

BYLAW NO. 1204-20

**BEING A BYLAW OF MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA**

**TO PROVIDE THE ORGANIZATIONAL AND PROCEDURAL MATTERS
OF COUNCIL, COUNCIL COMMITTEES AND COUNCILLORS**

WHEREAS, the Municipal Government Act, RSA 2000, c. M-26 provides for the establishment of Council committees and other bodies, procedure and conduct of Council, Council committees and other bodies established by Council and the conduct of Councillors and members of Council committees and other bodies established by Council; and

WHEREAS, the MGA provides for organizational and procedural matters of Council, Council committees and Councillors.

NOW THEREFORE, the Council of Mackenzie County, duly assembled, enacts as follows:

TITLE

1. This bylaw shall be cited as the "Procedural Bylaw".

DEFINITIONS

2. In this bylaw:

- a. "Act" means the *Municipal Government Act*, RSA 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
- b. "Administration" means the Chief Administrative Officer or an employee accountable to the CAO employed by the Municipality.
- c. "Agenda" is the list of items and orders of business for any meeting of Council or a Council Committee;
- d. "Chief Administrative Officer" (otherwise known as the "CAO") means the person appointed by Council into the position of CAO pursuant to the *Act*.
- e. "Chairperson" means the person who presides at a Meeting, and, when in attendance at a Council Meeting, shall mean the Reeve or alternate chair.
- f. "Closed Meeting" means the portion of the meeting at which only members of Council and other persons designated by Council may attend.

- g. "Committee of the Whole" means a committee comprised of all Councillors which conducts itself as a committee of council;
- h. "Corporate Office" means the office located at 4511-46 Avenue in the Hamlet of Fort Vermilion, Alberta.
- i. "Council Committee" means a committee, board, or other body established by Council under the Act;
- j. "Councillors" means a duly elected Member of Council, including the Reeve.
- k. "Deputy Reeve" means the Deputy Chief Elected Official or Councillor who is appointed by Council pursuant to the *Act* to act as Reeve in the absence or incapacity of the Reeve.
- l. "Ex-Officio" means a member of a Committee, by virtue of the right to hold a public office such as a Reeve, and has the right to make motions and vote.
- m. "Meeting" means an organizational, regular, or special meeting of Council, Committee of the Whole or Committee.
- n. "Member" means a duly elected Member of Council or a duly appointed Member of a Committee.
- o. "Municipality" means Mackenzie County.
- p. "Non-statutory public hearing" means a meeting of Council or Committee of the Whole at which members of the public may attend and may be invited to make submissions to Council, but which is not a Public Hearing;
- q. "Public Hearing" means a meeting or portion of a meeting that council is required to hold under the *Act* or another enactment for the primary purpose of hearing submissions;
- r. "Reeve" means the Chief Elected Official for the Municipality pursuant to the Act.
- s. "Quorum" is the majority of all members, being fifty (50) percent plus one (1), unless Council provides otherwise in this bylaw.

APPLICATION

3. This Bylaw applies to all Council, Committee of the Whole and Committee Meetings and shall be binding on all Councillors and Committee Members.
4. Notwithstanding Paragraph 3, where the Terms of Reference give Permission to a Committee to establish its own Meeting procedure, if there is a conflict between the Committee's established Meeting procedures and this Bylaw, that Committee's established Meeting procedures will have precedence over this Bylaw for the purposes of that Committee's Meetings.

INTERPRETATION

5. When any matter relating to Meeting procedures is not addressed in this Bylaw, the matter shall be decided by reference to the most current edition of Roberts Rules of Order, if applicable.
6. Procedure is a matter of interpretation by the Reeve or the Committee Chair.
7. In the event of a conflict between the provisions of this Bylaw and Roberts Rules of Order, the provisions of this Bylaw shall apply.
8. In the absence of any statutory obligation, any provision of this Bylaw may be waived by Special Resolution of the Members in attendance at the Meeting.
9. In all cases throughout this Bylaw, reference to "he" or "she" shall mean males and females equally.

ROLE OF THE REEVE

10. The Reeve, when present, shall preside as Chairperson over all Meetings of Council.
11. In the absence, incapacity, or inability, of the Reeve or Deputy Reeve to act, Council Members will elect from among themselves a Chairperson for the day to act as Reeve. This Member shall be referred to as "Acting Reeve" for the duration of that Meeting.
12. Unless otherwise provided in a bylaw, the Reeve shall be an ex-officio Member of all Committees.
13. The Reeve has all of the rights and privileges of other Committee Members.

ROLE OF THE CHAIRPERSON

14. The Chairperson shall preside over the conduct of the Meeting, including the preservation of good order and decorum, ruling on Points of Order, replying to Points of Procedure and deciding on all questions relating to the orderly procedure of the meeting, subject to an appeal by a Councillor from any ruling of the Chairperson.
15. The Chairperson shall make reasonable efforts, including the calling of a recess, to ensure all Councillors in attendance at a Meeting are present while a vote is being taken, unless a Councillor is excused from voting in accordance with the Act or this Bylaw.
16. No Councillor shall leave the Council meeting after a question is put to a vote until the vote is taken, unless the Act requires or permits them to abstain from voting.
17. When the Chairperson wishes to make a motion he/she shall vacate the Chair and request the Vice-Chairperson to assume the Chair.
18. The Chairperson may invite Persons to come forward from the audience to speak with permission of Council if it is deemed to be within the best interests of the issue being discussed, the public, and the conduct of good business.

ROLE OF THE CHIEF ADMINISTRATIVE OFFICER (CAO)

19. The Chief Administrative Officer, in accordance with Sections 207 and 208 of the Act and in accordance with Bylaw 030/95, which created the position of the Chief Administrative Officer, is required to advise and inform Council in writing of its legislative responsibilities and ensure that the Municipality's policies and programs are implemented as well as to advise Council on the operation and affairs of the Municipality.

ORGANIZATIONAL MEETINGS

20. An Organizational Meeting of Council shall be held not later than two weeks after the third Monday in October each year.
21. The CAO or Delegate shall fix the time, date and place of the Organizational Meeting.
22. The CAO or Delegate shall advertise at least three weeks prior to the Organizational Meeting, inviting applications for Committee vacancies which will be required to be filled that year.

23. The Organizational Meeting Agenda shall be restricted to:
 - a. The election of the Reeve and Deputy Reeve annually;
 - b. The administration of the Oath of Office;
 - i. to the Reeve and Deputy Reeve annually
 - ii. to the entire Council following the municipal election
 - c. Review of honorariums and expense reimbursement;
 - d. Review of procedural bylaw;
 - e. Review of the council/administration protocol policy;
 - f. The establishment of Council Committees and Boards;
 - g. The establishment of membership on Committees and Boards;
 - h. The establishment of regular Council meeting and Committee of the Whole meeting dates for the year;
 - i. Other business as required by the Act, or which Council or the CAO may direct.

24. At the Organizational Meeting the CAO shall:
 - a. Call the Meeting to Order;
 - b. Preside over the Meeting until the Reeve has been elected and has taken the Oaths of Office as Reeve.

25. In the event that only one nomination is received for the position of Reeve or Deputy Reeve, that nominee shall be declared elected by acclamation by the CAO.

26. Where there is more than one nomination for Reeve or Deputy Reeve, the CAO shall request that voting be done by secret ballot.

27. If, on the first ballot, no Councillor receives a clear majority of votes, the Council Member who received the least number of votes shall be dropped from the ballot and the second ballot shall be taken. This shall apply to both the Reeve and Deputy Reeve elections.

28. On subsequent ballots, a Council Member who receives the least number of votes shall be dropped from the ballot until a Councillor receives a clear majority.

29. When there is a tie vote between two candidates, each candidate's name shall be written on a blank sheet of paper, of equal size and color, and deposited into a receptacle and someone shall be directed to withdraw one of the sheets. The candidate whose name appears on the sheet shall be considered to have one more vote than the other candidate.

30. All Members of Council hold office from the beginning of the Organizational Meeting following the General Election until immediately before the beginning of the Organizational Meeting following the next General Election, in accordance with the *Local Authorities Election Act*.
31. The appointment of Councillors and Members at Large to Committees shall be for a term of one year, unless otherwise specified, and by secret ballot if a vote is required.

QUORUM

32. Quorum of Council is a majority of Councillors.
33. If quorum is not achieved within 30 minutes after the time the meeting was scheduled to begin, the CAO shall record the names of the members present, and the Council shall stand adjourned until the next regular or special meeting.
34. If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

COMMITTEES

35. Council may, by resolution or by Bylaw, establish Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the Municipality and establish the Terms of Reference and duration of a Committee.
36. All Committee appointments shall be reviewed annually at the Organizational Meeting, unless otherwise specified in this Bylaw or the Terms of Reference.
37. Each Committee shall elect one (1) of its Members to be the Chairperson unless Council designates.
38. A Special or Ad-hoc Committee may be appointed at any time by Council providing that a motion has been adopted specifying the matters, duration of the Committee, and Terms of Reference to be dealt with by the Committee.

ALTERNATE COMMITTEE MEMBERS

39. Council may appoint alternate committee members to ensure that proper representation and quorum is achieved.

40. Alternate representatives from Council may attend all committee meetings, except where legislation disallows. The alternate Council member may only vote at the committee meeting when the regular Council member is absent from the meeting.
41. Alternate members at large may attend committee meetings as a member of the committee when a regular member at large is absent from the meeting. They cannot vote on matters of the committee unless a regular member at large is absent from the meeting.
42. Alternate committee members are eligible to receive the same training that their respective committee is authorized to attend.

REGULAR AND SPECIAL MEETINGS

43. The date and time of regular Council meetings shall be established by resolution at the Organizational Meeting or at any future Meeting of Council.
44. Regular meetings are generally held on the second Tuesday and the fourth Wednesday of the month, unless otherwise specified.
45. Regular meetings shall commence at 10:00 a.m. and shall be held in the Council Chambers located at the Municipality's Corporate Office, unless otherwise specified.
46. Council may, by resolution (unanimous consent), change the date, time and location of any of its Regular Council meetings.
47. All Meetings shall be open to members of the public, except for the Closed Meeting portions of the Meeting.
48. The CAO or Delegate will post a schedule of regular meetings in the front foyer of all municipal offices and on the Municipality's website.
49. If there are changes to the date and time of a regular meeting, the municipality must give at least twenty-four (24) hours' notice of the change to all members and post the notice in a public office. Posting a public notice in the front foyer of the municipal offices and on the Municipality's Social Media is sufficient notice to the public if administration is unable to advertise the change in a local newspaper.
50. Council has the authority to move into a Closed Meeting pursuant to Section 197 (2) of the Act for the purposes of :

- a. Protecting the Municipality, its operations, economic interests and delivery of its mandate from harm that could result from the release of certain information; and,
 - b. To comply with Division Two of Part One of the Freedom of Information and Protection of Privacy Act.
51. Matters which may be discussed in a Closed Meeting include the following:
 - a. Personnel matters;
 - b. Any information regarding contract negotiations;
 - c. Negotiations regarding acquisition, sale, lease or exchange of land;
 - d. Matters involving litigation, or the discussion of legal advice provided to the Municipality; and
 - e. Matters concerning RCMP investigations or confidential reporting; and
 - f. Any other item that may be considered a private matter under the Freedom of Information and Protection of Privacy Act.
52. The Reeve may call a special council meeting whenever he/she considers it appropriate to do so or if he/she receives a written request for the meeting, stating its purpose, from a majority of the Councillors, in accordance with Section 194 of the Act.
53. No business other than that stated in the notice shall be conducted at any Special Meeting of Council unless all the Members of Council are present at the Special Meeting and the Council agrees to deal with the matter in question.

COMMITTEE OF THE WHOLE

54. There shall be a Committee of the Whole comprising all Councillors.
55. Subject to the Act, Committee of the Whole may consider any matter that Council may consider, including but not limited to discussion and debate of the following matters:
 - a. the budget;
 - b. the audit;
 - c. transportation issues;
 - d. development issues;
 - e. strategic planning;
 - f. legislative reform;
 - g. policing matters; and
 - h. policy formation.
56. Committee of the Whole may:
 - a. Conduct non-statutory public hearings;
 - b. Receive delegations and submissions; and
 - c. Meet with other municipalities and other levels of governments.

57. Council may receive briefings in Committee of the Whole.
58. In addition to the restrictions contained in Section 203(2) of the Act, the Committee of the Whole shall not hold statutory public hearings.
59. Committee of the Whole may make the following motions:
 - a. To receive agenda reports as information.
 - b. To refer matters to Administration or a Committee for review.
 - c. Make recommendations to Council.
60. A quorum of Committee of the Whole is a majority of Councillors.
61. At a Committee of the Whole meeting, the procedures of Council shall be relaxed as follows:
 - a. A Councillor may speak even though there is no motion on the floor, but if there is a motion on the floor a Councillor shall address that motion;
 - b. A Councillor may speak more than once, on a matter provided that each Councillor who wishes to speak to the matter has already been permitted to do so;
62. Committee of the Whole may consider a matter in Closed Meeting, in accordance with the Act and Freedom of Information and Protection of Privacy Act, RSA 2000, c-F-25.
63. No motions may be made when Committee of the Whole is sitting in Closed Meeting in accordance with the Freedom of Information and Protection of Privacy Act, RSA, 2000, c-F-25 except motions to reconvene the Committee of the Whole meeting.

CANCELLATION OF REGULAR, COMMITTEE OF THE WHOLE AND SPECIAL MEETINGS

64. A Council Meeting may be cancelled:
 - a. By resolution of a majority of Members at a previously held Meeting; or
 - b. With written consent of a majority of the Members and by providing not less than twenty-four (24) hours notice to Members and the public.

ELECTRONIC PARTICIPATION AT MEETINGS

65. Council members may attend a Council meeting by means of electronic communication. Acceptable alternatives include through the use of telephone, ensuring that dialogue is available for both parties; through the use of a personal computer; or other means as technology advances.

66. A Council Member must advise the CAO or Delegate at least one (1) day in advance of their intention to participate through electronic communications.
67. A Council Member may attend Regular, Council Meetings by means of electronic communication to a maximum of three (3) times per calendar year, unless otherwise approved by Council resolution.
68. A Council Member or Committee Member may participate in Committee Meetings, Committee of the Whole Meetings or Special Council Meetings by means of electronic communication.
69. A Council Member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active and will be recorded in the minutes as being present via electronic communication.
70. A Council Member attending a meeting via electronic communications must declare if any other persons are present in the room.
71. 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 have cast their votes by a show of hands.
72. When a Council Member attends a Closed Meeting, via electronic communication, they will be required to confirm that they have attended the Closed Meeting alone in keeping with the definition in this Bylaw of Closed Meeting.

COUNCIL AGENDA

73. The agenda for each regular and special Meeting shall be organized by the CAO and compiled together with copies of all pertinent correspondence, statements, and reports provided to each member of Council at least two (2) working days prior to each regular meeting.
74. Any member of Council wishing to have an item of business placed on the agenda, shall make the submission to the Reeve and CAO not later than seven (7) calendar days prior to the scheduled Council meeting date.
75. Administration wishing to have an item of business placed on the agenda, shall make the submission to the CAO or Delegate not later than seven (7) calendar days prior to the scheduled Council meeting date. The submission shall contain adequate information to the satisfaction of the CAO to enable Council to deal with the matter.

76. 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 the Members present. Actions resulting from the agenda additions require unanimous consent given by those Members present. Exceptions to actions requiring unanimous consent are a tabling motion or that the agenda item be received as information.
77. Documentation for “Closed Meeting” items shall be distributed at the Council Meeting and must be returned to the CAO immediately after the Meeting. Large volume documentation may be distributed to Council prior to the Meeting.
78. The agenda shall list the order of business, as determined by the CAO, in consultation with the Reeve.

MEETING MINUTES OF COUNCIL

79. The CAO or Delegate shall ensure that all Council Meeting minutes are recorded in the English language, without note or comment.
80. The CAO or Delegate shall ensure that the draft/unapproved Minutes of each Council Meeting be distributed to each Member of Council and administration within a reasonable amount of time after the holding of the Meeting.
81. A Councillor may make a motion requesting that the Minutes be amended to correct an inaccuracy or omission. However, the CAO or Delegate shall be advised of the challenge to the Minutes at least 24 hours before the Council Meeting at which the Minutes are to be officially adopted.
82. Only minor changes may be made to correct errors in grammar, spelling, and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change shall be allowed which would alter or affect, in a material way, the actual decision made by Council.
83. Draft/unapproved Council Meeting Minutes will be made available to the public and media upon request.
84. The minutes of each Council Meeting shall be presented to Council for adoption at the next regular Meeting.
85. Adopted minutes of Council shall be made available at all municipal offices and posted on the Municipality’s website.

PROCEEDINGS

86. The Reeve or presiding officer, shall preserve order and decorum and shall decide order of questions.
87. Every member wishing to speak to a question or resolution shall address himself to the Reeve or presiding officer.
88. A resolution submitted to Council does not require a seconder.
89. A motion may be withdrawn by the mover at any time before voting.
90. The following motions are not debatable:
 - a. Adjournment
 - b. Take a recess
 - c. Question or privilege
 - d. Point of order
 - e. Limit debate on the matter before council
 - f. Division of a question
 - g. Table the matter to another meeting
91. When a resolution has been made and is being considered by Council, no other resolution may be made and accepted, except:
 - a. To amend the motion;
 - b. To refer the main motion to committee of the whole, administration, a council committee or some other person or group for consideration;
 - c. To postpone consideration of the main motion; or
 - d. To table the motion.
92. After any question is finally put to vote by the Reeve or other presiding officer, no member shall speak to the question, nor shall any other resolution be made until after the result of the vote has been declared.
93. Voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the presiding officer.
94. Every member of Council attending a Council meeting must vote on a matter put to vote at the meeting unless the Councillor is required or permitted to abstain from voting.
95. If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated.

96. When it is requested that a vote be recorded, the minutes must show the names of the Councillors present and whether each Councillor voted for and against a resolution or bylaw or abstained. A request for a recorded vote must be made before the vote is called.
97. Any matter of meeting conduct that is not provided for in this Bylaw shall be determined in accordance with the current *Robert's "Rules of Order, Newly Revised"*.

DELEGATIONS

98. All requests for delegations shall be submitted in writing to the CAO or Delegate, for approval, at least seven (7) calendar days prior to the proposed date for the delegation. The submission shall contain all relevant information relating to the topic of their request to the satisfaction of the CAO or Delegate to enable Council to deal with the matter.
99. The CAO or Delegate will review all delegation requests and determine if the request will be heard by Council, by a Council Committee or referred to Administration for a response. The CAO may consult with the Reeve when required.
100. Delegations will not be heard if their matter falls under a legislated appeal process (ie. Assessment Review Board, Subdivision & Development Appeal Board, Agricultural Appeal Board).
101. If it is recommended that Council hear the matter, the CAO or Delegate shall contact the person and provide a time in which they can speak.
102. If the request to speak is received after the time required or without the written submission, the CAO or Delegate may:
 - a. Refer the matter to a Committee; or
 - b. Recommend that Council hear from the person; or
 - c. Offer to include the person on the agenda of a future Council meeting; or
 - d. Refuse to hear from the person and refer the matter to Administration for reply.
103. Delegations will be limited to fifteen (15) minutes to present their matter and be limited to one (1) speaker, except where the Chair permits otherwise.

PUBLIC HEARINGS

104. Public Hearings will be held in conjunction with a regular Council meeting, unless otherwise approved by resolution of Council.

105. Council shall hold a Public Hearing when an enactment requires Council to hold a Public Hearing on a proposed bylaw or resolution or any other matter at the direction of Council. The Public Hearing will be held before second reading of the proposed bylaw or before Council votes on a resolution.
106. Any Person who wishes to speak at a Public Hearing must be present at the scheduled time of the Hearing.
107. Any Person wishing to provide a written submission may deliver it to the CAO or Delegate at least seven (7) calendar days prior to the Public Hearing. Written submissions received will be included with the Agenda and will be released to the public.
108. Unless otherwise approved by resolution of Council, the following shall be the procedure for the conduct of the Public Hearing:
 - a. The Chair of the Public Hearing shall declare the Public Hearing open;
 - b. The Development Authority shall provide a brief background on the proposed bylaw or resolution, ensure public notification has been given, and present any written submissions received;
 - c. The Chair shall call for anyone wishing to speak;
 - d. Persons speaking will have only one opportunity to speak;
 - e. Presentations shall be limited to five (5) minutes, unless the Chair permits otherwise;
 - f. Each Person making a presentation shall give his/her name to be recorded in the Minutes;
 - g. Council may ask questions of the speakers after each presentation if clarification on any matter is required;
 - h. The Chair of the Public Hearing shall declare the Public Hearing closed.
109. After the close of the Public Hearing, Council may:
 - a. Pass the proposed bylaw or resolution; or
 - b. Defeat the proposed bylaw or resolution; or
 - c. Make any amendment to the proposed bylaw or resolutions and proceed to pass it without further advertisement or hearing.
110. If there is more than one Public Hearing on the agenda, the Chair must close one Public Hearing before another Public Hearing is opened.
111. Council may change the date, time and place of a Public Hearing by resolution. If the date, time or place of the Public Hearing is changed, then the Public Hearing must be re-advertised.
112. Public participation through teleconference shall be made available at each County Office for major public hearings, as determined by resolution of Council.

DEBATE OF RESOLUTIONS

113. A member may ask a question, stated concisely, of the previous speaker to explain any part of the previous speaker's remarks.
114. A member may ask questions of the CAO or administration to obtain information relating to a report presented to Council or to any clause contained therein, at the commencement of the debate on the report or on the clause.
115. When it is a member's turn to speak during debate, before speaking he/she may ask questions of the CAO, or administration in order to obtain information relating to the report or clause in question.
116. Any member may require the question or resolution under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
117. When the resolution has been declared as having been put to a vote, no member shall debate further on the question or speak any words except to request that the resolution be read aloud.
118. The Reeve or presiding officer shall determine when a resolution is to be put to a vote.

MOTIONS OUT OF ORDER

119. It is the duty of the Chair to determine what motions are amendments to motions that are in order subject to challenge by a Member, and decline to put a motion deemed to be out of order.
120. The Chair shall advise the Members that a motion is out of order and cite the applicable rule or authority without further comment.
121. The Chair may refuse to accept a motion to refer, that has the effect of defeating the motion to which it refers, e.g. time constraints.
122. The following motions are out of order:
 - a. A motion, similar to a motion voted on in the previous six (6) months, without reconsidering the original motion;
 - b. A motion contrary to law or a previous motion;
 - c. A motion similar to an item which has been tabled;
 - d. A motion to reconsider a motion to reconsider;

- e. A motion referring an item to a Committee, if the final report of the Committee is complete; and
- f. A motion which is out of scope of Council business.

RECONSIDERING AND RESCINDING A MOTION

123. A Member wishing to reconsider, alter or rescind a motion already passed, or an action taken at a previous Meeting and when the matter does not appear on the Agenda, shall bring the matter forward by a Notice of Motion, which shall:
- a. Be considered at a Council Meeting;
 - b. Specify the Meeting proposed to bring the matter to; and
 - c. Indicate, in the substantive portion of the motion, the action which is proposed to be taken on the matter.
124. Notwithstanding the above, if Notice of Motion was not given, the requirement for Notice may be waived on a Two-Thirds vote.
125. Notwithstanding the other provisions of this section, no motion made or action taken shall be reconsidered unless:
- a. It is a motion made or an action taken at the same Meeting; or
 - b. It is a motion made or an action taken at a Meeting held six (6) months or more before its reconsideration; or
 - c. Approval for reconsideration of a motion made or an action taken less than six (6) months earlier is given by a Two-Thirds vote prior to reconsideration.
126. A Member who voted with the prevailing side may move to reconsider a motion only at the same meeting or during any continuation of the meeting at which it was decided.
127. The following motions cannot be reconsidered:
- a. A motion which created a contractual liability or obligation, shall not be reconsidered, altered, varied, revoked, rescinded or replaced except to the extent that it does not attempt to avoid or interfere with the liability or obligation;
 - b. A motion to adjourn;
 - c. A motion to close nominations;
 - d. A request for division of a question;
 - e. A point of order, a point of privilege or a point of information;
 - f. A motion to recess;
 - g. A motion to suspend the Procedural Bylaw;
 - h. A motion to lift from the table;
 - i. A motion to bring forward; and
 - j. Motion to adopt the agenda.

128. A motion to reconsider or rescind is debatable only when the motion being reconsidered is debatable.

NOTICE OF MOTION

129. A notice of motion may be given at any council meeting, but may not be dealt with at that meeting.
130. A notice of motion shall be given verbally and in writing to all members of council present. A copy of such notice of motion shall be given to the CAO upon adjournment of the meeting at which the notice is given.
131. Every notice of motion shall precisely specify the entire content of the motion to be considered, and shall be on the agenda for the next regular meeting of Council unless otherwise specified.

PECUNIARY INTEREST

132. When a Member has a pecuniary interest in a matter before Council, a Council Committee or any other body, board, commission, committee or agency to which the Member is appointed as a representative of the Council, the Member shall, if present:
- a. Disclose the general nature of the pecuniary interest prior to any discussion on the matter;
 - b. Abstain from any discussion and voting on any question relating to the matter;
 - c. Leave the room in which the meeting is being held until discussion and voting on the matter are concluded; if required;
 - d. If the matter with respect to which the Member has a pecuniary interest is the payment of an account for which funds have previously been committed, it is not necessary for the Councillor to leave the room; and
 - e. If the matter with respect to which the Member has a pecuniary interest is a question on which the Member as a tax payer, an elector or an owner has a right to be heard by the Council;
 - i. It is not necessary for the Member to leave the room; and
 - ii. The Member may exercise the right to be heard in the same manner as a person who is not a Member.

BYLAWS

133. The CAO or Delegate must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that Council may adopt from time to time.

134. Each proposed bylaw must include:
 - a. The bylaw number assigned to it by the CAO or Delegate; and
 - b. A concise title.
135. Where a Bylaw is presented to Council for enactment, the CAO or Delegate shall cause the number and short title of the Bylaw to appear on the Agenda.
136. The CAO or Delegate must make available a copy of the bylaw to each Councillor before the first reading of the bylaw.
137. A Bylaw shall be introduced for first reading by a motion that the Bylaw, specifying its number and short title, be read a first time.
138. When a Bylaw is subject to a Public Hearing, a Council, without amendment or debate, shall vote on the motion for first reading of a Bylaw and the setting of a public hearing date in accordance with the applicable form of notice. A Member may ask a question or questions concerning the bylaw provided that such questions are to clarify the intent, purpose or objective of the bylaw, and do not indicate the Member's opinion for or against the bylaw.
139. After the holding of the required public hearing, a bylaw shall be introduced for second reading by a motion that it be read a second time specifying the number of the bylaw.
140. After a motion for second reading of the bylaw has been presented, Council may:
 - a. Debate the substance of the bylaw; and
 - b. Propose and consider amendments to the bylaw.
141. A proposed amendment shall be put to a vote and if carried, shall be considered as having been incorporated into the bylaw at second reading.
142. When all amendments have been accepted or rejected the motion for second reading of the bylaw shall be voted on.
143. A bylaw shall not be given more than two readings at one meeting unless the Members present at the meeting unanimously agree that the bylaw may be presented for third reading at the same meeting at which it received two readings, provided that Council is not prohibited from giving more than two readings to a bylaw at one meeting by any valid enactment.
144. When Council unanimously agrees that a bylaw may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the bylaw than if it has received third reading at a subsequent meeting.

145. A bylaw shall be adopted when a majority of the Members present vote in favour of third reading, provided that any applicable provincial statute does not require a greater majority.
146. A bylaw, which has been defeated at any stage, may be subject to a motion to reconsider in accordance with the provisions of this Bylaw.
147. A bylaw is passed and comes into effect when it has received third and final reading unless otherwise provided by statute.
148. The Reeve and CAO shall sign and seal the bylaw as soon as reasonably possible after third reading.
149. The CAO or Delegate is authorized to consolidate one or more bylaws as deemed convenient.

CODE OF ETHICS

150. The proper operation of democratic local government requires that elected officials be independent, impartial and duly responsible to the people. To this end it is imperative that:
 - a. Government decisions and policy be made through the proper channels of government structure.
 - b. Public office not be used for personal gain.
 - c. The public have confidence in the integrity of its government.
151. Accordingly, it is the purpose of these guidelines of conduct to outline certain basic rules for Mackenzie County Council so that they may carry out their duties with impartiality and equality of services to all, recognizing that the basic functions of elected local government officials are, at all times, services to their community and the public.
152. To further these objectives, certain ethical principles should govern the conduct of Mackenzie County Council in order that they shall maintain the highest standards of conduct in public office and faithfully discharge the duties of office without fear or favour.
153. Councillors shall:
 - a. Govern their conduct in accordance with the requirements and obligations set out in the municipal legislation of the Province of Alberta and as specified in this Bylaw.
 - b. Not use confidential information for personal profit of themselves or any other person.

- c. Not communicate confidential information to anyone not entitled to receive the applicable confidential information.
- d. Not use their position to secure special privileges, favours, or exemptions for themselves or any other person.
- e. Preserve the integrity and impartiality of Council.
- f. For a period of twelve (12) months after leaving office, abide by the ethical standards of conduct listed above, except those related to confidential information which shall apply in perpetuity.
- g. Not assume that any unethical activities (not covered by or specifically prohibited by these ethical guidelines of conduct, or by any legislation) will be condoned.

CONDUCT OF MEMBERS DURING THE MEETING

154. No Member shall:

- a. Use offensive language, inappropriate actions or unparliamentary language in or against Council or against any Member of Council or any administration or any member of the public;
- b. Speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, Council, any municipality, an Member or any official or employee of the Municipality;
- c. Engage in private conversations while in the Council Meeting or use personal electronic devices including cellular phones, media players, etc. in any manner that disrupts the Member speaking or interrupts the business of Council;
- d. Leave his/her seat or make noise or disturbance while a vote is being taken and until the result of the vote is announced;
- e. Speak on any subject other than the subject under debate;
- f. Not interrupt the speaker, except on a point of order;
- g. Where a matter has been discussed in a Closed Meeting, and where the matter remains confidential, disclose a confidential matter or the substance of deliberations at a Closed Meeting, except to the extent that Council has previously released or disclosed the matter in public. All information, documentation or deliberations received, reviewed or provided in a Closed Meeting is confidential. Members of Council shall not release, reproduce, copy or make public any information or material considered at a Closed Meeting, or discuss the content of such a meeting with persons other than members of Council or relevant staff members, prior to it being reported in public by Council;
- h. Criticize any decision of Council except for the purpose of moving that the question be reconsidered;
- i. Contravene the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council. In case a Member persists in any such contravention, after having been called to order by the Chair, the Chair shall not recognize that Member,

except for the purpose of receiving an apology from the Member tendered at that Meeting or any subsequent Meeting.

155. Members of the public during a Meeting shall:
 - a. Address the Members of Council or Committee at the permission of the Chair;
 - b. Maintain order and remain quiet;
 - c. Not applaud nor otherwise interrupt a speech or action of the Members or other Person addressing the Members.
156. The Chair may cause to be expelled and excluded from any Meeting any person who creates any disturbance during a meeting or who, in the opinion of the Chair, has been guilty of improper conduct and for that purpose the Chair may direct that such a person be removed by a Peace Officer or RCMP.
157. A Councillor that displays inappropriate and abusive behavior towards other members of council, administration or the public while on County business may be reprimanded in a form as may be acceptable by 2/3 vote of Council.

TWO-THIRDS MAJORITY VOTE

158. Order in Council No. 54/2001 establishing Mackenzie County as a Specialized Municipality, requires a Two-Thirds (2/3) majority vote for the following:
 - a. Procedural Bylaw
 - b. Council Remuneration Bylaw
 - i. A simple majority vote is required when authorized Councillors to attend a seminar, convention, workshop, or any other function that Councillors may attend for reimbursement of expenses.
 - c. All issues regarding property taxes
 - d. A bylaw to change the number of Councillors, the boundaries of wards or the method of electing a Chief Elected Officer.
 - i. A simple majority vote is required when electing a Chief Elected Officer in the manner prescribed in this Bylaw.
 - e. The appointment or termination of the Chief Administrative Officer; however, any direction given to the CAO shall be done by a simple majority vote.
 - f. A resolution for the adoption and amendment of the budget.
 - g. Any other matter designated by Council within this Bylaw.

RECORDING DEVICES AT MEETINGS

159. The CAO may authorize the use of any mechanical or electronic means of recording proceedings of Council and Council Committee meetings necessary to assist with the preparation of an accurate set of minutes. Any such recording will be erased or destroyed after the Council or Council Committee meeting has approved the minutes.

160. No person shall, unless a Two-Thirds majority consent of Council is given, record the proceedings of Council through tape recorder, video camera, or other devices.

REPEAL AND COMING INTO FORCE

161. Bylaw No. 1186-20 and all amendments thereto are hereby repealed.

162. This Bylaw shall come into effect upon receiving third and final reading.

READ a first time this 25th day of November, 2020.

READ a second time this 25th day of November, 2020.

READ a third time and finally passed this 25th day of November, 2020.

(original signed)

Joshua Knelsen
Reeve

(original signed)

Lenard Racher
Chief Administrative Officer

