remarks.
- (4) A Member may ask questions of the City Manager to obtain information relating to items presented to City Council prior to the commencement of the debate on the report or on the clause.
- (5) When it is a Member's turn to speak, before speaking he may ask questions of the City Manager or Administration. With the consent of the Speaker, other Members of City Council may ask a question of the same member of the Administration
- (6) A Member's question shall follow the rules of conduct as outlined in Section 21(2).
- (7) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

DEBATE ON MOTION – CONT'D.

- (8) When a Member has moved the main motion; he may close the debate after all Members have been given an opportunity to speak, the Chair shall then put the motion to a vote.
- (9) When the motion has been declared, put to a vote, no Member shall debate further on the question or speak except to request that the motion be read aloud.
- (10) Unless the Chair is overruled by a majority vote of the Members present at the City Council Meeting he shall determine when a motion is to be put and his decision shall be final.
- (11) A Member may move to cease debate on a motion if seconded and if two-thirds of the Members present vote in favour.

RECONSIDERING AND RESCINDING A MOTION

- 38.
- (1) When a Member wishes City Council to reconsider, alter or rescind any motion already passed or action taken at a previous Meeting, within the last six months and when such matter does not appear on the Agenda, he shall bring the matter before City Council by a notice of motion which shall:
 - (a) be given at a Regular Meeting preceding the Meeting at which he wishes City Council to reconsider the matter
 - (b) specify the Meeting at which he proposes to bring the matter to City Council
 - (c) indicate either in the preamble or in the substantive portion of the motion, the action which he wishes to propose that City Council shall take on the matter
 - (d) this section does not apply to Finance Meetings.
 - (2) No Member shall make a motion on any matter which does not appear in the Agenda for the Meeting then in session and on which City Council passed a motion at a previous meeting unless:
 - (a) a notice of motion was given at a previous Meeting that the matter would be raised at the Meeting at which the Member wishes to raise it
 - (b) City Council by a vote of two-thirds of the Members present and voting thereon waives the requirement for the notice.
 - (3) When City Council wishes to reconsider any action taken or the subject matter of any motion passed at the same Meeting, a Member may move to reconsider the matter and if a majority of the Members of City Council vote for the reconsideration the matter may again be dealt with at the same Meeting.

RECONSIDERING AND RESCINDING A MOTION – CONT'D

- (4) Where a matter on which City Council has made a previous motion or taken a previous action is properly before City Council as provided in this section, City Council may by a two-thirds vote pass a motion which alters, rescinds or conflicts with any previous action taken or motion made without specifying that the previous motion or action is being altered or rescinded and the provisions of such motion shall override the provision of any previous motion with which they conflict.
- (5) Notwithstanding anything provided in this section where pursuant to any motion duly passed by City Council, the City has a contractual liability or obligation, City Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the liability or obligation.

VOTING ON MOTION

- 39.
- (1) Unless a member of City Council is disqualified from voting by reason of a direct or indirect pecuniary interest or is otherwise precluded by law from voting, the Mayor, when present, and each Member present shall vote on every division of every motion before City Council.
 - (2) If notwithstanding the provisions of subsection (1), a Member refuses or fails to vote on an issue he shall be deemed to have voted in the negative on the matter and shall be so recorded.
 - (3) Once the result of a vote has been announced on a motion, no Member shall without the unanimous consent of the other Members present, change his vote.
 - (4) Whenever a statute of the Province of Alberta, a regulation made thereunder, or this or another Bylaw of the City requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation or Bylaw.
 - (5) Where:
 - (a) a member requires for the record that a vote be taken on division
 - (b) the Chair of the Meeting directs that a vote to be taken on divisionthe City Clerk shall record each member voting for or against the matter.

MOTION TO ADJOURN

40. (1) A Member may move a motion to adjourn a Meeting at any time, except, when:
- (a) another Member has the floor;
 - (b) call for the vote has been made;
 - (c) the Members are voting;
 - (d) City Council is in a Closed Meeting; and a previous motion to adjourn has been defeated and no further discussion has occurred.
- (2) A motion to adjourn shall be put without comment or debate.

ORDER OF PROCEEDINGS IN A CLOSED MEETING

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41. (1) City Council may go into a Closed Meeting to discuss any matter in accordance with the Municipal Government Act.
- (2) The rules of order for the conduct of a Meeting of City Council shall apply to a Closed Meeting except that a Member may speak more than once to any question

BYLAWS

42. (1) The City Solicitor must approve the form of every proposed Bylaw prior to its submission to City Council
- (2) Where a Bylaw is presented to City Council for enactment, the City Clerk shall publish the number and the short title of the Bylaw to appear in the Agenda.
- (3) The City Clerk shall forward a copy of the Bylaw in full to City Council with the Agenda.
- (4) Every Bylaw shall have three readings. The title and identifying number must be read at each reading.
- (5) Unless the Municipal Government Act, some other provincial statute or a City Bylaw requires a greater majority, a Bylaw shall be passed when a majority of the members present and voting on the third reading, vote in favour of the Bylaw.

BYLAWS – CONT'D.

- (6) City Council shall vote on the motion for the first reading of the Bylaw without amendment or debate.
- (7) If a Member does not elaborate on the subject matter of the Bylaw or phrase his question so as to set out his opinion for or against the Bylaw, notwithstanding the provisions of sub-section (6), he may ask a question or questions concerning the Bylaw.
- (8) After a Member has made the motion for the second reading of the Bylaw, City Council may:
 - (a) propose and consider amendments to the Bylaw
 - (b) debate the substance of the Bylaw.
- (9) A proposed amendment shall be put to a vote and if carried shall be considered as having been read a first time and incorporated in the Bylaw.
- (10) The City Clerk shall be responsible for keeping a record of any amendments to the Bylaw passed by City Council;
- (11) When all amendments have been accepted or rejected, the motion for second reading of the Bylaw as amended shall be voted on.
- (12) Unless the Members present at the Meeting unanimously agree that a Bylaw may be presented to City Council for a third reading at the same Meeting at which it has received two readings, the Bylaw shall not be given more than two readings at one Meeting.
- (13) If City Council unanimously agrees that a Bylaw may be presented for a 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 a third reading at a subsequent Meeting.
- (14) A motion for the third reading of a Bylaw shall give the number the short title of the Bylaw.
- (15) After City Council votes affirmatively for a third reading of a Bylaw, it:
 - (a) becomes a municipal enactment of the City
 - (b) is effective immediately unless the Bylaw provides otherwise.
- (16) Following each reading, a Bylaw shall be signed by the Mayor or by the Member presiding at the Meeting at which the Bylaw was given the reading and by the City Clerk, or designate present at that Meeting, and upon third reading shall be impressed with the Corporate Seal of the City.
- (17) Once a Bylaw has been passed, it may only be amended or repealed by another Bylaw.

BYLAWS – CONT'D.

- (18) The City Clerk is designated to consolidate one or more Bylaws as deemed convenient and in doing so, must:
- (a) incorporate all amendments to the Bylaw into one Bylaw
 - (b) omit any provision that has been repealed or that has expired.

COMMITTEE APPOINTMENTS - PUBLIC

43. (1) City Council may appoint any Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the City and may establish generally or in detail the:
- (a) duties and responsibilities
 - (b) composition
 - (c) duration of a Committee.

As required by the Municipal Government Act, notice of Committee Meetings is given through annual publication of a calendar by the City Clerk's office.

In accordance with the Municipal Government Act, special meetings of committees may be held only after giving 24 hours notice.

- (2) Other than Committees appointed annually, a Committee may at any time be appointed by City Council by Resolution, specifying the business to be dealt with by the Committee so appointed.
- (3) All Committee appointments by City Council shall be subject to the following requirements:
- (a) a member is disqualified from the Committee if the member has three unexcused absences annually from regular meetings
 - (b) D E L E T E D
 - (c) a written confirmation of interest and willingness to continue serving be received from current appointees prior to expiration of their appointed term.
 - (d) a 6 year maximum term
 - (e) staggering of terms is encouraged

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COMMITTEE APPOINTMENTS – CONT'D.

- (f) when a vacancy is created by a resignation mid-term, City Council may appoint a new member to fill the remaining term
- (g) shorter terms to maintain staggering of renewals be allowed even if this results in a maximum for the individual of 5 years
- (4) Of the number of Members appointed to compose any Committee of City Council a majority shall constitute a quorum, unless the Bylaw or resolution establishing such body specifies differently.
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- (5) The Mayor may attend Meetings of Council Committees of which he is not a member, but shall not take part in any discussion or debate in such Committee Meeting except by permission of a majority of the Members of the Committee present.
- (6) Meetings of Committees may be called by the Chair whenever he considers it necessary to do so.
- (7) A majority of the Members of the Committee may by written request require the Chair to call a Meeting and it shall be the duty of the Chair, or in his absence from the City, the duty of the City Clerk or any Clerk specially appointed to the Committee, to call such Meeting.
- (8) Members of the City Council may attend Meetings of Committees of which they are not Members, but shall not take any part in any discussion or debate in such Committee Meeting, except by permission of a majority of the Members of the Committee present.
- (9) If at the time appointed for a Meeting of a Committee and for the ensuing half hour no quorum is present, then the City Clerk or designate shall take down the names of the Members present for the purpose of attending the Meeting and such Meeting shall then be deemed cancelled.
- (10) Any Committee appointed by City Council shall conduct its business under the following rules of procedure:
- (a) a notice of every Meeting shall be sent by the City Clerk or designate to the Mayor and to each of the Members, at his residence or ordinary place of business, at least the day previous to such Meeting being held;
- (b) when a vote is taken on any question, the names of those who voted for or against the question shall be entered in the Minutes if any Member requests a recorded vote;
- (c) the Chair shall preside at every Meeting and shall vote on all questions submitted, and in case of a tie vote, the question shall be decided in the negative;

COMMITTEE APPOINTMENTS – CONT'D.

- (d) in the absence of the Chair, one of the Members shall be elected to preside who shall discharge all the duties of the Chair for the Meeting, or until the arrival of the Chair;
 - (e) the City Clerk and/or designate shall attend all Meetings of the Committee and record the Minutes and reports thereof;
 - (f) the Minutes of all the transactions of every Committee shall be accurately recorded, shall be circulated to the Members of the Committee prior to the next Meeting and after they have received approval of a majority of the Members shall be signed by the Chair and the City Clerk or designate.
 - (g) any Committee Member shall have the right to submit a minority report.
- (11) The Committee shall consider and report respectively on any and every matter referred to it by City Council.
- (12) No action of any Committee, unless power to take such action is expressly conferred on the Committee, shall be binding on the City unless and until the same has been reported to City Council by such Committee, and such report has been adopted by City Council.
- (13) (i) All meetings of the Finance Committee shall be chaired by the Deputy Mayor.
- (ii) The six month rule regarding reconsidering and rescinding a motion does not apply.
- (14) All meetings of the Community Issues Committee (CIC) shall be chaired by the Deputy Mayor.

GENERAL RESPONSIBILITY OF ALL COMMITTEES

44. The general responsibility of any Committee shall be to analyze any and all matters placed before it and indicate to City Council by recommendation the ways and means of dealing with the said matters before it and to advise the course of action which in its considered opinion is necessary and expedient and shall include without limiting the said general responsibilities, any specific matters or responsibilities directed to it by City Council.

REPEAL OF PREVIOUS BYLAWS

45. (1) Bylaw No. 5122 and all amendments thereto are hereby repealed.
- (2) In the event of any conflict between the provisions of this Bylaw and any other Bylaw of the City of Lethbridge, the provisions of this Bylaw shall prevail.