

**BYLAW 2018-01**  
**Office Consolidation Current as of April 11, 2022**

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA,  
TO ESTABLISH PROCEDURES AND CONDUCT OF COUNCIL  
AND MEMBERS OF COUNCIL**

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**WHEREAS** the Municipal Government Act authorizes council to pass bylaws respecting the procedures and conduct of council and council members,

**NOW THEREFORE** the Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

**TITLE**

- 1 This bylaw shall be known as “Procedural Bylaw 2018-01.”

**INTERPRETATION**

- 2 The following words and phrases mean:
  - a) **agenda** means the order of items of business for a meeting and the associated reports, bylaws, and other documents;
  - b) **Agenda Review Committee** means a committee consisting of the mayor, the deputy mayor, and the chief administrative officer;
  - c) **Committee of the Whole** means a committee consisting of all members of council;
  - d) **Finance Committee** means the committee established by *Finance Committee Bylaw 2016-19* as amended;
  - e) **member** means an elected member of council;
  - f) **presiding officer** means the mayor; or, in the absence of the mayor, the deputy mayor; or in the absence of both the mayor and deputy mayor, the member chosen by resolution of council;
  - g) **regular meeting** means a council meeting scheduled at the annual organizational meeting;
  - h) **two-thirds vote** means a favourable vote made by five of seven, four of six, three of five and three of four members;
  - i) **social media** means websites and applications that enable users to create and share content or to participate in social networking.

- 3 The precedence of rules governing council's procedures is:
  - a) the *Municipal Government Act*,
  - b) other provincial legislation,
  - c) this bylaw, and
  - d) the current edition of *Robert's Rules of Order and Parliamentary Procedure*.
- 4 Where a bylaw references a Town staff position, department or council committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.
- 5 This bylaw applies to regular meetings, special meetings, annual organizational meetings, Committee of the Whole meetings, and Finance Committee meetings.

## MEETINGS

- 6 The business of the annual organizational meeting shall include
  - a) the schedule of regular meetings,
  - b) the schedule of committee of the whole meetings,
  - c) the roster of deputy mayor appointments, and
  - d) the appointment of members and public representatives to council committees and external agencies.

2022-04
- 7 If a regular meeting or committee of the whole meeting is scheduled to occur on a statutory holiday, that meeting shall be rescheduled or cancelled.

2022-04
- 8 When a special meeting is called, notice of the special meeting is deemed to have been given to the public
  - a) when the time, date, location, and purpose of the meeting has been advertised at least once in the week preceding the meeting in a local newspaper, or
  - b) where advertising in a local paper is not possible, when a notice that specifies the time, date, location, and purpose of the meeting has been posted for at least twenty-four hours on the front door of the Civic Centre and on the Town's website and social media.
- 9 Meetings governed by this bylaw shall not exceed nine hours in length unless the members present unanimously consent to an extension. If an extension is not approved, any remaining agenda items shall be considered at the next regularly scheduled meeting or at a meeting called specially to complete the business.

2019-08, 2022-04

- 10 The presiding officer shall call a recess every two hours, or as near as is practical, unless the members present unanimously agree to reschedule or cancel the recess.

2019-08

## **QUORUM**

- 11 If quorum, as defined in the *Municipal Government Act*, is not present within fifteen minutes after the time fixed for a meeting, the CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 12 If a meeting is adjourned for failure to constitute a quorum, or for loss of quorum during a meeting, the agenda for that meeting shall be considered at the next regular meeting or at a special meeting called to complete the business.
- 13 If quorum is present within fifteen minutes after the time fixed for a meeting, but the mayor and deputy mayor are absent, the CAO shall call the meeting to order and call for a presiding officer to be chosen by resolution of council.
- 14 Notwithstanding sections 11 and 13, if an absent member provides notice within fifteen minutes after the time fixed for a meeting of their expected arrival time, the presiding officer or the CAO may postpone the meeting until the absent member or members arrive.

## **AGENDA**

- 15 Agendas shall be prepared under the direction of the Agenda Review Committee.
  - 16 Unless otherwise authorized by this bylaw, submissions for inclusion in an agenda shall be delivered to the CAO no later than 4:30 p.m. on the twenty-second calendar day prior to the meeting.
- 2019-08
- 17 When the twenty-second calendar day prior to a meeting falls on a legislated or general holiday, submissions for the agenda shall be delivered to the CAO no later than 4:30 p.m. on the first business day following the holiday.
- 2019-08
- 18 The Agenda Review Committee may authorize inclusion on the agenda of items received after the submission deadline but before the agenda is published.
  - 19 Once an agenda is published, it is the property of council. Items may only be removed from the agenda by a unanimous vote or added as urgent business by a two-thirds vote.
  - 20 The agenda shall be made available to members at least three business days prior to the meeting and made available to the public not less than twenty-four hours later.
  - 21 Failure to meet the deadlines imposed in section 20 does not invalidate the agenda.
  - 22 The order of business for a regular meeting shall be decided by a majority vote.

## **MEMBER SUBMISSIONS**

- 23 A member wishing to introduce a new matter for consideration may submit a motion and any supporting information, in the form of a request for decision, to the CAO in accordance with section 16.
- 24 If approved for inclusion in the agenda, a request for decision submitted by a member will be included as new business at the next regular meeting or special meeting called to complete regular business.
- 25 If a request for decision submitted by a member is not approved for inclusion in the agenda, the member may submit a notice of motion. The notice of motion will appear on the agenda for the next regular meeting or special meeting called to complete regular business.
- 26 A notice of motion must give sufficient detail so that the subject of the motion and any proposed action can be determined.
- 27 A notice of motion is not debatable, however the member presenting the notice may speak to the notice for a period not to exceed five minutes.
- 28 The motion for which notice was given and any supporting documents must be submitted to the CAO in the form of a request for decision by 4:30 p.m. on the fourth day following the meeting at which the notice of motion was made.
- 29 The motion on notice shall be added as new business on the agenda for the subsequent regular meeting or special meeting called to complete regular business.
- 30 Council may waive the requirement for notice by a two-thirds vote and add the matter to the agenda as urgent business.

## **PUBLIC SUBMISSIONS**

- 31 A person other than a member may submit a request to the CAO to include written material in the agenda and/or appear as a delegation at a regular council meeting or a committee of the whole meeting and the agenda review committee may, in their unfettered discretion, permit the request provided
  - a) the person has submitted their request in accordance with section 16,
  - b) the person has provided a description of the matter they wish to address,
  - c) the person has not addressed council on the same matter within the previous six months,
  - d) the matter pertains to a community event, new initiative or provides an update on an item of council interest or that the Town has funded,
  - e) the matter does not pertain to any undecided matter that has been the subject of a public hearing or a matter that is on a proposed future agenda for a decision of council, and

f) there are no concerns around procedural fairness.

32 No delegation shall address council for longer than ten minutes, exclusive of the time required to answer questions from council, unless granted a time extension by the Agenda Review Committee or a majority vote of members present.

2022-04

33 When a delegation or written submission requires a council decision, council shall not make a decision at the same meeting in which the request is received; rather, the request shall appear on the agenda for the following regular meeting as business arising from the minutes, at which time council shall

a) refer the request to administration or a committee for further research, review and recommendation,

b) accept the request as information only, or

c) make a decision on the request.

34 Notwithstanding section 33, council may, by two-thirds vote, immediately add consideration of a request made by a delegation or through a written submission to the current meeting agenda and, if that motion is successful,

a) refer the request to administration or a committee for further research, review and recommendation,

b) accept the request as information only, or

c) make a decision on the request.

2022-04

35 Before a regular meeting is called to order, council will answer questions from the public, without the need to comply with section 31 and in accordance with the following:

a) questions on the following items will not be permitted:

(i) items that are on the current agenda, or

(ii) items that are currently being dealt with at a public hearing;

b) in order to facilitate meaningful responses to questions, citizens must provide a brief written submission stating their question(s) to the municipal clerk a minimum of one business day before the start of the council meeting; and

c) the question(s) provided will be read out, will include the name of the questioner, and will be answered by the presiding officer.

- 36 A question asked before a meeting is called to order shall not be recorded in the minutes of the meeting.

### **MEETING CONDUCT**

- 37 The presiding officer shall
- a) maintain order and decorum and may, if necessary, call a member to order,
  - b) determine who has a right to speak,
  - c) ensure all members who wish to speak to a motion have spoken, ensure that the members are ready to vote, and subsequently call the vote,
  - d) rule when a motion is out of order, and
  - e) ensure persons in the gallery maintain quiet and order and may, if necessary, provide for the removal of those who do not comply.
- 38 A member wishing to speak at a meeting shall address the presiding officer and must be recognized by the presiding officer before speaking.
- 39 No member shall speak for longer than five consecutive minutes.
- 40 Members shall be respectful and attentive, shall avoid distracting themselves and others, and shall not cause disruptions during a meeting.
- 41 When a member is speaking at a meeting, that member shall
- a) speak respectfully,
  - b) refrain from using any offensive or disrespectful language when speaking about any member, administration, council as a whole, or any other parties,
  - c) not shout or use a raised voice, and
  - d) assume personal responsibility for any stated quote, and at the request of council, give the source of the information.
- 42 No person in the public gallery during a meeting shall address council unless invited to do so by the presiding officer.
- 43 No person shall use a video recording device during a meeting unless authorized to do so by this bylaw or by a unanimous vote of members present.
- 44 No member shall engage in use of social media during a meeting.

- 45 When the presiding officer calls a member to order, the member shall immediately cease to speak. After the presiding officer has ruled, the member may explain their action that resulted in the call to order.
- 46 A member may
- a) call a point of order, at any time the member believes that a rule pertaining to the conduct of the meeting has been violated,
  - b) call a point of procedure, at any time the member requires more information about the rules of council or parliamentary law, and
  - c) call a question of privilege, at any time the member believes the comfort, dignity, safety or reputation of the organization or an individual is at stake.
- 47 When any point of order, point of procedure, or question of privilege arises, it shall be immediately taken into consideration and ruled upon by the presiding officer.
- 48 Any decision of the presiding officer with respect to meeting conduct or procedure may be appealed through a motion decided by a majority of members present.

#### **ELECTRONIC MEETING ATTENDANCE**

48.1 Members who are participating in council or council committee proceedings by videoconferencing technology must have the audio and video functions enabled with their face clearly visible in order to be counted towards quorum, to participate in debate, and to vote.

2020-22

48.2 Persons who are participating in closed sessions (in camera sessions) of council or council committee proceedings by videoconferencing technology must prevent any person not authorized to be at the closed session from hearing the proceedings.

2020-22

48.3 Persons other than members are eligible to participate in council or council committee proceedings by videoconferencing technology only upon compliance with relevant sections of *Procedural Bylaw 2018-01* and acceptance of their registration by the municipal clerk.

2020-22

#### **MOTIONS**

- 49 Members may ask questions of administration through the presiding officer before a motion is made, for the purposes of determining what motion should be made in relation to the item.
- 50 All motions shall be presented in writing unless members present unanimously agree to consider a verbal motion.
- 51 Motions based on recommendations by administration will be moved by the presiding officer. Amending motions and subsequent motions on the same topic may be made by any member.
- 52 The presiding officer may speak to a motion at any time after it has been moved.

- 53 All members speaking to a motion must comply with meeting procedures as stated in this bylaw.
- 54 Any motion substantially the same as a motion voted on in the previous six months, with the exception of a motion to reconsider, is out of order.
- 55 A motion may be withdrawn by the member that made the motion any time before voting occurs, subject to no objection from any member present. Motions withdrawn in this manner shall not be recorded in the minutes.
- 56 A friendly amendment, defined as a proposed change in wording that enhances and strengthens the original motion, may be proposed and adopted if the mover of the motion approves. Only the motion as amended by the friendly amendment shall appear in the minutes.
- 57 When a motion contains more than one distinct proposition, council shall vote on each proposition separately if any member so requests or the presiding officer so directs.
- 58 After a motion has been made a member may request further information. The presiding officer shall provide the information or direct the request to administration or to the appropriate member.
- 59 After a motion for first, second or third reading of a bylaw, members may
- a) debate the substance of the bylaw,
  - b) propose and vote on amendments to the bylaw,
  - c) make a motion to postpone the vote on the motion for a reading of the bylaw; and
  - d) vote on the bylaw reading.
- 60 After a motion has been made, no other motion may be made except for
- a) a motion to amend the motion on the floor,
  - b) a motion to table the motion until a time later in the meeting, or
  - c) a motion to postpone the main motion to a specific date.
- 2022-04
- 61 Amending motions shall be made in accordance with the following:
- a) Only one amendment to the main motion and one amendment to that amendment shall be on the floor at any given time.
  - b) A member who moved a motion may not move an amendment to that motion, except the presiding officer who moves a motion recommended by administration.

- c) The main motion shall not be debated until all amendments to it have been put to the vote.
- d) Amendments shall be voted on in the reverse order in which they were moved.
- e) When all amendments have been voted on, that main motion shall be put to a vote incorporating all adopted amendments.

62 A member may not move an amendment which

- a) does not relate to the subject matter of the main motion, or
- b) is contrary to the main motion.

63 A motion to postpone must include the reason for postponement and a specific date when the matter shall be considered. A motion to postpone is debatable and is decided by a majority vote of council.

2022-04

64 A motion to table must include the reason and time within the current meeting to which the matter is to be tabled. A motion to table is not debatable.

65 A motion to reconsider a motion that has already been voted on

- a) must be made by a member who voted on the prevailing side of the motion in question,
- b) must be made the same day the vote was taken on the motion in question or added to a future agenda in accordance with the provisions related to member submissions in this bylaw,
- c) is debatable,
- d) may be postponed,
- e) must be decided by a two-thirds vote, and
- e.1) may not be made if a vote for which the reconsideration sought has caused an irrevocable action.

2022-04

66 A motion to rescind a motion which has been passed

- a) may be added to a future agenda in accordance with the provisions related to member submissions in this bylaw,
- b) is debatable,
- c) may be postponed,
- d) must be decided by a two-thirds vote, and

e) may not be made if a vote for which the rescission is sought has caused an irrevocable action.

2022-04

67 A motion to adjourn may be made by any member except when

- a) another member has the floor,
- b) a call for a vote has been made,
- c) the members are voting,
- d) the meeting is in camera, or
- e) a previous motion to adjourn has been defeated, and no other proceedings have taken place.

68 A motion to adjourn is not debatable and cannot be reconsidered.

69 When considering approval or acceptance of a document

- a) a motion to approve a document provides direction for administration to implement any actions or direction articulated in the document, subject to council approval of actions or directions with unbudgeted financial implications,
- b) a motion to accept a document for planning purposes provides direction for administration to use the document as a guide, and to gain council approval before taking action or establishing a direction, and
- c) a motion to accept as information provides direction for administration to take no action related to the document.

70 Any member may request the motion under consideration to be read at any time, but not so as to interrupt a member who is speaking.

71 Any member may request that the presiding officer call a vote on a motion, and the presiding officer shall consider and rule on the request immediately.

72 Once the presiding officer has called the vote on a motion on the floor, no member may speak to the motion until after the result of the vote has been declared.

73 Unless otherwise provided for in this bylaw, motions will be decided by majority vote of council.

74 Motions receiving a unanimous vote shall be recorded in the minutes as “carried unanimously” or “defeated unanimously” and, in the case of a split vote, as “carried” or “defeated,” and the names of those who voted for and against the motion shall be recorded.

## **MEETING RECORDS**

- 75 Unless otherwise authorized by this bylaw, discussion, questions and debate shall not be recorded in the minutes.
- 76 Unless otherwise authorized by this bylaw, a summary of any verbal presentations made and/or a copy of written materials provided by members of the public will be recorded in the minutes.
- 77 When a meeting is closed to the public to discuss a matter that is within one of the exceptions to disclosure in the Freedom of Information and Protection of Privacy Act, the reason for closing the meeting and the names of persons present other than members shall be recorded in the minutes.
- 78 Minutes of a meeting other than a committee of the whole meeting shall be adopted by motion at the following regular meeting, regardless of whether or not the same members are present.
- 79 Any member may request a correction to the minutes before they are adopted. Corrections are deemed adopted when the motion to adopt the minutes has carried.
- 80 Approved minutes shall be signed by the presiding officer and the recording secretary who were present at the meeting where the minutes were taken, wherever practicable. Where not practicable, the minutes shall be signed by the current presiding officer and recording secretary.
- 81 The CAO is authorized to provide for streaming video and video recording of any meeting.
- 82 A video recording provided by the CAO may be used to determine the accuracy of a portion of the minutes.

## **COMMITTEE OF THE WHOLE**

- 83 The business of a committee of the whole meeting shall include
  - a) briefings from members, administration, and the public, and
  - b) consideration of policies, bylaws, and plans for recommendation to council.
- 84 The committee of the whole is authorized only to make recommendations, by motion, to council. Such recommendations will be submitted to a council agenda in accordance with section 16.
- 85 The following exceptions to this bylaw apply to committee of the whole:
  - a) a member may speak for longer than five minutes,
  - b) members must be recognized by the chair before speaking, however members may direct questions and answers to one another and to administration, and
  - c) members may discuss an issue without a motion on the floor.

86 Minutes of a committee of the whole meeting shall be adopted by motion at the following committee of the whole meeting, regardless of whether or not the same members are present.

**PROCEDURE FOR FIRST READING OF A PLANNING BYLAW**

86.1 Before giving first reading to

- a) a proposed bylaw to adopt or amend a municipal development plan,
- b) a proposed bylaw to adopt or amend an area structure plan,
- c) a proposed bylaw to adopt or amend an area redevelopment plan, or
- d) a proposed bylaw amending the Land Use Bylaw,

Council shall, at a regular or special council meeting,

- a) provide the applicant, if any, with the opportunity to present their application,
- b) hear a presentation from administration, and
- c) hold a question period for Council to ask questions of the applicant, if any, and administration.

2022-04

**PUBLIC HEARINGS PROCEDURE**

87 Notwithstanding any other section of this bylaw, Sections 88 through 93 apply to public hearings.

88 A public hearing shall include

- a) a brief summary from administration and/or the applicant to provide context,
- b) presentations from the public and questions of clarification from council,
- c) acknowledgment of written submissions received by the municipal clerk,
- c.1) Council questions of the applicant in response to public presentations (if applicable),
- d) closing comments from administration, and
- d.1) Council questions of administration.

2020-28; 2022-04

89 No person shall address council at a public hearing

- a) without the permission of the presiding officer, and
- b) unless the person is speaking in accordance with section 88(a), more than once or for more than five minutes, exclusive of the time required to answer questions from council.

2022-04

- 90 Notwithstanding section 89(b), the presiding officer retains the right to limit or extend public presentations in order to ensure the integrity of the public hearing.
- 91 Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing
- a) must be present in the council chamber or via electronic attendance, and
  - b) must register with the municipal clerk by noon on the business day preceding the hearing.
- 2022-04
- 91.1 Notwithstanding section 91(b), a person, group, or representative of a person or group who has not registered may provide a verbal presentation after all registered participants are heard if they are present in the council chamber during the hearing.
- 2022-04
- 91.2 A person or group may submit their presentation using a pre-recorded video or audio provided that the video is shown by a representative who is present in the council chamber or via electronic attendance.
- 2022-04
- 91.3 Notwithstanding section 91.2, the presiding officer retains the right to stop a pre-recorded video or audio presentation that does not comply with the public hearing procedures set out in this bylaw.
- 2022-04
- 91.4 A representative of a person or group referenced in sections 91, 91.1, or 91.2 must be willing and able to speak for and answer questions on behalf of the person or group they represent. If it is determined upon questioning by the presiding officer that the representative
- a) will only be reading a written statement of a person or group, and with respect to which they will not be able to answer questions of council, then, notwithstanding sections 91 and 91.2, the presiding officer may end the presentation immediately by acknowledging receipt of the written statement without it being read by the representative, or
  - b) will only be presenting a pre-recorded video or audio, and with respect to which they will not be able to answer questions of council,
- then, notwithstanding section 91.2, the presiding officer may end the presentation immediately without the pre-recorded video or audio being shown.
- 2022-04
- 92 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.

93 No motions shall be made at a public hearing.

### **PUBLIC HEARING RECORDS**

94 Repealed 2018-18.

95 Repealed 2018-18.

96 A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the municipal clerk between the time council sets a date for a public hearing and the close of the hearing.

2020-18; 2022-04

96.1 The municipal clerk shall compile written submissions received from members of the public before 9 a.m. two business days before the hearing into a record of public submissions and publish that record by 5 p.m. two business days before the hearing.

2020-18; 2022-04

96.2 The municipal clerk shall add written submissions received from members of the public between 9 a.m. two business days before the hearing and the close of the hearing to the published record of public submissions by the end of the next business day after the adjournment of the council meeting during which the public hearing was held.

2020-18; 2022-04

96.3 Anonymous submissions shall not be accepted, and an individual's name must be attached to every submission.

2022-04

97 Where a person provides more than one identical or largely identical written submission, only one shall be included in the record of public submissions.

2022-04

98 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, opposition, or neutrality, but not a summary of the presentations and/or a copy of any written materials provided.

**ENACTMENT/TRANSITION**

99 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

100 Bylaws 04-2013, 2015-14, 2016-16, and 2017-35 are repealed.

101 This bylaw comes into force on the date it is passed.

FIRST READING: January 23, 2018

SECOND READING: January 23, 2018

THIRD READING: January 23, 2018

DATE IN FORCE: January 26, 2018

**OFFICE CONSOLIDATION**

This document is a consolidation of a bylaw with one or more amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

2018-01	Procedural Bylaw
2019-08	Amending Bylaw Meeting Length
2020-18	Amending Bylaw Public Hearing Submissions
2020-22	Amending Bylaw Electronic Meeting Attendance
2022-04	Amending Bylaw Omnibus