

**BYLAW #561-24
VILLAGE OF HUSSAR**

A BYLAW OF THE VILLAGE OF HUSSAR IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS OF MEETINGS OF COUNCIL AND COUNCIL COMMITTEES AND DEFINE CERTAIN DUTIES OF THE COUNCIL AND OFFICERS OF THE VILLAGE OF HUSSAR.

WHEREAS, Section 145 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, authorizes Council to pass bylaws in relation to the procedures of Council and Council Committees and the conduct of elected officials and members of Council Committees,

AND WHEREAS, it is Council's desire to establish and follow a process and procedure of municipal government that reflects an open, transparent government where decisions are made after all information has been provided,

AND WHEREAS, it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings, to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, delegations and submissions to Council,

NOW THEREFORE, the Council of the Village of Hussar duly assembled establishing the following rules and regulations for the order and conduct in which the business of all Council meetings shall be transacted.

PART I: BYLAW TITLE

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

PART II: DEFINITIONS

2.1 *Act* means the *Municipal Government Act*, RSA 2000 M-26 and all amendments thereto.

2.2 *Agenda* means the list of items and order of business of any meeting of Council as prepared by the Chief Administrative Officer.

2.3 *Appellant* means the person who is appealing to Council.

2.4 *Bylaw* means a Bylaw of the Village of Hussar.

2.5 *CAO* means the Chief Administrative Officer of the Village of Hussar.

2.6 *Council* means the duly elected Municipal Council of the Village of Hussar.

- 2.7 *Councillor* means a duly elected member of Council.
- 2.8 *Deputy Mayor* means the member of Council duly appointed to the office of Deputy Chief Elected Official, pursuant to the Act.
- 2.9 *Mayor* means the member of Council duly appointed to the office of Chief Elected Official, pursuant to the Act.
- 2.10 *Point of Information* means a request to the Mayor or presiding member, or through the Chair, to another member or to the staff for information relevant to the business or item being discussed.
- 2.11 *Public Hearing* means a meeting of Council held in accordance with the Act.
- 2.12 *Quorum* means a majority of Council members required to hold a meeting and to vote.
- 2.13 *Resolution* means a motion in Council.
- 2.14 *Special Meeting* means a meeting called pursuant to the Act.

PART III: APPLICATION

- 3.1 This Bylaw applies to:
- a. all meetings of Council, and
 - b. subject to the Act, boards and authorities established by Council unless permission has been granted to them to establish their own procedures by a simple majority decision of Council.

PART IV: ORGANIZATIONAL MEETING

- 4.1 The annual Organizational Meeting of Council shall be held in accordance with the Act and the date shall be called by Council at the September regular Council meeting and shall be entered into the minutes of that meeting.
- 4.2 At the Organizational Meeting the CAO shall initially take the chair and:
- a. call the meeting to order,
 - b. administer the Oath of Office to any new elected officials, and
 - c. record the election for Mayor and Deputy Mayor.

4.3 Upon the election of Mayor and Deputy Mayor the Mayor shall take the chair for the remainder of the meeting.

4.4 The Agenda for the Organizational Meeting shall be as follows:

- a. Call to Order
- b. Oaths of Office (if necessary)
- c. Election of Mayor and Deputy Mayor
- d. Board and Committee Appointments
- e. Review of Legislative Policies
- f. Set the Date for Regular Council Meetings
- g. Any other Business as Required by the Act (if necessary)

4.5 The following board and committee appointments shall be made:

- a. Cemetery Board (1 member)
- b. Drumheller and District Solid Waste Management (1 member, 1 alternate)
- c. Hussar Municipal Library Board (1 member)
- d. Hussar Rural Fire Association (1 member, 1 alternate)
- e. Intermunicipal Development Plan Committee (IDP) (2 members, 1 alternate)
- f. Palliser Regional Municipal Services (1 member, 1 alternate)
- g. Southern Alberta Energy from Waste Association (1 member, 1 alternate)
- h. Wheatland County Assessment Review Board (1 public member)
- i. Wheatland Family & Community Support Services (1 member, 1 alternate)
- j. Wheatland Housing Management Representative (1 member)
- k. Wheatland Regional Emergency Advisory Committee (1 member, 1 alternate)
- l. Wheatland Regional Partnership (3 members)
- m. Wheatland & District Emergency Medical Services Association (1 member, 1 alternate)
- n. Wildrose Community Futures (1 member, 1 alternate)
- o. any additional boards and committees.

4.6 The following boards or positions shall be ratified:

- a. Hussar Municipal Library Board
- b. Hussar Municipal Library Board Auditor
- c. Hussar Rural Fire Department Chief

4.7 The following position appointments shall be made:

- a. Director of Emergency Management
- b. Deputy Director of Emergency Management

PART V: REGULAR MEETINGS AND SPECIAL MEETINGS

- 5.1 The date and time of regular meetings shall be set at the annual organizational meeting.
- 5.2 In accordance with the Act, all Council meetings shall be open to the public and twenty-four (24) hours written notice shall be given to the public as stated in Section 5.8 and Section 5.9:
- 5.3 The Mayor, subject to being overruled by a majority vote of Council:
- a. may call Council to order,
 - b. shall maintain order and preserve decorum of the meeting,
 - c. shall decide points of order without debate or comment other than to state the rule governing,
 - d. shall determine which Councillor has the right to speak,
 - e. shall ascertain whether all Council members who wish to speak on a motion have spoken thereon and all Council members are ready to vote by asking "Are you ready for the question?" and shall thereafter call for the vote, and
 - f. shall rule when a motion is out of order.
- 5.4 Members of the public who attend a Council meeting shall:
- a. not address Council unless they are on the Agenda or if the Chair allows, may comment for a five (5) minute period following the close of Council business at a regular meeting, and
 - b. maintain order and quiet.
- 5.5 When a member of Council or the public is addressing the Chair, every other member attending the meeting shall:
- a. remain quiet and seated,
 - b. not interrupt the speaker except on a point of order, and
 - c. not carry on a private conversation.
- 5.6 When a member of the public is addressing Council, the member shall:
- a. not reflect on any vote of Council except when asking to rescind the vote and when doing so shall not reflect on the motives of the Councillors who voted for the motion or the mover of the motion,
 - b. not shout or raise their voice or use profane, vulgar or offensive language, and
 - c. assume personal responsibility for any statement they quote to Council and shall give the source of the information. Unfounded information or hearsay may be disregarded by Council.

- 5.7 Notice of regular Council meetings shall be given by publishing them on Village of Hussar website and posting notices on the Village of Hussar Facebook Page and/or the Canada Post Office
- 5.8 Notice of a change to a regular Council meeting shall be given by publishing them on the Village of Hussar website and posting notices on the Village of Hussar Facebook Page and/or the Canada Post Office

PART VI: SPECIAL MEETINGS

- 6.1 Special Meetings will be called in accordance with the Act.

PART VII: VOTING

- 7.1 Voting shall be governed by the Act.
- 7.2 Votes on all motions must be taken as follows:
- a. The Chair must declare the motion and call for the vote.
 - b. Members must:
 - (i) Vote by a show of hands; or
 - (ii) Vote verbally by stating "for" or "against" the motion if participating by electronic communications.
 - c. Every Member present, including the Mayor, shall vote on every matter, unless:
 - (i) the Member is required to abstain from voting under this or any other bylaw or enactment; or
 - (ii) the Member is permitted to abstain from voting under this or any other bylaw or enactment.
 - d. A Member present at a meeting shall make a request for a recess if for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent unless that Member is excused from voting pursuant to this Section.
 - e. The names of those who vote for and those who vote against a motion shall be entered in the Minutes by the CAO only when a member of Council asks for a recorded vote before that vote is taken by the Chair.
 - f. If there are an equal number of votes for and against a resolution, the resolution is defeated.
 - g. After the Chair declares the result of the vote, Members may not change their vote for any reason.

7.3 Call the Question

- a. When a Motion that a Vote be Taken (Call the Question) is presented, it shall be put to a vote without debate and, if carried by a majority vote of the Members present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.
- b. When the Chair, having ascertained that no further information is required, commences to take a vote, no Members shall speak to or present another motion until the vote has been taken on such motion or amendment.

7.4 Voting on Bylaws

- a. When a Bylaw is presented to Council for enactment, the CAO shall publish the number and title of the Bylaw in the Agenda.
- b. The CAO shall copy the Bylaw in full and forward it with the Agenda.
- c. Every Bylaw shall have three readings. Only the title or identifying number must be read at each reading.
- d. A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
- e. Prior to first reading, a Member may ask questions of clarification concerning the Bylaw.
- f. Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- g. A Bylaw shall be introduced for second reading by a motion that it be read a second time.
- h. After a Member has made a motion for second reading of a Bylaw, Council may:
 - (i) debate the substance of the Bylaw; and
 - (ii) propose and consider amendments to the Bylaw.
- i. A Bylaw shall not be given more than two readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for third reading.
- j. When Council unanimously agrees that a Bylaw may be presented for third reading:
 - (i) motion for third reading of the Bylaw shall be made;
 - (ii) Council shall vote on the motion without amendment or debate;
 - (iii) the third reading requires no greater majority or affirmative votes than if it had received third reading at a subsequent Meeting.
- k. A Bylaw shall be passed when a majority of the Members voting on third reading vote in favor, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.
- l. In conformance with the Act:
 - (i) if a Bylaw does not receive third reading within two years from the date of first reading, the previous readings are deemed to have been rescinded; and
 - (ii) if a Bylaw is defeated on second or third reading the previous readings are deemed to have been rescinded.
- m. The CAO is designated to consolidate one (1) or more bylaws as deemed convenient and in doing so, must:

- (i) incorporate all amendments to the bylaw into one (1) bylaw; and
 - (ii) omit a provision that has been repealed or that has expired.
- n. After passage, a Bylaw shall be signed by the Mayor or in their absence the Deputy Mayor, and by the CAO, or their designate and shall be impressed with the corporate seal of the Village.
- o. Clerical, typographical, and grammatical errors in bylaws may be corrected by the CAO without Council resolution.
- p. A copy of any bylaw, resolution or record certified by the CAO as a true copy of the original is prima facie proof of the bylaw, resolution, or record.

PART VIII: GENERAL RULES OF COUNCIL

- 8.1 Regular Council meetings shall commence at 7:00 p.m. and adjourn not later than 11:00 p.m.
 - a. Upon resolution of Council the meeting may be extended to a time determined in the resolution.
- 8.2 Special Council meetings shall commence at the time stated in the notice to the public and shall not last longer than three (3) hours unless agreed upon by a majority vote in Council.
- 8.3 If there is no quorum by 7:30 p.m., the CAO shall record the names of the Council members present and Council shall stand adjourned.
- 8.4 As soon after 7:00 p.m. as there is a quorum present, the Mayor shall take the Chair and call the meeting to order.
- 8.5 In the event the Mayor is absent, the Deputy Mayor shall take the Chair.

PART IX: PROCEEDINGS AT COUNCIL MEETINGS - AGENDAS

- 9.1 Unless otherwise specified in this Bylaw, the order of business for a regular meeting of Council shall be contained in the Agenda for the meeting as prepared by the CAO. Copies of reports or business to be dealt with shall be available at the meeting.
 - a. The Agenda shall be made available to Council at least three day prior to the regular meeting of Council.

9.2 The order of business on the Agenda is as follows:

- a. Call to Order
- b. Approval of Agenda
- c. Public Hearings
- d. Delegations
- e. Minutes of Previous Meeting
- f. Business
- g. Financial Reports
- h. Committee Reports
- i. CAO Report
- j. Correspondence
- k. In Camera
- l. Adjournment.

9.3 The cut off for items to be added to the Agenda is three (3) days before the set meeting date. Any item submitted for consideration by Council after the deadline will be added to the Agenda for the next regular Council meeting.

9.4 In Camera - Closed Session

- a. Council, Committee of the Whole and Council Standing Committees may close all or part of a Meeting to the public if a matter to be discussed is within one of the exceptions to disclosure as set out in the Freedom of Information and Protection of Privacy Act, RSA 2000, c. F-25.
- b. When a Meeting is closed to the public, the Meeting may include any person or persons invited to attend by Council.
- c. Council must pass a Resolution to move into Closed Session in the public portion of the Meeting.
- d. Council must pass a Resolution to move out of the Closed Session. This is to be done in the public portion of the Council Meeting.
- e. No motions may be made when in closed session.

PART X: REPORTS

10.1 Each Member will be provided a maximum of two (2) minutes at the appropriate time on the agenda of a Regular Meeting of Council for the purpose of providing an update limited to the formal business of Council the member has been assigned, and committee activities. A report may be physically submitted via email to the CAO no later than 9:00 a.m. on the third (3) complete day before the day on which the meeting is held to be included in the agenda package.

- 10.2 Any action required as a result of a Member's Report shall be brought forward as a separate business item or Notice of Motion at a subsequent Regular Meeting.

PART XI: PETITIONS AND LETTERS.

- 11.1 Petitions shall be dealt with as per the Act.
- 11.2 Letters directing items of business or concerns to Council shall be clearly written or typewritten and addressed to the Council or CAO and shall be signed by the person bringing up the business or concern.
- 11.3 Anonymous letters will be disregarded. Verbal complaints and/or concerns may not be considered by Council until which time they are written and signed as indicated in Section 11.2.
- 11.4 All letters complaints or correspondence addressed to Council or CAO shall be considered public information unless requested to be confidential.
- 11.5 Repetitive matters already dealt with by Council will not be re-presented to Council or the Committee of the Whole until six months has elapsed, unless a Resolution is passed allowing for the reconsideration of the matter, or if new significant and material information is discovered.

PART XII: DELEGATIONS

- 12.1 When a person or delegation wishes to address Council on a matter not on the Agenda, Council may add it to the proposed Agenda by resolution of Council.
- 12.2 Council shall hear all persons or delegations that so request and are placed on the Agenda. All rules of conduct in this Bylaw apply to each member of the delegation.
- 12.3 Delegations may be limited to fifteen (15) minutes presentation time to Council with additional time for Council to ask questions or for clarification.

XIII: RESOLUTIONS (MOTIONS) IN COUNCIL

- 13.1 Any motion before council does not need to be seconded.
- 13.2 Motions may be withdrawn prior to debate or decision with the approval of Council.

- 13.3 When a motion is made and is being considered, no other motion may be made and voted on 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,
 - c. a motion to postpone or table the main question to another time.
- 13.4 After the question has been called, no member shall speak to the question nor shall any other motion be made until after the vote.
- 13.5 A motion to adjourn the meeting may be made at any time except when:
- a. another Council member is in possession of the floor,
 - b. a call for a decision has been made, or
 - c. the members of the Council are voting.
- 13.6 A motion to rescind a motion of Council may be made at any time after the meeting at which the motion was passed, as follows:
- a. any member of Council may make the motion to rescind,
 - b. notice of the rescinding motion shall be on the agenda, and
 - c. the rescinding motion must be passed by a simple majority.

XIV: SIGNING AUTHORITY

- 14.1 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall sign all cheques, Bylaws, applications, agreements, minutes and financial statements of the Village of Hussar so that all cheques and financial instruments are signed by the CAO and a member of Council as per the Act.
- 14.2 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall sign all cheques, Bylaws, applications, agreements, minutes or financial statements of the Village of Hussar Cemetery accounts so that all cheques and financial statements are signed by the CAO and a member of Council as per the Act.
- 14.3 Any one (1) of the Mayor, Deputy Mayor or Councillor along with the CAO shall have permission to access the safety deposit box in the name of the Village of Hussar so that two (2) persons access the safety deposit box.

XV: PUBLIC HEARINGS

- 15.1 Public hearings shall be held in accordance with the Act.
- 15.2 The Mayor or Deputy Mayor shall act as Chair for public hearings.
- 15.3 The CAO shall act as Secretary for public hearings.
- 15.4 The order for the Agenda for a public hearing shall be as follows:
 - a. Call to Order
 - b. Introduction of Public Hearing Item
 - c. Written or Oral Submissions In Favour of the Item
 - d. Written or Oral Submission Against the Item
 - e. Appellant Rebuttal
 - f. Adjournment
- 15.5 Council may ask for further information or clarification from the CAO, Appellant or any individual who provided a written or oral submission at any time during a public hearing.
- 15.6 Cross examination, debating or questions from the public is not allowed during a public hearing.
- 15.7 The public hearing may, by motion of Council, be held over to the next regular or special Council meeting if more information is required.
- 15.8 Decision on the item discussed at a public hearing will be included in the Minutes of the Council meeting at which it was held.
- 15.9 Decision must be made on the item discussed at a public hearing within fifteen (15) days of the public hearing and sent to the appellant in writing.
- 15.10 All submissions for the Agenda of all Public Hearings, to be included in the published agenda, shall be received by the CAO no later than 9:00 a.m. on the seventh complete day before the day on which the meeting is held. Submissions received after the agenda is posted will be provided directly to Council and included in Minutes package.
- 15.11 The Chair shall introduce the resolution or bylaw and confirm with Administration that all advertising requirements have been met. Administration does not present at public hearings, as their presentation will come at first, second and third readings.
- 15.12 The applicant shall present first, upon completion of presentation from applicant, if applicable, the Chair shall then open the floor to presentations from the public.

- 15.13 The Chair shall call upon those persons who have registered with the CAO to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. The Chair shall request those who wish to make presentations to identify themselves.
- 15.14 Presentations by the public may be made verbally, in writing, or electronically. Written submissions shall be collected by the CAO and retained for record purposes. All submissions become public documents and persons may want to limit personal information provided.
- 15.15 Presentations shall be limited to five (5) minutes unless there is consent by Council to extend the allotted time. If a presentation is on behalf of a group (2 or more people), then that presentation shall be limited to ten (10) minutes. Questions of clarification from Council, to either the applicant(s) or affected resident(s) will be addressed during the Public Hearing.
- 15.16 All parties are limited to one (1) formal presentation or opportunity to speak per Public Hearing.
- 15.17 Following public presentations, the Chair shall call on the applicant, if applicable, for final comment and then close the Public Hearing.
- 15.18 In the event a Public Hearing is recessed to a future date, it is as though the Public Hearing continued from when first called to order. Those members of the public who have already made presentations shall not be provided the opportunity to speak again, nor will the applicant be afforded an opportunity to reintroduce the application or make a new presentation, only provide final comments.
- 15.19 The passage of Bylaws requiring a Public Hearing shall be in accordance with Section 7.4 of this Bylaw.
- 15.20 When a Member is absent from the entirety of a Public Hearing on a proposed Bylaw or resolution, that Member must abstain from discussions or voting on any question relating to the matter and must declare the reason for the abstention prior to any discussion on the matter.
- 15.21 Where a Member is absent for a portion of a Public Hearing on a proposed Bylaw or resolution, that Member may abstain from discussions or voting on any question relating to the matter and must declare the reason for the abstention prior to any discussion on the matter.
- 15.22 The Minutes shall indicate all declarations of abstention.

PART XVI: CANCELLATION OF MEETINGS

- 16.1 If the deadline for adding items to the Agenda has passed and there are no time-sensitive items on the Agenda which need to be addressed prior to the next scheduled Regular Meeting, the Mayor, acting alone, may cancel any Regular Meetings in which event the following provisions shall apply:
- (a) the Mayor may not cancel Regular Meetings less than three (3) business days prior to the scheduled Regular Meeting;
 - (b) at least 24 hours' notice of the cancellation must be given to:
 - (i) the Members; and
 - (ii) the public.
- 16.2 If a State of Local Emergency has been declared, the Mayor, acting alone, may cancel any meetings of Council without providing 24 hours' notice to Members and the Public.

PART XVII: MINUTES

- 17.1 Minutes of Regular Meetings shall be recorded without note or comment and shall record the names of the Members and Administration present and participating in the Meeting and shall be presented to Council for adoption at a subsequent Meeting.
- 17.2 Minutes of Committee of the Whole meetings shall be recorded to capture the general subject matter of the items discussed and shall record the names of the Members and Administration present and participating in the meeting and shall be presented to Council for adoption at a subsequent meeting.
- 17.3 The preparation and distribution of minutes of Council Meetings shall be the responsibility of the CAO.
- 17.4 Clerical, typographical, and grammatical errors in Minutes may be corrected by the CAO without Council resolution.

XVIII: EXCEPTIONS AND AMENDMENTS

- 18.1 If a matter of procedure arises that is not specifically covered in this Bylaw, the matter will be decided by use of the Act, common sense and a simple majority vote of Council.

XIX: GENERAL

19.1 This Bylaw comes into force upon third and final reading.


19.2 This Bylaw repeals Bylaw #512-16, 530-20, and 538-21, 553-23

READ a first time this 12 day of September, 2024.


READ second time this 10 day of October, 2024.

READ a third time this 10 day of October, 2024.

Signed this 12 day of December, 2024.



Mayor



Chief Administrative Officer