

SUMMER VILLAGE OF WAIPAROUS
BY-LAW NO. 158-23

Being A Bylaw of The Summer Village of Waiparous in The Province of Alberta, To Provide the Organizational and Procedural Matters of Council, Council Committees and Councilors

WHEREAS, the Municipal Government Act (MGA), S.A. 2000 Chapter M-26, as amended, provides that a Council may pass bylaws in relation to the procedure and conduct of Council, and committees established by Council, and may regulate the conduct of Councilors and members of committees established by Council;

AND WHEREAS, Council has deemed it necessary to regulate the procedure and conduct at meetings of Council and committees established by Council;

NOW THEREFORE, the Council of the Summer Village of Waiparous, duly assembled, enacts as follows:

1.0 Title

This Bylaw shall be called the "Procedural Bylaw".

2.0 Definitions

In this bylaw:

- a) "Delegation" means any person that has permission of Council to appear before Council or a committee of Council to provide pertinent information and views about the subject before Council or Council committee
- b) "CAO" means the Chief Administrative Officer or his/her delegate, for the Municipality.
- c) "Member" means a councilor or person at large appointed by Council to a committee of council.
- d) "Meetings" means meetings of Council and Council committees.
- e) "Municipality" means the Summer Village of Waiparous, a municipal corporation of the Province of Alberta and includes the area contained within the boundaries of the Municipality.
- f) "Municipal Website" means the official website of the Municipality
- g) "Term" means the four-year election cycle

3.0 Chief and Deputy Chief Elected Official

3.1 In accordance with the MGA, the chief elected official shall have the title of Mayor and one member of council shall have the title of Deputy Mayor.

3.2 At the beginning of each Council Term, at the organizational meeting of Council, or as required in the event of a resignation and/or byelection, Council shall elect the Mayor and Deputy Mayor.

4.0 Meetings of Council

4.1 The Organizational meeting of Council shall be held annually, not later than the thirty-first day of August.

4.2 The dates, times, and place of regular meetings of Council shall be established at the Organizational meeting or at a Council meeting by motion of Council at any time.

- 4.3 Any changes to the time, date or location of a regular scheduled meeting will be done a minimum of twenty-four (24) hours in advance of the scheduled meeting. A Special Meeting of Council will be called by the Mayor to approve the changes.
- 4.4 The CAO shall record the time of arrival and departure of Council members at meetings should a member of Council arrive late at a meeting or depart prior to the completion of a meeting.
- 4.5 If a quorum is not present within thirty minutes after the time fixed for regular or special meetings, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next regular or special meeting.
- 4.6 A Meeting may be conducted by means of electronic or other communication facilities if:
 - a) notice is given to the public of the meeting, including the way in which it is to be conducted
 - b) the facilities enable the public to watch or listen to the meeting at a place specified in the notice.
 - c) the facilities enable all the meeting's participants to watch and hear each other

5.0 Conduct of Meetings

- 5.1 Every delegate to a regular Council meeting and each member of Council shall address the chair but shall not speak until recognized by the chair.
- 5.2 The Mayor or other presiding officer may, upon request of a member of Council, authorize a person in the public gallery to address Council, only on the topic being debated at that time in the meeting and with time limits specified by the Mayor or other presiding officers.
- 5.3 A motion does not require a seconder.
- 5.4 A motion may be withdrawn by the mover at any time before voting.
- 5.5 The following motions are not debatable:
 - i) Adjournment.
 - ii) Take a Recess.
 - iii) Question of Privilege.
 - iv) Point of Order.
 - v) Limit Debate on the Matter before Council.
 - vi) Division of a Question.
 - vii) Table the Matter to Another Meeting.
- 5.6 When the Mayor or other presiding officer is of the opinion that a motion is contrary to the rules and privileges of the Council or Council committee, they shall apprise the member thereof immediately, before putting the question to discussion and shall cite

the rule or authority applicable to the case without argument or comment, unless otherwise decided by a two thirds majority vote of the members present.

- 5.7 In all cases not provided for in the proceedings of the Council a two-thirds majority of Council shall determine to uphold the ruling of the presiding officer or not, as may be the case.
- 5.8 When all items on an approved agenda have been dealt with, the Mayor or other presiding officer may adjourn the meeting without requiring a motion or vote of Council.

6.0 Delegations

- 6.1 A person or a representative of any delegation or group of persons who wishes to bring any matter to the attention of the Council or who wishes to have any matter considered by the Council shall address a letter, an email or other communication to the Council outlining the subject to be discussed. The letter shall be typewritten or legibly written and delivered, emailed, or mailed to the office of the CAO so that it arrives by at least 4:00 in the afternoon seven calendar days immediately preceding the meeting at which it is to be presented, and it shall contain the full mailing address of the writer. If he or she wishes to appear before Council, it shall be so stated in the letter.
- 6.2 Delegations shall be granted a maximum of fifteen (15) minutes to present the matter outlined in their letter. Where the Mayor or other presiding officer determines that sufficient time has been granted to a delegation to present the matter outlined in their letter the Mayor or other presiding office may limit the length of time granted to the delegation.
- 6.3 Delegations who have not submitted a letter in accordance with this section may speak during the Residents Dialogue session immediately preceding the regular meeting.

7.0 Agenda

- 7.1 Prior to each regular meeting, the CAO shall prepare a statement of the order of business to be known as the "Agenda" of all business to be brought before the Council at the regular meeting.
- 7.2 To enable the CAO to prepare a proper agenda, all documents and notice of delegations intended to be submitted to the Council shall be submitted to the CAO seven days before the regular meeting, unless extenuating circumstances occur.
- 7.3 Additions placed on the agenda at the meeting shall be discouraged, however, an addition may be made to the agenda with a simple majority consent of Councilors present. Actions resulting from the agenda additions require unanimous consent

given by those Councilors present. Exception to actions given by unanimous consent is a tabling motion or that the agenda item be received as information.

7.4 The CAO shall ensure Council has access to the agenda at least four (4) days prior to the meeting date.

8.0 Resident Dialogue

8.1 Council shall provide a maximum of twenty (20) minutes at the forefront of each regular council meeting, prior to calling the meeting to order, for informal resident dialogue.

8.2 Each resident present will be allowed a maximum of ten (10) minutes to speak to Council, but the total time allocated for resident dialogue shall not exceed twenty (20) minutes in total time unless unanimously agreed to by all council members present

8.3 No proceedings of Resident Dialogue shall be recorded in the minutes of the meeting.

9.0 Council Committees and Boards

9.1 Committees may be established by Council from time to time as are necessary or advisable for the orderly and efficient handling of the affairs of the Summer Village of Waiparous and shall establish the Terms of Reference for said Committees as set out in Schedule B attached to and forming part of this Bylaw.

9.2 The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.

9.3 When establishing a Committee, Council must adopt a Terms of Reference for the Committee that:

- a) names it;
- b) establishes membership, purpose and authority;
- c) sets the terms or directs that the committee exists on an on-going basis;
and
- d) allocates any necessary budget or other resources.

9.4 Council may appoint by resolution Members, employees or public-at-large to Committees in accordance with the approved Terms of Reference and any applicable statute or bylaw.

9.5 The Committee member selection process will be as follows:

- a) Member of Council
 - i. To be appointed by Council to a Committee at the annual Organizational meeting
- b) Public-at-Large
 - i. All public-at-large vacancies on Committees shall be advertised to request formal submission of applications on the Municipal Website

- ii. Public-at-large member selection will be made by Council from those applicants responding to the advertised need.
- iii. To be considered, applicants must be a property owner, the spouse of a property owner or a permanent resident in the Summer Village of Waiparous.

- 9.6 The Mayor shall be an ex-officio member of all Committees unless prohibited by statute or bylaw and as such has the same rights and privileges as other Committee members.
- 9.7 At its first meeting each year, a Committee shall elect a Chairperson for a one (1) year term to preside over Committee meetings.
- 9.8 A Committee shall conduct its meetings in public in accordance with the provisions of the MGA.
- 9.9 Meetings will be scheduled at the call of the Chairperson, with times and locations posted on the Municipal Website.
- 9.10 Minutes will be taken recording Committee members present, all proceedings and decisions made by the Committee, signed by the Committee Chairperson and posted on the Municipal Website.
- 9.11 All Committee members shall have an equal vote on any decision before the Committee.
- 9.12 Committees shall report to Council as required.

10.0 Public Notification

- 10.1 Public notice of regular meetings shall be posted at least seven (7) days in advance of the meeting on the Municipal Website indicating time, date, and location of the meeting.
- 10.2 Special meetings shall be posted at least twenty-four (24) hours in advance of the meeting, indicating time, date, location, and purpose of the meeting on the Municipal Website.
- 10.3 In the event a special meeting is called with less than twenty-four (24) hours notice and a waiver of notice is signed pursuant to the Act, there is no requirement to post notification on the Municipal Website.
- 10.4 Each notice postponing a meeting shall state the reason and be posted on the Municipal Website. When available, the time and day and place the postponed regular or special meeting will be held shall be posted on the Municipal Website.
- 10.5 Meeting agenda will be posted on the Municipal Website within one (1) day following the distribution of the agenda to the Councilors for council meetings and to the committee members for committee meetings.

11.0 Public Circulation of Minutes

- 11.1 A copy of Council and Committee meeting minutes shall be posted on the Municipal Website within fourteen (14) days of the adjournment of the meeting.
- 11.2 In the event, the minutes have not been adopted within the fourteen (14) day period, they shall be clearly marked as “Unadopted Draft”.
- 11.3 When all Council minutes for a calendar year have been adopted, an archive copy of all signed minutes for the year shall be prepared and posted on the Municipal Website and the unadopted draft minutes removed from the Municipal Website.

12.0 Public Hearing Procedures

- 12.1 Notwithstanding any other section of this bylaw, Sections 12.2 through 13.6 apply to public hearings.
- 12.2 Public Hearings are a statutory requirement in accordance with the MGA whereby when this or another enactment requires Council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held, unless another enactment specifies otherwise,
 - a) before second reading of the bylaw, or
 - b) before council votes on the resolution.
- 12.3 If a public hearing is held on a proposed bylaw or resolution, Council must conduct the public hearing during a regular or special council meeting.
- 12.4 The Summer Village will give notice of a Public Hearing by:
 - a) posting the notice on the Municipal Website, and
 - b) mailing a notice to every residence in the area to which the proposed bylaw, resolution or other thing relates.
- 12.5 Detailed procedures for public hearings are available in Schedule A, attached.
- 12.6 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing shall be physically present.
- 12.7 The presiding officer shall ensure all members of the public present at a public hearing feel safe to participate by requiring those present to:
 - a) Speak respectfully,
 - b) Refrain from using any offensive or disrespectful language,
 - c) Directly address the item without repetition or reference to matters irrelevant to the public hearing
 - d) Maintain order and quiet,

- e) Refrain from interrupting any speech or action of members of council or any other member of the public that is addressing council, and
- f) Refrain from displaying placards or signs supporting a particular outcome of the topic under discussion

12.8 After considering the representations made to it about a proposed bylaw or resolution at a public hearing and after considering any other matter it considers appropriate, the Council may:

- a) pass the bylaw or resolution,
- b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or
- c) defeat the bylaw or resolution.

13.0 Public Hearing Records

13.1 Following the adjournment of a public hearing the CAO shall prepare minutes of the public hearing.

13.2 A member of the public wishing to have a written submission included in the minutes of the public hearing shall ensure one copy of the submission is received by the CAO between the time Council sets a date for a public hearing and the close of the public hearing.

13.3 Where a person provides more than one identical or largely identical written submission, only one will be included in the minutes of the public hearing.

13.4 The minutes of a public hearing shall record:

- a) The names of administration and the applicant, or representatives of the applicant, who presented at the hearing; and
- b) The names of the members of the public who provided written and/or verbal submissions along with a general indication of support or opposition, if clear, but not a summary of the verbal presentations.
- c) A copy of any written submissions received and presented at the public hearing will be included in the minutes.

13.6 The minutes of a public hearing will be reviewed and adopted by Council resolution at the next regular or special Council meeting following a public hearing.

14.0 General Matters

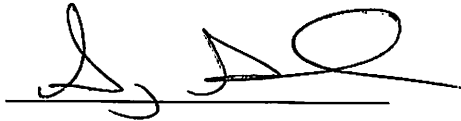
14.1 Bylaw Number 152-22 and any amendments thereto are hereby rescinded in their entirety.

14.2 This Bylaw shall come into full force upon final reading thereof.

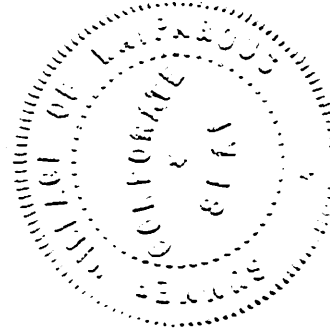
READ a first, second and third time this 20th day of November 2023

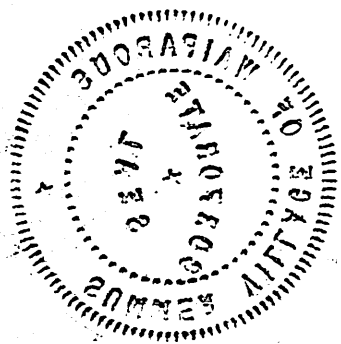


Mayor



Chief Administrative Officer





BYLAW NO. 158-23
SCHEDULE A
PUBLIC HEARING PROCEDURES

CALL HEARING TO ORDER

1. Chair / Vice Chair to call the public hearing to order.
2. Chair may introduce all Members of Council and Administrative Staff.

EXPLAIN PURPOSE OF HEARING AND PROCEDURES

3. Chair to advise those present that:
 - a. The Council is here to listen to the information presented, and to make a decision on the matter that is the subject of the hearing.
 - b. This is a formal hearing and is not a debate. Everyone wishing to speak will be given an opportunity to speak once to the matter.
 - c. The Chair shall call upon those individuals who added their name to the Speakers List in the order recorded. An individual who does not identify themselves on the Speakers List will not be given the opportunity to speak.
 - d. Presenters are to stay within a five (5) minute time limit on the presentation and are encouraged when speaking to keep the presentation to the point, and refrain from restating points raised by previous speakers if possible.
 - e. Each presenter must first state their name, address, and their interest in this matter, including whether in support or non-support.

HEARING TO COMMENCE

4. The Hearing is to commence as follows:
 - a. Chair to call on designated staff member to introduce the subject (or bylaw) of the hearing.
 - b. Chair to call on the Chief Administrative Officer (or designate) to read any relevant correspondence received.
 - c. Chair and Members of Council may ask for clarification relating to the subject (or bylaw).

PRESENTATIONS

5. Chair to call on applicant(s) to speak to the application, if applicable.
6. Chair to call on any individual(s) who recorded their names on the Speakers List to speak in the order they were recorded.
7. Chair and members of Council may call on technical and administrative staff to provide information/clarification for Council.

8. The Chief Administrative Officer will read aloud the names of anyone who supplied written comments.

FINAL COMMENTS

9. Chair may invite administration an opportunity to provide closing comments

CLOSE OF HEARING

10. Chair announces that this concludes the public hearing.

COUNCIL DECISION

11. Following the conclusion of the public hearing, Council will discuss comments made by the public and render a decision on the subject (or bylaw). No further public comment can be received.

BYLAW NO. 158-23
SCHEDULE B
Committee Terms of Reference

**FIRESMART & PUBLIC WORKS COMMITTEE
TERMS OF REFERENCE**

PURPOSE	To act as an advisory body to Council and Administration regarding matters of FireSmart, public works and community safety.
MEMBERSHIP	<ul style="list-style-type: none">• One (1) Council Member• Two (2) Public-At-Large representatives• One (1) Industry Liaison
AUTHORITY	<p>The Committee will:</p> <ul style="list-style-type: none">• Review, discuss and plan FireSmart activities for the community.• Assist with the development and implementation of FireSmart public education and awareness initiatives.• Promote community involvement in the FireSmart program.• Support and coordinate annual stewardship programs.• Direct and lead the development of the Wildfire Preparedness Guide• Research and assist in grant applications.• Review and discuss issues pertaining to safety of the community• Review and provide input into planning of the community as it relates to FireSmart, community safety and public works.• Identify trails within the community requiring maintenance• Monitor and ensure the Community Services Building maintenance is completed.• Advise and make recommendations to Council and Administration in relation to FireSmart, public works and safety.• Provide input into budget as it relates to the work of the committee.• Comply with the Summer Village of Waiparous Procedural Bylaw and the Municipal Government Act.
TERM	On-going
FUNDING	As authorized by Council during the annual budget cycle
APPROVAL DATE	May 9, 2022