



**VILLAGE OF MANNVILLE – BYLAW 2013-798  
COUNCIL PROCEDURAL BYLAW**

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**A BYLAW OF THE VILLAGE OF MANNVILLE IN THE PROVINCE OF ALBERTA TO REGULATE  
THE PROCEEDINGS OF COUNCIL**

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**1. ENACTMENT:**

- 1.1. WHEREAS Section 180 of the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta(RSA), 2000, requires Council to act by bylaw;
- 1.2. NOW THEREFORE the Council of the Village of Mannville in the Province of Alberta hereby establishes the following rules and regulations for the order and conduct of all Council and committee meetings.

**2. INTERPRETATION:**

- 2.1 This Bylaw will be cited as the “**Council Procedural Bylaw.**”
- 2.2 The requirements of this Bylaw shall be applicable in all situations where Municipal Business is being conducted and binding upon every representative of the Village of Mannville
- 2.3 **Definitions:**
  - a. ‘**Abstain**’ - not to vote for or against a proposal or motion when a vote is held.
  - b. ‘**Ad Hoc**’ – done or set up solely in response to a specific situation or problem.
  - c. ‘**Annual Organizational Meeting**’ – is the meeting of Council held annually, not later than two (2) weeks after the third Monday in October as per Section 192 (1) of the Municipal Government Act.
  - d. ‘**CAO**’ – is the Chief Administrative Officer of the Village of Mannville, as defined in the MGA, s. 205-209.
  - e. ‘**Chair**’ or ‘**Chairperson**’ is the person who presides over a meeting in accordance with this Bylaw.
  - f. ‘**Committee**’ is either by recommendation or resolution, a decision-making work group or an external agency, board or group of which the Village of Mannville is a member or stakeholder and the Council appoints a representative as established by, or in accordance to this Bylaw.
  - g. ‘**Committee of the Whole**’ is the entire membership of the legislative body gathering as a whole to consider a matter informally.
  - h. ‘**Communication Facility**’ is the exchange of information between people by means of speaking, writing, using a common system, electronically or otherwise as long as there is a means of access for communication.
  - i. ‘**Council**’ is the Council of the Village of Mannville in the Province of Alberta.
  - j. ‘**Council Committee Meetings**’ the Municipality must give at least 24 hours’ notice of a Council Committee meeting to the members of the Council Committee and to the Public, pursuant to the MGA, s.195.



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- k. **‘Councillor’** is an elected Municipal Official sworn under Oath of Office as such and includes the Mayor and Deputy Mayor.
- l. **‘Electronic Means’** are communication devices that provide the ability for two way conversations to take place without the physical presence of a person, including but not limited to cellular phone, cameras, closed circuit television and any other means of communication as may be developed over time.
- m. **‘Emergent Nature’** is new business arising, occurring or in development, especially for the first time.
- n. **‘Functional Committee’** is a sub-committee of Council as a whole which meets to identify and discuss issues within similar governance areas to determine a recommendation that allows for further consideration by each member prior to voting on a matter at a Council meeting.
- o. **‘In Camera’** means a meeting at which only Council and other persons specified by Council may attend, pursuant to MGA, s.197.
- p. **‘Majority Vote’** is the number of votes by which the winning party or group out votes the opposition.
- q. **‘Mayor’** is the title of the Chief Elected Official (CEO) of the Village of Mannville whether elected or appointed as described in the Municipal Government Act.
- r. **‘MGA’** is the Municipal Government Act, being chapter M-26, RSA 2000 and amendments thereto.
- s. **‘Meeting’** is a gathering of any or all members of Council for the purpose of conducting business on behalf of the Village of Mannville whether a Regular Council Meeting or Special Council Meeting or Committee Meeting.
- t. **‘Operational Committee’** is an ad hoc committee of a specified number of Councillors that are appointed by Council, from time to time, to address a particular issue or work on a special project and, as required, report to council and provide recommendations to Council for endorsement.
- u. **‘Out of Order’** speaking out of turn and/or not be acknowledged by the Chair to speak.
- v. **‘Point of Order’** is a demand that the Chair enforce the rules of order.
- w. **‘Pecuniary Interest’** is matters that monetarily affect a Councillor or the Councillor’s family, as defined in the MGA.
- x. **‘Quorum’** is three councillors which constitutes a quorum for the voting membership on a Council or Council Committee.
- y. **‘Regular Council Meeting’** is a meeting of Council scheduled at least monthly to conduct the regular decision-making for the Village through resolution or bylaw, pursuant to MGA, s.193.
- z. **‘Special Council Meetings’** as described in MGA, s.194, 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 CEO receives a written request for the meeting stating its purpose, from a majority of the Councillors.



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**aa. 'Standing Committee'** is a committee as set out in Section 2.3. f. to which the Village Council must appoint one or more representatives to act on its behalf.

**bb. 'Village'** is the Village of Mannville in the Province of Alberta.

**3.0 COMMITTEES:**

3.1 The Standing Committees include, but are not limited to:

- a. Health Services Representative
- b. M.D. of Minburn Foundation
- c. Mannville & District Agricultural Society
- d. Mannville & District Chamber of Commerce
- e. Joint Landfill (Regional Waste Management)
- f. Mannville Municipal Library Board
- g. Mannville School Parent Advisory Committee (PAC)
- h. Mannville Education Fund Association (MEFA)
- i. Northeast Central Alberta HUB
- j. Northern Lights Library System
- k. Community Advisory Committee
- l. Physician Retention & Recruitment Committee
- m. Vermilion River Regional Alliance
- n. Mannville Riverview Golf & Recreation Society
- o. Mannville Minburn Innisfree Family & Community Support Services
- p. Mannville Historical Society

3.2 Appointments of Councillors to each Standing Committee must be by resolution of Council at the annual Organizational meeting or at a Regular Council Meeting if required by vacancy. The Mayor will be 'Ex-Officio Member' to all Committees and appointed as an alternate to all external committees, with a voting right in the absence of the appointed representative, unless otherwise restricted.

3.3 Each Functional Committee shall be a Committee of Council as a whole, plus the CAO (non-voting). The Functional Committees include but are not limited to:

- a. Community Services Committee
- b. Finance & Administration Committee
- c. Planning & Development Committee
- d. Policy & Bylaw Committee
- e. Protective Services Committee

3.4 Special and Ad Hoc Committees may be appointed at any time by Council, or the CAO acting on the instructions of Council, providing a motion has been passed specifying the matters to be dealt with by the committee.

3.5 Special and Ad Hoc Committees may be comprised entirely of Councillors.

3.6 Special and Ad Hoc Committees will elect from its membership a Chairperson to preside over the meetings and a secretary to record the minutes of the meeting.

3.7 It will be the duty of the Chairperson of each Standing, Operational, Special or Ad Hoc Committee, or in the case of his/her illness or absence from the municipality, it will be the duty of the CAO to summon a special meeting or any committee whenever required.



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**4. AGENDAS FOR REGULAR AND ALL OTHER COUNCIL MEETINGS:**

- 4.1 Any member of Council, Village Employee or any other person wishing to have an item of business placed on the agenda, must make written submission to the CAO seven (7) days prior to each regularly scheduled meeting. The submission must contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter.
- 4.2 The agenda for each regular and all other meetings, as defined in the bylaw, shall be prepared by the CAO and packaged together with copies of all pertinent correspondence, statements reports, recommendations and requests for decisions. The Agenda package will be available to each member of Council, in electronic and hard copy, no later than four (4) days prior to the meeting date, in order for the Councillors to have adequate time to review the package.
- 4.3 The order of business on the agenda will be as distributed in advance by the CAO, then adopted by Council at the start of each meeting and will generally be as follows:
- Call to Order
  - Agenda – Additions/Deletions & Adoption
  - Delegations/Presentations
  - Delegation: Supervisor of Public Works (Monthly)
  - Delegation: Golf Course Manager (Monthly During Active Season)
  - Delegation: Fire Chief (Bi-Annually)
  - Minutes
  - Matters Arising from the Minutes
  - Financial Report
  - Monthly Accounts Report
  - Bylaws & Policies
  - Current Business
  - Council Committee Reports
  - CAO Report
  - Administration Status Report on Active Projects (Monthly)
  - Correspondence
  - Adjournment
- 4.4 The order of business as established in this bylaw will apply for all Regular Council Meetings unless members of the Council present, by majority vote, agree to any change, preferably prior to the adoption of the Agenda.
- 4.5 No item of business will be considered by Council if the item has not been placed on the agenda, except Council Committee Reports, unless Council present, by a two-thirds majority vote, agree to the item being placed on the agenda. The Mayor, or any Councillor or the CAO must be given an opportunity to state why an item should receive consideration on the agenda because of its emergent nature before the motion is put to a vote.
- 4.6 A Special Council Meeting may be held with less than twenty-four (24) hours' notice to all Councillors and without notice to the public if at least two-thirds of the council agrees to this in writing before beginning of the meeting, pursuant to MGA, s.194.
- 4.7 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 to deal with the matter in question, pursuant to MGA, s.194(5).



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**5. AGENDAS FOR COMMITTEE OF THE WHOLE MEETINGS:**

- 5.1 The Agenda for each Functional Committee meeting will be prepared by the CAO and submitted, together with copies of all pertinent correspondence, statements and reports to each member of Council.
- 5.2 The agenda items will be presented for the purpose of providing information to Committee Members in order that recommendations for decisions can be determined and considered at future Regular Council Meetings. The function of a Committee of the Whole meeting is for the presentation and consideration to assist in formulating a recommendation for decision of Council. No motions or resolutions made will be binding upon Council or the Village and should only be made for procedural matters of the Committee.
- 5.3 The order of Business on the Agenda will be distributed in advance by the CAO or amended and adopted by the members of the Committee at the start of each meeting.
- 5.4 The order of business as established in this bylaw will apply for all Committee of the Whole Council meetings unless members of the Council present, by majority vote, agree to any change.
- 5.5 No item of business will be considered by Council if the item has not been placed on the agenda, unless members of Council present, by two-thirds majority vote, agree to the item being placed on the agenda. The Mayor, or any Councillor or the CAO must be given an opportunity to state why an item should receive consideration on the agenda because of its emergent nature before the motion is put to a vote.

**6 GENERAL RULES OF COUNCIL:**

- 6.1 Regular meetings of Council will be held in the Council Chambers of the Village Office on dates and times as set at the Annual Organizational Meeting or as amended by unanimous decision of Council.
- 6.2 Functional Committee Meetings of Council will be held in the Council Chambers of the Village Office and will be held by notification of date and time and agreed to two-thirds majority vote of Council.
- 6.3 Operational Committee Meetings may be held in the Council Chambers of the Village Office and will be held by notification of date and time and agreed to by all members of the Committee.
- 6.4 The CAO, under appropriate approval of the majority of Council, may reschedule Regular Meetings and Standing Committee meetings, if required, with twenty-four (24) hours, notice to be sent to Council and posters to notify the public at the Village Office and one other public place in the Village of Mannville.
- 6.5 A Council Meeting or Council Committee Meeting may be conducted by means of electronic or other communications, as developed from time to time.
  - a. A Councillor shall only be permitted to attend a meeting by means of electronic communication if that location in which the meeting is being held is equipped in a manner such that enables all Council members participating in the meeting and the Public to hear each other.
  - b. Council members may participate electronically if they can do so, at no cost to the municipality.



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- c. The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic communications.
  - d. A Councillor may attend regular or special Council meetings by means of electronic communication a maximum of three (3) times per calendar year.
  - e. A Councillor attending via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remain active.
  - f. When a vote is called, Council members attending the meeting by means of electronic communications shall be asked to state their vote only after all other Council members present at the meeting have cast their votes by a show of hands.
  - g. When a Council member attends an 'In-Camera' session, they will be required to confirm that they have attended the 'In Camera' sessions alone in keeping within the definition in this bylaw of the 'In Camera' by providing a statutory declaration or affidavit sworn or declared before a Commissioner for Oaths prior to the next regular Council meeting.
  - h. If only the public will be present at the Council Chambers in the Village Administration Office and all Council members are participating via electronic communications, notice shall be posted in the Village Administration Office twenty-four (24) hours prior to the meeting, indicating the manner in which the meeting will be conducted.
- 6.6 Any meetings of Council must recess three (3) hours from the time it is called to order unless;
- a. Members of Council present, by unanimous vote, agree to an extension of time;
  - b. No meeting shall be over five (5) hours duration.
- 6.7 As soon after the hour of the meeting as there is a quorum present, the Mayor will take the chair and call the meeting to order. If the Mayor is absent or late, the Deputy Mayor will serve as Chairperson.
- 6.8 Should neither the Mayor nor Deputy Mayor be in attendance within fifteen minutes after the hour appointed for a meeting, but a quorum is present, the CAO will call the meeting to order and a Chairperson will be chosen by the Councillors present. The chairperson will preside over the meeting, until the arrival of the Mayor or Deputy Mayor.
- 6.9 If there is no quorum present within half an hour after the time appointed for a meeting of Council, the CAO will record the names of the members of Council who are present and the meeting will be absolutely adjourned until the next Regular meeting unless a Special meeting has been duly called in the meantime.
- 6.10 While the Chairperson, or the CAO, if so designated, may give background information to introduce an item, the Chairperson should not express his/her opinion on the matter until after all other members of Council have been given the opportunity, but prior to asking for the motion or vote.
- 6.11 The Chairperson must preserve order and decorum and must decide questions of order. Subject to an appeal to the Council by resolution, the decision of the Chairperson shall be final unless reversed or altered by a majority vote of members present.





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- 6.12 When the Chairperson is called on to decide a point of order or practice, he/she must do so without argument or comment and must state the rule of authority applicable to the case.
- 6.13 Every member wishing to speak to a question or motion must first be acknowledged by the Chair who grants him/her the floor.
- 6.14 The Chairperson has the authority to limit the length of time and the number of times that a member or a guest may speak on the same question or resolution, having due regard to the importance of the matter. Each Delegation shall be limited to fifteen (15) minutes.
- 6.15 Where a question under consideration contains distinct proposals, the vote upon each proposal must be taken separately when any member so requests or when the Chairperson so directs.
- 6.16 The CAO may delegate any duties to a Recording Secretary but must accept all responsibility for the duties.
- 6.17 If a member of Council arrives late, leaves before the meeting is adjourned, or is temporarily absent from the meeting, it must be recorded in the minutes.
- 6.18 Council must hear all Delegations that have brought their items of business onto the agenda in accordance with Section 4.1 of this Bylaw, and in accordance with the Delegation Policy approved by Council and amended from time to time, in the order in which they are placed on the agenda. The order may be changed by a majority vote of members present. Each and every Delegation shall be subject to the Rules of Conduct stated in this Bylaw.
- 6.19 Council may from time to time recess, to a fixed future date, any Regular or Special meeting of Council which has been duly convened but not terminated. The object of reconvening is to only address the outstanding agenda items from the previous meeting.
- 6.20 Any matter of meeting conduct which is not herein provided for must be determined by the Chairman in accordance with the MGA and Robert's Rules of Order.
- 6.21 This Bylaw must not be repealed, amended or suspended, except so far as the terms thereof themselves permit, unless it is repealed, amended or suspended by a Bylaw:
- a. Unanimously passed at a Regular or Special meeting of the Council at which all the members thereof are present, or;
  - b. Passed at a Regular meeting of Council, pursuant to a notice in writing given and openly announced at the next meeting of the Council and setting out the terms of the substantial effect of the proposed Bylaw.

**7. MOTIONS:**

- 7.1 A recommendation or request for decision in a report does not constitute a motion until a Councillor has expressly moved it. Agenda items will be introduced with background information prior to a motion being made.
- 7.2 The CAO, or designated Recording Secretary must record in the minutes, each time a member of Council excuses himself/herself by reason of pecuniary interest.



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- 7.3 All motions must be concise and unambiguous and must either be given in writing or given verbally to the CAO or designated Recording Secretary.
- 7.4 Motions will be read back to Council prior to voting.
- 7.5 A motion made by the members of Council does not require a seconder.
- 7.6 When a motion has been made and is being considered by Council, no other motion may be made and accepted, except a motion to:
  - a. Refer the main question to some other person or group for consideration
  - b. Amend the main motion
  - c. Table the main motion which if carried would cease further action on the main motion
  - d. Postpone voting on the main motion until some future time and date
  - e. Adjourn the meeting, provided that a motion to postpone shall not be debated except as to the time when the matter will again be considered.
- 7.7 A Councillor shall not amend his or her own motion.
- 7.8 Any Councillor may request that the vote be recorded but must make the request before a vote is taken by Council.
- 7.9 When a vote is recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for or against the proposal or abstained.
- 7.10 No motion bringing a new matter before Council may be made while any other motion is pending.
- 7.11 Voting on all matters must be done by raising of the hand in such a clear manner that it may be easily counted by the Chairperson whether, voting for or against the proposal or abstaining. If communicating by electronic communications, the Councillor shall vote per Section 6.5 f.
- 7.12 A motion is lost when the vote is tied. After the Chair declares the results of a vote, Councillors may not change their vote.
- 7.13 A Councillor may step out of the chamber at any time, but is expected to vote on the matter if present when the question is posed by the Chair. Alternatively, any Councillor may move that Council recess for a Specific Period. After the recess business will be resumed.

### **8. BYLAWS:**

- 8.1 The protocol for Bylaws will be in accordance with the MGA, s.187 – 191 and subsequent amendments thereto.

### **9. DISCIPLINARY PROCEDURES:**

- 9.1 The Chair may call to order any Councillor who is out of order.
- 9.2 When a Councillor has been warned about breaches of order, but continues to engage in them, the Chair may name the Councillor by stating his or her name and declaring the offence. The CAO or his/her designate must note the offence in the minutes.





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- 9.3 If a Councillor who has been named:
  - a. Apologizes and withdraws any objectionable statements, then:
    - i. That Councillor may remain and continue participating in the meeting and,
    - ii. The Chair may direct that the notation of the offence be removed from the minutes.
  - b. If that Councillor fails or refuses to apologize, then that Councillor must immediately leave the Council chambers and Council must vote on a motion to expel that Councillor for that meeting. A motion to expel must be decided on without debate.
- 9.4 If a Councillor has been expelled pursuant to MGA, s.174, that Councillor must leave the Council Chambers immediately. The Chair may order the RCMP to remove the expelled Councillor if the Councillor does not leave voluntarily.
- 9.5 The Chair may order any member of the public who disturbs the proceedings of Council by words or actions to be expelled. A person who refuses to leave is guilty of an offense and liable to a penalty of one hundred and fifty (\$150) dollars and, the Chair may order the RCMP to remove the person.

**10. SEVERABILITY:**

- 10.1 If any clause in the Bylaw is found to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

**11. EFFECTIVE DATE:**

- 11.1 Bylaw 2012-773 passed on March 26, 2013 is hereby rescinded.
- 11.2 This Bylaw will come into force and effect on the date of the third and final reading thereof.

Read a First time this 26<sup>th</sup> day of November, 2013, A.D.

Read a Second time this 26<sup>th</sup> day of November, 2013, A.D.

And with unanimous consent of Council, given Third Reading and Finally passed this 26<sup>th</sup> day of November, 2013 A.D.

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**Mayor Sid Hinton**

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**T. Rogers, CAO**