

## BYLAW NO. XX-YYYY

### A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF ALBERTA AND SASKATCHEWAN TO GOVERN AND REGULATE THE PROCEEDINGS OF THE COUNCIL OF THE CITY OF LLOYDMINSTER

WHEREAS the Council of the City of Lloydminster deems it necessary to establish a Bylaw to deal with the peace, order and good government of the City.

AND WHEREAS *The Lloydminster Charter* provides authority to City Council to pass bylaws for municipal purposes;

AND WHEREAS *The Lloydminster Charter* provides authority to the City to pass bylaws respecting the enforcement of bylaws.

AND WHEREAS the Council may pass bylaws in relation to the procedure and conduct of Council, Council Committees and other bodies established by the Council, the conduct of the Councillors and the conduct of members of Council Committees and other bodies established by Council;

NOW THEREFORE the Council of the City of Lloydminster deems it necessary to establish a Bylaw to provide a standard, familiar format for Council and Committee meetings and to make it clear for members of Council, Administration, media and the public to understand the decision making process; and

NOW THEREFORE, the Council of the City of Lloydminster, pursuant to the authority granted in Section 15 of *The Lloydminster Charter*, enacts as follows:

#### **1. SHORT TITLE**

- 1.1. This Bylaw shall be cited as the Procedure Bylaw.

#### **2. DEFINITIONS**

- 2.1. The definitions listed in Schedule "A" attached to this Bylaw shall apply, unless context otherwise requires.

#### **3. APPOINTMENT, AUTHORITY AND DUTIES OF THE CITY MANAGER**

- 3.1. Except where specific authority is reserved to Council, in the Bylaw the administration and enforcement of this Bylaw is hereby delegated to the City Manager.
- 3.2. Without restricting any other power, duty, or function granted by this Bylaw, the City Manager may carry out anything required for the administration of this Bylaw, including but not limited to the following:
  - 3.2.1. delegate any powers, duties or functions under this Bylaw to an employee of the City, including a Designated Officer;
  - 3.2.2. carry out any inspections that are reasonably required to determine compliance with this Bylaw;
  - 3.2.3. establish any forms required for the administration of this Bylaw.

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### **4. APPLICATION**

- 4.1. This Bylaw applies to all meetings of Council, as well as Council Committee meetings.
- 4.2. The precedence of the rules governing the procedures of Council is:
  - 4.2.1. The Lloydminster Charter;
  - 4.2.2. this Bylaw; and
  - 4.2.3. Roberts Rules of Order Newly Revised as prescribed by Council in accordance with section 10.1 of this Bylaw.
- 4.3. Notwithstanding subsection 4.1, Council may, by resolution or bylaw, allow a Council Committee to establish its own procedures.

### **5. INAUGURAL MEETING**

- 5.1. The meeting immediately following a general municipal election shall be called the inaugural meeting.
- 5.2. The inaugural meeting of Council must be held within fourteen (14) days following a general municipal election.
- 5.3. The City Clerk shall Chair the inaugural meeting until such time that all oaths have been subscribed. The City Clerk shall then relinquish duty of the Chair to the Mayor.
- 5.4. Every member of Council shall, before entering upon the duties of office, make and subscribe the official oath prescribed by the Charter.
- 5.5. Every member of Council shall subscribe to the duties as outlined in the Charter.

### **6. REGULAR MEETINGS**

- 6.1. Council may decide to hold regularly scheduled Council meetings on specified dates, times and places.
- 6.2. Notice of regularly scheduled meetings need not be given.

### **7. SPECIAL MEETINGS**

- 7.1. The City Clerk shall call a special meeting if requested to do so in writing by the Mayor or by a majority of Councillors.

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- 7.2. The City Clerk must call a special meeting by giving at least twenty-four (24) hours notice in writing to each member of Council and to the public stating:
- 7.2.1. the purpose of the meeting, and
  - 7.2.2. the date, time and place at which it is to be held.
- 7.3. A special meeting may be held with less than twenty-four (24) hours notice to the members of Council, and without notice to the public, if at least 2/3 of the members of Council agree to do so, in writing, immediately before the beginning of the meeting.
- 7.4. No business other than that stated in the notice is to be transacted at a special meeting of Council unless all members of Council are present, in which case, by unanimous consent, any other business may be transacted.

### **8. MEETING THROUGH ELECTRONIC MEANS**

- 8.1. A Councillor may participate in the meeting using an electronic communication device if:
- 8.1.1. the Councillor is unable to attend the meeting in person;
  - 8.1.2. there is Quorum of members at the actual meeting place;
  - 8.1.3. the City Manager or City Clerk is present at the meeting.
- 8.2. The Councillor will be recorded in the Minutes as attending the meeting via electronic communication device.
- 8.3. The City Clerk will contact the Councillor via the pre-arranged electronic communication device before the beginning of the meeting.
- 8.4. When a vote is called the Councillor participating via an electronic communication device will verbally indicate their vote after all other Councillors have voted.
- 8.5. If at any time the electronic communication device is disconnected, the City Clerk will attempt to reconnect, but will not disrupt the tranquility of the meeting.
- 8.6. The Chair may Recess the meeting to allow the City Clerk to reconnect the electronic communication device.
- 8.7. All Regular Council, Special Council, and Committee meetings may be electronically recorded and/or streamed.

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### 9. IN-CAMERA MEETINGS

- 9.1. Council may close all or any part of its meetings to the public if the matter to be discussed:
  - 9.1.1. is within one of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*; or
  - 9.1.2. concerns long-range or strategic planning.
- 9.2. A resolution to move In-Camera shall state the exemption in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* which is relied upon for authority to close the meeting to the public.
- 9.3. Where Council resolves to close a portion of a meeting to the public, all Persons shall be excluded from the meeting except:
  - 9.3.1. the members of Council;
  - 9.3.2. the City Manager, the City Clerk and other members of Administration as the members of Council may deem appropriate; and
  - 9.3.3. the members of the public as the members of Council may deem appropriate.
- 9.4. Where Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the City Clerk shall record:
  - 9.4.1. the time that the In-Camera portion of the meeting commenced and concluded;
  - 9.4.2. the names of the parties present.
- 9.5. Pursuant to the requirements of section 30, a Financial Interest or a conflict of interest shall pertain to all portions of a meeting including the In-Camera portion.
- 9.6. No resolutions or bylaws may be passed during an In-Camera meeting.
- 9.7. No business other than that described within the resolution pursuant to subsection 9.2 may be discussed.
- 9.8. Matters discussed or to be discussed in an In-Camera meeting are to be kept in confidence until discussed at a public meeting of Council.

### 10. RESPONSIBILITIES

- 10.1. Council shall no later than December 31<sup>st</sup> of each year establish the following:

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- 10.1.1. the roster for deputy Mayor for a two-month period on a rotating basis;
- 10.1.2. the roster for committee appointments;
- 10.1.3. the dates, time of commencement and place of the regular Council meetings; and
- 10.1.4. the dates time of commencement and place of Council Committee meetings; and
- 10.1.5. the edition of Robert's Rules of Order Newly Revised that will be used by Council and Council Committees.

### 11. CANCELLATION OR CHANGE

- 11.1. Council may cancel or change the date, time, or place of a regularly scheduled Council meeting by:
  - 11.1.1. resolution during a Council meeting; or
  - 11.1.2. having the majority of Council agree to a meeting cancellation or change in writing after being canvassed by the City Clerk; or
  - 11.1.3. where an emergency arises that precludes Council's ability to meet.
- 11.2. If Council cancels or changes the date, time, or place of a regularly scheduled meeting, the City Clerk shall give at least 24 hours' notice of the change to:
  - 11.2.1. any Council member not present at the meeting at which the change was made; and
  - 11.2.2. the public.

### 12. METHOD OF GIVING NOTICE

- 12.1. Notice is deemed to have been given to a member of Council if one of the following is satisfied:
  - 12.1.1. delivered in person; or
  - 12.1.2. left at the usual place of business or residence of the Councillor; or
  - 12.1.3. sent to the Councillor by facsimile or electronic mail at the city provided address.
- 12.2. Public notice shall be given pursuant to the *Public Notification and Advertising Bylaw*.

### 13. AGENDA

- 13.1. An Agenda shall be prepared in accordance with the items to be considered.

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- 13.2. The order of business at a Council meeting shall be the order of the items on the adopted Agenda.
- 13.3. The Agenda and supporting documentation for a scheduled meeting of Council shall be provided:
- 13.3.1. to Council no less than four (4) calendar days prior to the date of the scheduled meeting; and
  - 13.3.2. to the public no less than two (2) calendar days prior to the date of the scheduled meeting.
  - 13.3.3. If, for any reason, the deadline mentioned in subsection 14.3 cannot be met, the Agenda shall be prepared and distributed as soon as reasonably possible to allow Council members an opportunity to review the Agenda prior to the Council meeting.
- 13.4. Council may from time to time specify the format for administrative reports.
- 13.5. Additions to the agenda shall be approved by the majority of Council at the time of Agenda Approval.

### 14. URGENT BUSINESS

- 14.1. Additional items may be added to a Council meeting Agenda, by resolution, provided that:
- 14.1.1. the item is of sufficient urgency or of a time sensitive nature such that it is not possible to refer it to the next Regular Meeting of Council; and
  - 14.1.2. there is sufficient information available for Council to decide on the matter; and
  - 14.1.3. all In-Camera additions require the City Clerk to advise the Chair if it fits under *The Local Authority Freedom of Information and Protection of Privacy Act* (Saskatchewan) provisions.
- 14.2. When practical, the City Clerk shall be notified of additions no less than three (3) hours prior to the meeting.

### 15. COMMENCEMENT OF MEETINGS

- 15.1. The Mayor or deputy Mayor shall take the Chair and commence the meeting at the time specified for the meeting as soon as a Quorum is present.
- 15.2. If Quorum is not present within five (5) minutes of the time specified for the meeting, the Chair shall call up to a thirty (30) minute Recess. If after the

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Recess, Quorum is still not present, the meeting shall stand adjourned until the next regularly scheduled meeting.

- 15.3. If neither the Mayor nor the deputy Mayor is present within five minutes of the time specified for the meeting and a Quorum is present, the City Clerk shall call up to a thirty (30) minute Recess.
- 15.4. If after the Recess, the Mayor or deputy Mayor are still not present, the City Clerk, as the Chair, may request Council to identify an acting Chair through majority vote. Once the acting Chair is identified, that Councillor shall Chair the meeting.
- 15.5. If a Quorum is not present at the start of a meeting, the Chair shall call up to a thirty (30) minute Recess. If after the Recess, Quorum is still not present, the meeting shall stand adjourned until the next regularly scheduled meeting.
- 15.6. In the event that Quorum is lost after the meeting is called to order, the meeting shall be Recessed for up to thirty (30) minutes. If Quorum is not obtained within that time, the meeting shall be Recessed until a future date established by the City Clerk.
- 15.7. Members of Council attending by an audio/visual communication device shall not be counted towards Quorum.

### 16. MINUTES

- 16.1. Administration shall record the Minutes of each Council meeting without note or comment and shall distribute copies of the Minutes to each Councillor at least 24 hours prior to a subsequent Council meeting.
- 16.2. Notwithstanding section 16.1, Administration shall record in the Minutes every declaration of a conflict of interest and the general nature and material details of the disclosure and any abstention or withdrawal.
- 16.3. The names of the Councillors present at the meeting are to be recorded in the Minutes of every meeting.
- 16.4. The Minutes of each meeting are to be approved at the next regular meeting of the Council and signed by the presiding member and the City Clerk in accordance with the Charter.
- 16.5. All Minutes, once approved, shall be open for inspection by the public.

### 17. PUBLIC HEARINGS

- 17.1. Public hearings shall be held in conjunction with a regular Council meeting.

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- 17.2. Council shall hold a public hearing when the Charter or another enactment requires Council to hold a public hearing on a proposed bylaw or resolution or any other matter at the direction of Council. The public hearing will be held before second reading of a proposed bylaw or before Council votes on a resolution.
- 17.3. Any Person who wishes to speak at a public hearing may register with the City Clerk's office prior to the public hearing.
- 17.4. Any Person wishing to provide a written submission may deliver it to the City Clerk's office five (5) business days prior to the public hearing. Written submissions received five (5) business days preceding the public hearing will be included with the Agenda and will be released to the public.
- 17.5. Unless otherwise approved by resolution of Council, the following shall be the procedure for the conduct of the public hearing:
  - 17.5.1. declarations, if any, of Financial Interest;
  - 17.5.2. the Chair of the public hearing shall declare the public hearing open;
  - 17.5.3. the City Clerk shall provide a brief background on the proposed bylaw or resolution and ensure public notification has been given;
  - 17.5.4. the Chair shall call for anyone wishing to speak;
  - 17.5.5. Persons speaking will have only one opportunity to speak;
  - 17.5.6. presentations shall be limited to five (5) minutes, unless the Chair permits otherwise;
  - 17.5.7. each Person making a presentation shall give their name and whether they are in favour or opposed to the proposed Bylaw to be recorded in the Minutes;
  - 17.5.8. Council may ask questions of the speakers after each presentation if clarification on any matter is required;
  - 17.5.9. the Chair of the public hearing shall declare the public hearing closed.
- 17.6. After the close of the public hearing, Council may:
  - 17.6.1. pass the proposed bylaw or resolution; or
  - 17.6.2. defeat the proposed bylaw or resolution; or
  - 17.6.3. make any amendment to the proposed bylaw or resolution and proceed to pass it without further advertisement or hearing; or
  - 17.6.4. request additional information and that the proposed Bylaw be brought forward to a future Regular Council Meeting.
- 17.7. Council may change the date, time, and place of a public hearing by resolution. If the date, time, or place of the public hearing is changed, then the public hearing must be re-advertised in accordance with the Charter.

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### 18. DELEGATIONS

- 18.1. All requests for delegations shall be submitted in writing to the City Clerk's office, for approval, at least five (5) business days prior to the proposed date for the delegation. All requests shall outline the subject matter.
- 18.2. The City Clerk shall review all applications for delegations and if time permits, forward to the Agenda Review Committee, who will determine if the delegation will occur.
- 18.3. A delegation request received within five (5) business days prior to the proposed council meeting may be added to the Agenda if the Mayor or designate approve the addition.
- 18.4. If a matter on the Agenda of Council is deferred to a later Council meeting, only those delegations who had requested to speak at the original Council meeting shall be heard.
- 18.5. A Person or delegation wishing to speak to Council or a Committee, on a matter that is already on the Agenda of a Council or Committee meeting shall:
  - 18.5.1. be limited to one speaker, except where the Chair permits otherwise;
  - 18.5.2. limit the presentation to five (5) minutes, except where the Chair permits otherwise.
- 18.6. A Person or delegation wishing to speak to Council or a Committee, on a matter that is not on the Agenda of a Council or Committee meeting, shall:
  - 18.6.1. be limited to one speaker, unless the Chair permits otherwise;
  - 18.6.2. limit the presentation to ten (10) minutes, except where the Chair permits otherwise.
- 18.7. If requested, Council may, by resolution accept and allow any public submission or presentation. Any submission or presentation added by Council resolution shall:
  - 18.7.1. be limited to one speaker, unless the Chair permits otherwise;
  - 18.7.2. limit the presentation to five (5) minutes, except where the Chair permits otherwise.

### 19. BYLAWS

- 19.1. Each proposed bylaw must:
  - 19.1.1. have a number assigned by the City Clerk's office; and
  - 19.1.2. include a short, descriptive title.

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- 19.2. The bylaw number and short title of the proposed bylaw are to be included on the Agenda of the meeting at which the bylaw will be brought forward for first reading.
- 19.3. A copy of each bylaw to be introduced is to be provided to all members of Council prior to first reading of the bylaw.
- 19.4. Every bylaw shall have three distinct and separate readings before it is finally passed:
  - 19.4.1. notwithstanding 19.4, Council may by unanimous vote agree to have all three readings at one meeting.
- 19.5. Any amendments to the bylaw that are approved by Council before the bylaw passes third reading:
  - 19.5.1. are deemed to have received first and second reading; and
  - 19.5.2. are incorporated into the proposed bylaw.
- 19.6. A bylaw is not subject to amendment during third reading.
- 19.7. When a bylaw has been given three readings and is signed in accordance with the Charter, it is considered an enactment of the City and is effective immediately unless the bylaw or an applicable provincial statute indicates otherwise.
- 19.8. Every bylaw shall be under the seal of the City and shall be signed by the City Clerk and the Mayor or other Person who presided over the meeting at which the bylaw was finally passed.
- 19.9. The City Clerk shall endorse on all bylaws read in the Council meeting, the dates of the readings thereof, and shall be responsible for their correctness, should they be amended.
- 19.10. Clerical, typographical, and grammatical errors in bylaws may be corrected by the City Clerk provided that such corrections do not change the context, meaning, or intent of the bylaw.
- 19.11. Once a bylaw has been passed, it may only be amended or repealed by another bylaw. A bylaw must be amended in the same manner in which it was passed.
- 19.12. The previous readings of a proposed bylaw are rescinded if the proposed bylaw does not receive 3rd reading within two (2) years after first reading, or is defeated on second or third reading.

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- 19.13. If a bylaw is defeated on second or third reading, it may be brought back to Council after three (3) months.
- 19.14. Notwithstanding section 19.12 above, a defeated bylaw may be brought back sooner if Council agrees unanimously to do so.

### 20. CONDUCT OF COUNCILLORS

- 20.1. Councillors shall ensure they do not interrupt another member.
- 20.2. If more than one Councillor wishes to speak at a meeting at the same time, the Mayor shall indicate which member shall speak first.
- 20.3. When a Councillor is addressing the Council, the Councillor shall refrain from:
- 20.3.1. speaking disrespectfully of the federal government, the provincial government, another municipal Council, or any official representing them;
  - 20.3.2. using offensive words in reference to a Councillor, a member of Administration or a member of the public;
  - 20.3.3. reflecting on a vote of Council except when moving to rescind or reconsider it;
  - 20.3.4. reflecting on the motives of the Councillors who voted on the motion or the mover of the motion; or
  - 20.3.5. shouting, using an immoderate tone, or profane, vulgar, or offensive language.
- 20.4. When a Councillor is addressing the Council, all other Councillors shall:
- 20.4.1. remain quiet and seated;
  - 20.4.2. refrain from interrupting the speaker;
  - 20.4.3. refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- 20.5. Councillors shall ensure that all electronic devices remain silent and do not interfere with the meeting and Council shall not communicate with any Person regarding any item on the Agenda.

### 21. IMPROPER CONDUCT

- 21.1. No Person present in the gallery or on the floor of Council Chambers shall cause a disturbance, interrupt any speaker, or interfere with the action of Council.
- 21.2. The Chair may call to order any Person on the floor or in the gallery who has created a disturbance and may request that Person to leave Council Chambers.

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- 21.3. If any Person refuses to leave Council Chambers upon request of the Chair, the Chair may Recess the meeting and request the City Clerk to have the Person removed.
- 21.4. If any Person is removed from a Council meeting, such Person shall not be allowed to return for a period determined by the Chair.
- 21.5. Any Councillor may raise a Point of Order for the Chair to address improper conduct in the gallery.

## 22. CALLING A COUNCILLOR TO ORDER

- 22.1. The Chair may call to order any Councillor who is out of order.
- 22.2. A Councillor who is called to order must cease talking or otherwise engaging in the activity specified by the Chair in the call to order.
- 22.3. When a Councillor has been called to order, but persists in breaching the order of Council, that Councillor shall be immediately admonished by the Chair.
- 22.4. The Chair may Recess the meeting, until such time the admonished Councillor leaves the meeting.
- 22.5. When a Councillor has been admonished by the Chair, the City Clerk shall record the admonishment in the Minutes.
- 22.6. If a Councillor who has been named:
- 22.6.1. apologizes to Council and withdraws the offensive statement or action, then;
    - i. that Councillor may remain and continue to participate in the meeting; and
    - ii. the Chair may direct that the notation of the offence be removed from the Minutes;
  - 22.6.2. fails or refuses to apologize and withdraw the offensive statement or action, then Council may proceed to an In-Camera meeting to consider the exclusion of the member.
- 22.7. No Councillor shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 22.8. A Councillor who is called to order or named may immediately thereafter challenge the ruling of the Chair and state the terms of the challenge.

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- 22.9. When there is a challenge to the ruling of the Chair, all further debate shall cease until the challenge has been dealt with by Council.

### **23. CHALLENGING THE RULING OF THE CHAIR**

- 23.1. Any Councillor may challenge the ruling of the Chair on a Point of Order or Point of Privilege and state the terms of the challenge.
- 23.2. When there is a challenge to the ruling of the Chair, all further debate shall cease until the challenge has been dealt with by Council.
- 23.3. The Chair shall, when required, seek guidance from the City Clerk on the Point of Order.
- 23.4. If a ruling of the Chair is challenged, the Chair shall briefly state the reasons for the Chair's ruling and then put the question to Council.
- 23.5. Council shall decide the challenge, by majority vote, without debate.
- 23.6. The decision of Council on the challenge is final.
- 23.7. If the Chair refuses to put the challenge to Council, Council may request the deputy Mayor to assume the Chair in order that the challenge to the Mayor's ruling can be put to Council in accordance with the provision of sections 23.1 to 23.6.

### **24. RULES FOR GOVERNING DEBATE**

- 24.1. No motion is required to be made by a Councillor before Council can debate any item before it.
- 24.2. Once a motion has been made, Council shall be limited to debating that motion.
- 24.3. A seconder to a motion is required for all motions, except a motion to adjourn.
- 24.4. Council shall consider only one motion at a time.
- 24.5. All discussion at a meeting of Council shall be directed through the Chair.
- 24.6. Prior to calling for the vote, the Chair shall ensure all members have had an opportunity to speak.
- 24.7. With the approval and direction of the Chair:
- 24.7.1. a Councillor may ask questions of Administration or other Councillors on any motion or amendment to a motion;

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- 24.7.2. a Councillor may speak to answer questions asked by another Councillor.
- 24.8. The Chair may participate in debate on any matter before Council.
- 24.9. The Mayor may make a motion on any matter on the Agenda, but before doing so, the Mayor must relinquish the Chair to the deputy Mayor until the vote on the motion has been taken.
- 24.10. No Councillor shall leave the Council meeting after a question is put to a vote until the vote is taken.
- 24.11. A Councillor who is speaking may not be interrupted except:
- 24.11.1. if the Chair determines that they are speaking out of order; or
  - 24.11.2. the matter being addressed by the Councillor is outside of the jurisdiction of Council; or
  - 24.11.3. on a Point of Order or Point of Privilege.
- 24.12. A Point of Order or Point of Privilege is not debatable or amendable, however; at the sole discretion of the Chair, the Chair may grant permission to:
- 24.12.1. a Councillor raising the Point of Order or Point of Privilege to briefly explain the point;
  - 24.12.2. the Councillor who was speaking to respond briefly;
  - 24.12.3. a Councillor if they wish to speak on the Point of Order or Point of Privilege.
- 24.13. The Chair shall rule on the Point of Order or Point of Privilege and no vote shall be taken unless there is a challenge by a Councillor to the Chair's ruling.
- 24.14. The Chair may seek advice from the City Clerk, or a Person acting in that capacity, on a Point of Order or Point of Privilege or to determine whether a matter is within the jurisdiction of Council.
- 24.15. The Chair or the City Clerk may request a Recess to review the Point of Order or Point of Privilege prior to providing advice.

## 25. MOTIONS

- 25.1. Once a motion has been moved and seconded, and it is in the possession of Council it may not be withdrawn without unanimous consent of all Councillors present at the meeting.
- 25.2. At any time, a Councillor can request that the motion under debate be read, except when another Councillor is speaking.

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- 25.3. The following motions are not debatable by Council:
- 25.3.1. to raise a Point of Privilege;
  - 25.3.2. to call for orders for the day;
  - 25.3.3. to withdraw a motion;
  - 25.3.4. to Recess or adjourn the meeting; or
  - 25.3.5. to challenge a ruling of the Chair.
- 25.4. When a motion has been made, no member of Council shall make any motion except:
- 25.4.1. to amend the motion;
  - 25.4.2. to refer the motion to a Committee or Administration for consideration;
  - 25.4.3. to postpone consideration of the motion;
  - 25.4.4. to table the motion; or
  - 25.4.5. to split the motion.
- 25.5. The mover and seconder of a motion must be present when the vote on the motion is taken.
- 25.6. Council may pass resolutions at Committee meetings for the following purposes:
- 25.6.1. for procedural purposes; or
  - 25.6.2. to make a recommendation to Council for a decision regarding a matter discussed at the Committee meeting; or
  - 25.6.3. to provide direction to Administration in the preparation or continued development of a matter being reviewed by the Committee.
- 25.7. Specifically prohibited at Committee meetings are resolutions which adopt or finalize a document, or any resolution authorizing the expenditure of funds, with the exception of Committee meeting Agendas and past Committee meeting Minutes.

### 26. MOTION TO AMEND

- 26.1. Only one amendment at a time shall be presented to the main motion. When the amendment has been disposed of, another may be introduced;
- 26.2. All amendments must relate to the matter being discussed in the main motion and shall not alter the main motion so substantially that the basic intent or meaning of the main motion is lost. The Chair shall rule on disputes arising from any amendments;

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- 26.3. An amendment shall be voted on, and if it is carried, the main motion, as amended shall be put to the vote, unless a further amendment is proposed.

### 27. MOTION TO RESCIND

- 27.1. A motion may be rescinded by resolution of Council. The rescinding motion shall include the motion number, meeting date of original motion, and the motion context.

### 28. MOTION TO REFER

- 28.1. Any member of Council may move to refer any main motion, and any pending amendments, to a Council Committee or the Administration for investigation and report.
- 28.2. A motion to refer:
- 28.2.1. is debatable; and
  - 28.2.2. shall include instructions indicating what the receiving body is to do and the date by which Council requires a response.

### 29. MOTION TO POSTPONE

- 29.1. A motion may be postponed:
- 29.1.1. to later in the meeting; or
  - 29.1.2. to a specified time and/or date; or
  - 29.1.3. indefinitely.
- 29.2. A motion to postpone:
- 29.2.1. is debatable; and
  - 29.2.2. includes the motion being postponed and all connected amendments.
- 29.3. When a motion has been postponed, it may be considered at any time by a majority vote of Council.

### 30. FINANCIAL OR CONFLICT OF INTEREST

- 30.1. If a Councillor has a Financial Interest or a conflict of interest in any question or matter before Council, that Councillor shall, prior to debate or vote upon the matter that creates the conflict, state that they have a Financial Interest or conflict of interest and leave the meeting.

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- 30.2. A Financial Interest or a conflict of interest shall pertain to all portions of a meeting including the In-Camera portion.
- 30.3. Where a Councillor leaves due to a Financial Interest or a conflict of interest, the reason for and the time of the Councillor's departure and return shall be recorded in the Minutes.
- 30.4. If Council amends the motion before it, Council may Recess to allow the City Clerk to advise the Councillor who has left the meeting of the amendment so that the Councillor may determine whether they remain in conflict.
- 30.5. If the matter in respect of which a member of Council has a Financial Interest is a question on which the Councillor, as a taxpayer, elector, or owner, has a right to be heard by Council:
- 30.5.1. the Councillor must leave the Councillor's place at the Council table, but is not required to leave the room, and
  - 30.5.2. the Councillor may exercise a right to be heard in the same manner as a Person who is not a member of Council.

### 31. VOTING

- 31.1. A Council member attending a Council meeting shall vote at the meeting on a matter before Council unless the Council member is required to abstain from voting pursuant to this Bylaw and/or any other bylaw or Act.
- 31.2. If a Council member is not required to abstain from voting on a matter before Council and abstains from voting, the Council member is deemed to have voted in the negative.
- 31.3. The City Clerk shall ensure that each abstention is recorded in the Minutes of the meeting.
- 31.4. Votes shall be made by raising of hands as the Chair calls for those in favour or against.
- 31.5. If a member is not present when a question is called, that member may not vote on the question.
- 31.5.1. If the Chair is not present when a question is called, they shall not resume as Chair until the vote is taken and shall not vote on the question.
- 31.6. Where electronic voting is available, Councillors shall cast their vote according to the instruction of the device that allows the electronic voting to take place.

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- 31.7. When a Public Hearing on a proposed bylaw or resolution is held, a Councillor must abstain from voting on the bylaw or resolution if the Councillor was absent from all of the public hearing.
- 31.8. If a motion cannot be voted on because there would be no Quorum due to an abstention allowed or required, then the matter will be dealt with as per Section 134 of the Charter.

### **32. RECORDED VOTE**

- 32.1. A Councillor may request that a vote be recorded prior to Council taking the vote.
- 32.2. When a Councillor requests a recorded vote, all members of Council present, unless required or permitted to abstain from voting, shall vote as the Chair calls for those in favour and against.
- 32.3. If a vote is recorded, the City Clerk shall record in the Minutes the names of each Councillor who voted for or against the matter and the Chair shall announce the results of the vote.
- 32.4. If a Councillor requests that a recorded vote be taken after the vote has occurred, the vote may be recorded if approved by unanimous consent by Council.

### **33. TIE VOTES**

- 33.1. If there are an equal number of votes for or against a resolution or bylaw, the resolution or bylaw is defeated.

### **34. MAJORITY DECISION**

- 34.1. At every Council meeting, all questions are to be decided by a majority of the votes cast.

### **35. NUMBER AND GENDER REFERENCES**

- 35.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

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**36. SEVERABILITY**

36.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

This Bylaw shall come into force and effect upon the final passing thereof.

The following bylaws and all amendments thereto are hereby repealed:

- 24-2020 – Procedure Bylaw

INTRODUCED AND READ a first time this \_\_\_ day of \_\_\_\_, 20XX, A.D.

READ a second time this \_\_\_ day of \_\_\_\_, 20XX, A.D.

READ a third time this \_\_\_ day of \_\_\_\_, 20XX, A.D.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
CITY CLERK



**BYLAW NO. XX-YYYY**

SCHEDULE "A"

**Definitions**

<b>Administration</b>	An employee or contract employee of the City of Lloydminster.
<b>Agenda</b>	The order of the business to be brought before Council
<b>Chair</b>	The Person presiding at a meeting
<b>Charter</b>	Refers to the Lloydminster Charter
<b>City</b>	The City of Lloydminster and the area contained within the corporate boundaries of the City
<b>City Clerk</b>	Is appointed by the City Manager and whose duties include those outlined in the Lloydminster Charter
<b>City Manager</b>	The Commissioner of the City of Lloydminster as appointed by Council or designate
<b>Committee</b>	Any Committee or other body established by Council to which Council may appoint members.
<b>Council</b>	The Municipal Council of the City of Lloydminster
<b>Delegation</b>	A Person or group of Persons wishing to appear before Council to address a specific matter
<b>In-Camera</b>	A meeting at which only the Mayor and Councillors and any other Persons specified by Council may attend; and which is closed to the public
<b>Minutes</b>	The record of all decision of any meeting of Council, such Minutes are to be recorded in the English language and without any additional note or comment
<b>Financial Interest</b>	Means Financial Interest within the meaning of Section 131 of the Charter.
<b>Person</b>	Any individual, a group or individuals, a corporation, firm, partnership, proprietorship, association, society or co-operative organization
<b>Point of Order</b>	A request that the Chair enforces the rules of procedure and takes precedence over any other motion
<b>Point of Privilege</b>	A request made to the Chair or Council on any matter related to the rights and privileges of Council or individual Councillors
<b>Recess</b>	A short break or to take a short break.
<b>Quorum</b>	The majority of all Councillors that comprise the Council of the City of Lloydminster.