

**Village of Glenwood
Bylaw # 232-2011**

Council Procedure Bylaw

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***Village of Glenwood
Bylaw #232-2011***

Council Procedure Bylaw

The Municipal Council of The Village of Glenwood enacts as follows:

PART 1 – INTRODUCTION

Title

1. This Bylaw may be cited as the “COUNCIL PROCEDURAL BYLAW”.

Definitions

2. In this Bylaw,

“Village” means the Village of Glenwood;

"Village Office" means Village offices located at 59 Main Avenue North East ,
Glenwood Alberta;

“Village Web Site” means the official website that is operated and maintained by the
Village of Glenwood.

"Committee" means a standing, select, or other committee of Council;

“C.A.O.” or “CAO” means the Chief Administrative Officer for the Village;

“Council” means the Council of the Village of Glenwood;

“Mayor” means the mayor of the Village;

“Public Notice Posting Places” means the front door of the Village Office and the
Notice board at the Glenwood Post Office;

“MGA” means the Municipal Government Act R.S.A. 2000, c. M-26 and amendments

Application of rules of procedure

3. (1) The provisions of this Bylaw govern the proceedings of Council and all
standing and select committees of Council, as applicable.

- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2nd edition, 1998, apply to the proceedings of Council and Council committees to the extent that those Rules are
 - (a) applicable in the circumstances, and
 - (b) not inconsistent with provisions of this Bylaw

PART 2 – COUNCIL MEETINGS

Inaugural Meeting

- 4. (1) Following a general local election, the first Council meeting must be held on or before the first Tuesday in November in the year of the election as per section 192 (1) of the MGA.

The C.A.O. shall attend all meetings of council, and record the proceedings of the meetings in the minutes in the English language without note or comment.

- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the C.A.O. and held as soon as reasonably possible after a quorum has taken office.

Time and location of meetings

- 5. (1) All Council meetings must take place within The Village Office except when Council resolves to hold meetings elsewhere.
- (2) Regular Council meetings must
 - (a) be held on the second Thursday of each month, and
 - (b) begin at 7:00pm;
 - (c) when such meeting falls on a statutory holiday, it shall be held on the next day that the village office is open and which is not a statutory holiday;
- (3) Regular Council meetings may:
 - (a) be cancelled by Council, provided that two consecutive meetings are not cancelled; and
 - (b) be postponed to a different day, time and place by the Mayor, provided the C.A.O. is given at least 2 days written notice.

Notice of Council Meetings

6.

- (1) Council may decide at a council meeting at which all the councillors are present to hold regularly scheduled council meetings on specified dates, times and places.
- (2) Notice of regularly scheduled meetings need not be given.
- (3) If council changes the date, time or place of a regularly scheduled meeting, council must give at least 24 hours' notice of the change to any councillors not present at the meeting at which the change was made, and to the public.

Notice of special meetings

7.

- (1) The chief elected official may call a special council meeting whenever the official considers it appropriate to do so, and must call a special council meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the councillors.
- (2) A special council meeting called under subsection 194(1)(b) of the MGA must be held within 14 days after the date that the chief elected official receives the request or any shorter period provided for by bylaw.
- (3) The chief elected official calls a special council meeting by giving at least 24 hours' notice in writing to each councillor and the public stating the purpose of the meeting and the date, time and place at which it is to be held.
- (4) A special council meeting may be held with less than 24 hours' notice to all councillors and without notice to the public if at least 2/3 of the whole council agrees to this in writing before the beginning of the meeting.
- (5) No matter other than that stated in the notice calling the special council meeting may be transacted at the meeting unless the whole council is present at the meeting and the council agrees unanimously to deal with the matter in question.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

8.

- (1) As per section 152 of the MGA a council must appoint one or more councillors as deputy chief elected official so that only one councillor will hold that office at any one time, and the office will be filled at all times.
- (2) A deputy chief elected official must act as the chief elected official when the chief elected official is unable to perform the duties of the chief elected official, or if the office of chief elected official is vacant.
- (3) A council may appoint a councillor as an acting chief elected official to act as the chief elected official if both the chief elected official and the deputy chief elected official are unable to perform the duties of the chief elected official, or if both the office of chief elected official and the office of deputy chief elected official are vacant.

PART 4 – COUNCIL PROCEEDINGS

Municipal Government Act Provisions

9. Matters pertaining to Council proceedings are governed by the Municipal Government Act.

Attendance of Public at Meetings

10. (1) Except where the provisions of section 197 of the MGA apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting.
- (3) When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting held in public.

Minutes of meetings to be maintained and available to public

11. (1) Minutes of the proceedings of Council must be
- (a) legibly recorded in the English language, without note or comment.
 - (b) signed by the C.A.O.

- (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) Minutes of the proceedings of Council must be open for public inspection at the Village Office during its regular office hours.
- (3) Copies of the minutes of Council meetings shall be given to Village of Glenwood residents without charge in an unapproved form before they have been approved by council at the meeting following the one they record.
- (4) Copies of approved minutes of the most recent council meeting shall be given to Village of Glenwood residents without charge. Copies of approved minutes of council meetings prior to the most recent meeting shall be provided to Village of Glenwood residents for the cost of printing which shall be set from time to time by the Administrator. Approved minutes shall also be available on the Village Website.

Calling meeting to order

- 12. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 8 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 8 do not attend within 15 minutes of the scheduled time for a Council meeting:
 - (a) the C.A.O. must call to order the members present, and
 - (b) the members present must choose a member to preside at the meeting.

Adjourning meeting where no quorum

- 13. If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the C.A.O. must
 - (a) record the names of the members present, and those absent, and
 - (b) adjourn the meeting until the next scheduled meeting.

Agenda

14. (1) Prior to each Council meeting, the C.A.O. must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (2) The deadline for submissions by the public to the C.A.O. of items for inclusion on the Council meeting Agenda must be 12:00 noon on the Wednesday prior to the meeting.
- (3) The C.A.O. must make the Agenda and Council Packets available to the members of Council on the Thursday afternoon prior to the regularly scheduled council meeting.
- (4) The C.A.O. must post the notice of the upcoming meeting, including the agenda to the Public Notice Posting Places.
- (5) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item to the Agenda during the acceptance of the Agenda.

Order of proceedings and business

15. (1) The agenda for all regular Council meetings contains the following matters listed below:
 - (a) Call Council Meeting to Order
 - (b) Approval of Agenda
 - (c) Delegations
 - (d) Adoption of Minutes
 - (e) Financial Reports
 - (f) Items for Discussion
 - (g) Council Reports
 - (h) CAO Report
 - (i) In-Camera session – if required;
 - (j) Adjournment
- (2) Particular business at a Council meeting is encouraged to be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

Late Items

16. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 16(1), information pertaining to late items may be distributed to the members.

Voting at meetings

17. (1) The following procedures apply to voting at Council meetings:
 - (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
 - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:
"Those in favour?." and then "Those opposed?"
 - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
 - (i) cross or leave the room,
 - (ii) make a noise or other disturbance, or
 - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
 - (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
 - (e) the presiding member's decision about whether a question has been finally put is conclusive; and
 - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
 - (g) the presiding member must declare the result of the voting by stating that the question is decided by either "carried" or "defeated";
 - (h) the result of the vote shall be recorded in the minutes of the meeting indicating which councilors voted for and which councilors voted against the motion.

Delegations

18. (1) The Council may allow an individual or a delegation to address Council at the meeting on the subject of an Agenda item provided written application has been received by the C.A.O. by 12:00 noon on the Wednesday prior to the meeting. Each address must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of those council members present at the meeting.
- (2) If any individual or delegation attends a council meeting at the invitation of council, a period of longer than 10 minutes for the presentation may be agreed upon at the time of the invitation.
- (3) Where written application has not been received by the C.A.O. as prescribed in section 18(1), an individual or delegation may address the meeting if approved by the unanimous vote of the council members present at the meeting.
- (4) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
- (5) The C.A.O. may schedule delegations for another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (6) *Grounds for refusal:*

The C.A.O. may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council

The delegation appeared before council at the last council meeting regarding the same subject matter, and was not specifically requested by council to appear again.

The delegation appeared before council at a previous council meeting regarding the same subject matter, and does not have significant new information to offer council.

The delegation does not provide at the time of its application to appear before council, a detailed written outline of its subject matter and its request..

Any other grounds that the CAO may consider sufficient.

If the delegation wishes to appeal the C.A.O.'s decision, the delegation's application information must be distributed under separate cover to Council for their consideration. Council must consider the delegation's application at the next council meeting, and either approve the CAO's decision or decide to accept a presentation from the delegation at a subsequent council meeting. The CAO shall advise the delegation in writing, advising the delegation of council's decision, and if necessary arranging for the delegation to appear at a future council meeting.

Points of order

19. (1) Without limiting the Chief Elected Official's duty under section 154(1) of the MGA, the presiding member must conduct the meeting following Roberts Rules of Order.
20. Conduct and debate
21. (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
 - (2) Members may address the presiding member by that person's title of Mayor, Acting Mayor, Deputy Mayor, Councillor or Chairman or Madam Chair.
 - (3) Members may address other non-presiding members by the title Councillor.
 - (4) No member must interrupt a member who is speaking except to raise a point of order.
 - (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first requested the floor.
 - (6) Members who are called to order by the presiding member
 - (a) must immediately stop speaking
 - (b) may explain their position on the point of order, and
 - (c) *may appeal to Council for its decision on the point of order in accordance with section Roberts Rules*
 - (7) Members speaking at a Council meeting
 - (a) must use respectful language,
 - (b) must not use offensive gestures or signs, or facial expressions,
 - (c) must speak only in connection with the matter being debated,

- (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
 - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the meeting, and
- (a) if the member refuses to leave, the presiding member may adjourn the meeting
 - (b) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the meeting, and
 - (c) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) a member may speak more than once in connection with the same question only
 - (i) with the permission of Council or the chairperson of the meeting
 - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
 - (b) a member who has made a substantive motion to the Council may reply to the debate;
 - (c) a member may speak to a question, or may speak in reply, for longer than a total time of 5 minutes only with the permission of Council.

Motions generally

22. (1) Council may debate and vote on a motion only if it is first made by one Council member.

- (2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- (3) A Council member may make only the following motions, when the Council is considering a question:
 - (a) to amend;
 - (b) to table the discussion;
 - (c) to postpone indefinitely;
 - (d) to postpone to a certain time;
 - (e) to move the previous question;
 - (f) to adjourn.
 - (g) to accept the motion as read.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

Motion to table the discussion

- 23. A motion may be tabled to enable Council to deal with other more pressing matters. A motion that has been tabled may be brought back at any time by a majority vote and when brought back, it will take precedence over other new motions.

Motion for the main question

- 24. (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended:
 - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question; and
 - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may proceed to other business.

Procedure to table an item

25. (1) If an item has been brought to Council for discussion and Council wishes to “table” discussion until a later Council meeting, a member of Council shall
- (a) Request that the item be tabled until a specific date or until a date in the future.
 - (b) If the majority of Council is in agreement, then the item shall be tabled and will be discussed at a later date.
 - (c) If the majority of Council is not in favour of tabling the discussion, the item will not be tabled until such time as a consensus is reached.

Amendments generally

26. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
 - (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
 - (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote.
 - (5) An amendment may be amended once only.
 - (6) An amendment that has been negated by a vote of Council cannot be proposed again.
 - (7) A Council member may propose an amendment to an adopted amendment.
 - (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
 - (a) a motion to amend a motion amending the main question;
 - (b) a motion to amend the main question , or an amended motion amending the main question if the vote under subparagraph (a) is positive;
 - (c) the main question.

Reconsideration by Council Member

27. (1) Subject to subsection (5), a Council member may, at the next Council meeting,
 - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) A Council member who voted against a motion which was defeated by Council, may at any time move to re-introduce that motion.
- (4) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (5) A vote to reconsider must not be reconsidered.
- (6) Council may only reconsider a matter that has not
 - (a) had the approval or assent of the electors and been adopted,
 - (b) been acted on by an officer, employee, or agent of the City.
- (7) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.

Privilege

28. (1) In this section, a matter of privilege refers to any of the following motions:
 - (a) fix the time to adjourn;
 - (b) adjourn;
 - (c) recess;
 - (d) raise a question of privilege of the Council;
 - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.

- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

Reports from committees

29. Council may take any of the following actions in connection with a recommendation it receives from COTW:
 - (a) agree or disagree with the recommendation;
 - (b) amend the recommendation;
 - (c) refer the recommendation back to COTW;
 - (d) postpone its consideration of the recommendation.

Adjournment

30. (1) A Council may continue a Council meeting after 9:30pm only by an affirmative vote of the majority of Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (3) Subsection (2) does not apply to either of the following motions:
 - (a) a motion to adjourn to a specific day;
 - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

PART 5 – BYLAWS

Copies of proposed bylaws to Council members

31. A proposed bylaw may be introduced at a Council meeting only if a copy of it has been made available to each Council member at least 24 hours before the Council meeting.

Form of bylaws

32. A bylaw introduced at a Council meeting must:
 - (a) be printed;
 - (b) have a distinguishing name;

- (c) have a distinguishing number;
- (d) contain an introductory statement of purpose;
- (e) be divided into sections;

Bylaws to be considered separately or jointly

33. Council must consider a proposed bylaw at a Council meeting either:
- (a) separately when directed by the presiding member or requested by another Council member, or
 - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

Reading and adopting bylaws

34. (1) The presiding member of a Council meeting may read the first reading of a proposed bylaw in part, or in its entirety.
- (2) The second and third readings of the bylaw may be given by stating its title or identifying number.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the MGA.
- (4) Subject to section 187 of the MGA, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 187 (4) of the *Municipal Government Act*, a proposed bylaw must not have more than 2 readings at a council meeting unless the councillors present unanimously agree to consider third reading.

Bylaws must be signed

35. After a bylaw is adopted, and signed by the C.A.O. and the presiding member of the Council meeting at which it was adopted, the C.A.O. must have it placed in the Village's records for safekeeping and endorse upon it:
- (a) the Village's corporate seal and
 - (b) the dates of its readings and adoption.

PART 6 - RESOLUTIONS

Copies of motions to Council members

36. A motion may be introduced at a Council at any time.
37. If a member of council wishes time to study or consider a motion that member may, before the main question is called, make a motion to table the motion which is subject of the main question.

PART 7 – COMMITTEE OF THE WHOLE

Going into Committee of the Whole

38. (1) At any time during a council meeting, Council may by resolution call for a COTW meeting. The meeting may be at a later date.
 - (2) In addition to subsection (1), a meeting, other than a standing or select committee meeting, to which all members of Council are invited but not to decide on matters of the Village's business, is a meeting of the COTW.
 - (3) At the advice of the CAO or any other council member a COTW meeting may be scheduled.

Notice for COTW meetings

39. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:
 - (a) posting a copy of the notice at the Public Notice Posting Places; and
 - (b) notifying each Council member by telephone.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 38, during a Council meeting for which public notice has been given under section 6 or 7.

Minutes of COTW meetings to be maintained and available to public

40. (1) Minutes of the proceedings of COTW must be
 - (a) legibly recorded in the English language in point form,
 - (b) signed by the C.A.O. and by the member presiding at the meeting, and
 - (c) open for public inspection at the Village Office

Presiding members at COTW meetings and Quorum

41. (1) Any Council member may preside in COTW.
- (2) The members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

Points of order at meetings

42. The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

Conduct and debate

43. The following rules apply to COTW meetings:
 - (a) There will be no motions at a COTW meeting;

PART 8 – COMMITTEES

Duties of standing committees

44. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
 - (a) matters that are related to the general subject indicated by the name of the committee;
 - (b) matters that are assigned by Council;
 - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all of the following times:
 - (a) in accordance with the schedule of the committee's meetings;
 - (b) on matters that are assigned by Council or the Mayor,
 - (i) as required by Council or the Mayor, or
 - (ii) at the next Council meeting if the Council or Mayor does not specify a time.

Duties of select committees

45. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

Schedule of committee meetings

46. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

Notice of committee meetings

47. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, including the times, dates and places of the committee meetings, notice of the schedule must be given by:
 - (a) posting a copy of the schedule at the Public Notice Posting Places; and
 - (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Chair of the committee must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.

Attendance at Committee meetings

48. Council members who are not members of a committee may attend the meetings of the committee.

Minutes of committee meetings to be maintained and available to public

49. Minutes of the proceedings of a committee must be
 - (a) legibly recorded in the English language,
 - (b) signed by the secretary and chair or member presiding at the meeting, and
 - (c) open for public inspection at the Village Office.

Quorum

50. The quorum for a committee is a majority of all of its members.

Conduct and debate

51. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

Voting at meetings

52. Council members attending a meeting of a committee of which they are not a member must not vote on a question.

PART 9 – GENERAL

53. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

54. Deleterious communications will not be entertained by either a councillor or the council as a whole. A deleterious communication is any letter, note, complaint or oral report that is unsigned or uttered in a communication where the person communicating said is unable or unwilling to provide the name of the writer or speaker to council.

The nature of a deleterious statement or communication is known as hearsay in law. Hearsay is not considered evidence in law therefore as a legally constituted body, the council or members of the council cannot accept such statements written or spoken.

This bylaw rescinds Bylaw 159-90.

This bylaw will come into force on the date of third and final reading.

Read a first time in Council this the 10th day of November, 2011.

Read a second time in Council this the 10th day of November, 2011.

Read a third time and finally passed by Council on this the 8th day of December, 2011.

Jordan Koch
Mayor

Kurtis Pratt
Chief Administrative officer