



# Village of Empress

## PROCEDURE BYLAW 2025-03

(Amended 10<sup>th</sup> September 2025)

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# BYLAW 2025-03

**A Bylaw of The Village of Empress to provide for the orderly proceedings of meetings held by Council and the various boards, committees, and other bodies established by Council.**

**WHEREAS** The Village of Empress Council may pass bylaws establishing procedures to be followed by Council, committees, and other bodies established by Council pursuant to the *Municipal Government Act*,

**AND WHEREAS** The Village of Empress may pass bylaws establishing procedures for public hearings pursuant to the *Municipal Government Act*,

**NOW THEREFORE** the Council of The Village of Empress enacts as follows:

## **Title and Definitions**

- 1 This bylaw may be cited as the *Procedure Bylaw*.
- 2 Words in this bylaw have the same meaning as set out in the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this bylaw.

## **Application and Purpose**

- 3 This bylaw applies to all Council and committee meetings and to those participating in and attending those meetings. The procedures established in this bylaw are to be used for the orderly consideration of business and are to be applied in the spirit of fairness, equality, and common sense.
  - (1) Despite the above section, this bylaw does not apply to the Subdivision and Development Appeal Board and the Assessment Review Boards.
- 4 This bylaw applies when Council acts as the:
  - (1) Subdivision Authority in accordance with the *Subdivision Authority Bylaw* or otherwise from time to time; and
  - (2) Development Authority in accordance with the *Land Use Bylaw*, a direct control bylaw, or otherwise from time to time.
- 5 Despite the procedures established in this bylaw, if a committee establishes procedures that differ from the procedures in this bylaw, the procedures of the committee take precedence to the extent of the difference.

### **Interpretation**

- 6 Meeting procedures are a matter of interpretation by the Chair, subject to the rights and privileges of members. The Chair is encouraged to seek advice when interpreting meeting procedures.
- (1) Although meeting procedures are a matter of interpretation by the Chair, it is the responsibility of all members to ensure that the procedures in this bylaw are followed during meetings.
- 7 If a matter of procedure arises that is not contemplated in this bylaw, the matter is decided by reference to the most current edition of Robert's Rules of Order. If there is a conflict between this bylaw and the most current edition of Robert's Rules of Order, this bylaw takes precedence to the extent of the conflict.

### **Suspension of the Rules**

- 8 Council or a committee may by resolution temporarily suspend specific rules established in this bylaw. A suspension of the rules is only in effect for the meeting at which the resolution was passed.
- (1) Rules in this bylaw originating from the *Municipal Government Act* or other governing legislation cannot be suspended.
- 9 If a suspendable rule in this bylaw is inadvertently not followed during a meeting, the rule is deemed to have been suspended for that specific case.

### **Term of Appointment of the Deputy Mayor**

- 10 The term of appointment of the Deputy Mayor is for one year and must not extend beyond the term of office of that person as councillor. There are no limits on the number of successive terms that can be served by the Deputy Mayor.
- (1) Only one councillor may be appointed as Deputy Mayor at a time and the position of Mayor must be filled at all times.
- 11 The term of appointment of the Deputy Mayor must be made, suspended, or revoked by resolution. A resolution to suspend or revoke the appointment of the Deputy Mayor must provide for the appointment of another councillor to that position.

### **Mayor as Chair and Deputy Mayor as Vice-Chair**

- 12 The Mayor is the Chair and presides over Council meetings when they are present and able to perform the duties of the position in accordance with section 154(1)(a) of the *Municipal Government Act*.

- 13 The Deputy Mayor is the Vice-Chair and presides over Council meetings when the Mayor is absent or unable to perform the duties of the position in accordance with section 152(2)(a) of the *Municipal Government Act*.

- (1) The Deputy Mayor has the same powers and responsibilities as the Mayor under this bylaw when presiding over Council meetings

#### **Responsibilities of Chairs and Vice-Chairs**

- 14 The Chair of the meeting is responsible for:

- (1) presiding over the meeting when in attendance unless otherwise specified by this bylaw or other The Village of Empress bylaws, policies, and procedures;
- (2) presiding over conduct at meetings, including providing for the orderly consideration of business, preserving good order and decorum, deciding on and responding to procedural questions, ruling on points of order and points of privilege, and responding to challenges of the Chair;
- (3) managing the flow of business at meetings, including changing the order of the agenda when appropriate and calling for recesses or for the meeting to stand at ease without requiring a resolution; and
- (4) provide for the orderly queuing of speakers and ensuring that each member who wishes to speak on a matter or motion is provided an opportunity to do so in accordance with this bylaw.

- 15 When the Chair is absent from a meeting or unable to perform the duties of the position, the Vice-Chair presides over the meeting. The Vice-Chair has the same powers and responsibilities as the Chair under this bylaw when presiding over meetings.

#### **Appointment and Responsibilities of an Acting Chair**

- 16 An Acting Chair presides over meetings when both the Chair and Vice-Chair are absent or unable to perform the duties of the position. The Acting Chair has the same powers and responsibilities as the Chair under this bylaw when presiding over meetings.

- (1) the Chief Administrative Officer will call the meeting to order and preside over the appointment of the Acting Chair if both the Chair and Vice-Chair are absent or unable to preside over the appointment of the Acting Chair.
- (2) the appointment of the Acting Chair may be made by either resolution or unanimous consent of the members in attendance at the meeting. The Acting Chair presides over the remainder of the meeting once they are appointed, or until the Chair or Vice-Chair are able to preside over the meeting.

#### **Scheduling Regular Council and Committee Meetings**

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- 17 At its annual organizational meeting, Council schedules regular Council and committee meetings for the following year as required, except for the Subdivision and Development Appeal Board and Assessment Review Boards.
- 18 Council may from time-to-time schedule additional regular Council meetings by resolution.
- 19 Committees may from time-to-time schedule additional regular meetings in accordance with the committee's terms of reference, or by resolution if the terms of reference do not provide for an alternate process.
- 20 All councillors must be present when scheduling regular Council meetings pursuant to section 193(1) of the *Municipal Government Act*.

### **Scheduling Special Council and Committee Meetings**

- 21 Special Council meetings may be called by the Mayor in accordance with section 194 of the *Municipal Government Act*.
- 22 Special committee meetings may be called by the Chair in accordance with the committee's terms of reference, or by the Chair in accordance with section 194 of the *Municipal Government Act* if the terms of reference do not provide for a process.

### **Notice of Council and Committee Meetings**

- 23 Notice of regular Council and committee meetings, as well as organizational and inaugural meetings of Council, is provided in accordance with the *Municipal Government Act* and the *Public Notification Bylaw*.
  - (1) if time permits, notice is provided for at least two consecutive weeks prior to a meeting. If time does not permit, notice is provided for as much time as possible prior to the meeting.
- 24 Notice of special Council and committee meetings is provided in accordance with the *Municipal Government Act* and the *Public Notification Bylaw*.
  - (1) If time permits, notice is provided for two consecutive weeks prior to a special meeting. If time does not permit, notice is provided for as much time as possible prior to the special meeting.

### **Rescheduling and Cancelling Council and Committee Meetings**

- 25 Council may change the date, time, or place of a meeting by resolution or with the written consent of a majority of councillors. Notice of the change is provided in accordance with the *Public Notification Bylaw* with no less than 24 hours' notice pursuant to section 193(3) of the *Municipal Government Act*.

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- 26 Committees may change the date, time, or place of a meeting by resolution or with the written consent of a majority of members. Notice of the change is provided in accordance with the *Public Notification Bylaw* with no less than 24 hours' notice.
- 27 Council or committee meetings may be cancelled:
- (1) by resolution passed at a meeting prior to the meeting to be cancelled with not less than 24 hours' notice of the cancellation. Notice of the cancellation is provided in accordance with the *Public Notification Bylaw*; or
  - (2) with the written consent of a majority of members with not less than 24 hours' notice of the cancellation. Notice of the cancellation is provided in accordance with the *Public Notification Bylaw*.

### **Organizational Meetings of Council**

- 28 Council holds an annual organizational meeting pursuant to section 192(1) of the *Municipal Government Act* to appoint the Mayor and Deputy Mayor, schedule Council and committee meetings, make appointments to committees and other bodies, and consider any other business on the organizational meeting agenda.
- 29 At organizational meetings, Council:
- (1) in accordance with section 159(1) of the *Municipal Government Act*, appoints the Mayor and Deputy Mayor for the term of appointment provided for in sections 10 and 11 of this bylaw;
  - (2) schedules regular Council and committee meetings as required, except for the Subdivision and Development Appeal Board and Assessment Review Boards;
  - (3) makes appointments to committees and other bodies as required using the process established by sections 36 through 40 of this bylaw; and
  - (4) considers any other matter on the organizational meeting agenda.
- 30 During organizational meetings:
- (1) the Chief Administrative Officer calls the meeting to order and presides over the appointment of the Mayor and their oath of office;
  - (2) Once appointed, the Mayor presides over the appointment of the Deputy Mayor and their oath of office; and
  - (3) the Mayor then presides over the remainder of the organizational meeting.

### **Inaugural Meetings of Council**

- 31 Inaugural meetings are the first organizational meeting of a new Council held after a general election and are held in accordance with sections 31, 32, and 33 of this bylaw.

- 32 During inaugural meetings:
- (1) the Chief Administrative Officer calls the meeting to order and presides over the oaths of office for councillors;
  - (2) the Chief Administrative Officer then presides over the appointment of the Mayor and their oath of office;
  - (3) Once appointed, the Mayor presides over the appointment of the Deputy Mayor and their oath of office; and
  - (4) the Mayor then presides over the remainder of the inaugural meeting.

**Appointments and Votes by Secret Ballot**

- 33 When Council or a committee makes appointments to a position, either at an organizational meeting or as otherwise required from time to time, the following process will be used:
- (1) the Chair calls for nominations for the position.
  - (2) members nominate their preferred candidate for the position. Members may only nominate one candidate for a position; and
  - (3) when there are no further nominations for the position, the Chair closes nominations without requiring a resolution.
- 34 If only one nomination is received for a position, they are declared the successful nominee and are appointed to the position by acclamation for the specified term of office.
- 35 If more than one nomination is received for a position, a vote by secret ballot is conducted to determine the successful nominee using the following process:
- (1) if a nominee receives a majority of votes on the first ballot, they are declared the successful nominee and are then appointed by resolution to the position for the specified term of office; or
  - (2) if no nominee receives a majority of votes on the first ballot, the nominee with the fewest votes is dropped from the ballot and subsequent ballots are conducted until only the nominee with the most votes remains. The successful nominee is then appointed by resolution to the position for the specified term of office; and
  - (3) if after multiple ballots it is clear that no one nominee will receive a majority of votes, the Chair may direct the scrutineers to draw a name to determine the successful nominee. The successful nominee is then appointed by resolution to the position for the specified term of office.
- 36 The Chief Administrative Officer will provide for scrutineers to conduct votes by secret ballot and will ensure that all ballots are destroyed after the meeting at which the vote by secret ballot was conducted is adjourned.
- 37 All appointments, including appointments determined through a vote by secret ballot, must be confirmed by resolution pursuant to section 185.1 (2) of the *Municipal Government Act*.

### **Recording and Livestreaming Meetings**

38 Council meetings maybe recorded and livestreamed to the public with the exception of closed sessions. Committee meetings may be recorded and livestreamed to the public with the exception of closed sessions.

39 If there are technical difficulties while livestreaming that are unable to be resolved, the Chair advises those present at the meeting that the livestream is not available. Notice of the technical difficulties will be provided to the public on The Village of Empress's public website.

(1) The meeting may continue without a livestream.

40 The use of audio/video recording devices or photographs by the public or the media during a meeting is prohibited unless authorization is provided by the Chair and Chief Administrative Officer.

41 Meeting recordings will be retained and provided in accordance with The Village of Empress's bylaws, policies, and procedures. Meeting recordings will only be transcribed by The Village of Empress if required in connection with any litigation, audit, or investigation.

### **Electronic Participation in Meetings**

42 Members are expected to participate in meetings in-person unless there is a clear need to participate electronically. Members may participate in an in-person meeting electronically in accordance with this bylaw.

43 Any member, except for the member presiding over the meeting, may participate in a meeting electronically for personal or family reasons so long as they participate in a location that is free of distractions, secure, and appropriate for participation in the meeting.

(1) The Chair cannot electronically preside over in-person meetings and must vacate the position for that meeting if they wish to participate electronically.

44 The Chair has the authority to end a member's electronic participation in a meeting if, in their determination, it is disruptive to the meeting, or the location of the member is not secure or appropriate.

45 Members must notify the Chair and Chief Administrative Officer as soon as they are aware of their need to participate in a meeting electronically.

46 Members participating in a meeting electronically must have their cameras activated and be visible to the other members of the meeting to be considered present, unless otherwise permitted by the Chair. Unless otherwise permitted by the Chair, members will be considered absent from the meeting if their cameras are not activated or if they are not visible during the meeting.

### **Holding Meetings and Hearings Electronically**

47 Council and committee meetings and hearings may be held entirely electronically so long as they are held in accordance with section 199 *Municipal Government Act* and comply with the public notification and participation requirements of the *Municipal Government Act*.

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- 48 The Chair may direct those meetings or hearings be held electronically if, in their determination, electronic meetings are desirable or if they are required during emergency, public health, or disaster events.
- 49 When a meeting or hearing is held electronically:
- (1) All participants must identify themselves by name through their usernames on Microsoft Teams and may further identify themselves by position or organization if they wish.
  - (2) members participating in a meeting electronically must have their cameras activated and be visible to the other members of the meeting to be considered present, unless otherwise permitted by the Chair. Unless otherwise permitted by the Chair, members will be considered absent from the meeting if their cameras are not activated or if they are not visible during the meeting; and
  - (3) all materials that would otherwise be available during an in-person meeting or hearing will be made available through The Village of Empress's public website.
- 50 The Chair must be physically present to preside over a meeting or hearing that is being held electronically. If the Chair wishes to participate in the meeting electronically, they must vacate the position for that meeting or hearing.
- 51 The Chair has the authority to end a member's electronic participation in an electronic meeting or hearing if, in their determination, it is disruptive to the meeting or hearing, or the location of the member is not secure or appropriate.

### Closed Sessions

- 52 Council and committees may consider a matter, or a portion of a matter, in a closed session only in accordance with section 197 of the *Municipal Government Act* and the applicable sections of the *Freedom of Information and Protection of Privacy Act*.
- (1) Closed sessions may be held electronically, and members may participate in a closed session electronically in accordance with this bylaw.
- 53 In accordance with section 197(4) of the *Municipal Government Act*, Council or the committee must pass a resolution to move into a closed session that specifies the matters to be considered in the closed session and the applicable sections of the *Freedom of Information and Protection of Privacy Act*.
- 54 The Chair of the meeting presides over any closed sessions held at that meeting and ensures that only those matters included in the resolution to move into closed session are considered during the closed session.
- 55 All members may participate in a closed session except if a member abstains from participating in the matter to be considered in the closed session in accordance with the *Municipal Government Act*.
- 56 The Chair may allow others to attend closed sessions and may direct that others leave the closed session as desired. The meeting minutes will record the names of those in attendance for the closed session.

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- 57 Those attending a closed session must not record, take notes, or otherwise document the proceedings of the closed session except for the Chief Administrative Officer for the purpose of recording meeting minutes
- 61 Council or a committee cannot pass resolutions during a closed session except for a resolution to move back into open session pursuant to section 197(3) of the *Municipal Government Act*. All decisions arising from a closed session must be made by resolution passed in open session.
- 62 All proceedings, discussion, opinions, advice, and materials provided in closed sessions are confidential and must remain in confidence indefinitely by those attending the closed session unless their release is directed by Council or the committee.
- (1) Despite this section, materials provided in closed sessions may be released through an access to information request in accordance with the *Freedom of Information and Protection of Privacy Act* without direction from Council or the committee.
- 63 Before considering motions following a closed session, the Chair of the meeting will provide reasonable notice to the public that the meeting is back in open session and will allow sufficient time for the public to return to the meeting in accordance with section 197(5) of the *Municipal Government Act*.

### Meeting Minutes

- 64 The Chief Administrative Officer or designate prepares written records of the proceedings and decisions of Council and committee meetings pursuant to section 208 of the *Municipal Government Act*, which must include, but are not limited to including, the following:
- (1) the date, time, and location of the meeting;
- (2) the names of the members present and absent from the meeting;
- (3) the names and times of members who arrive or leave throughout the course of the meeting or who are temporarily absent for a portion of the meeting;
- (4) the names of the staff who participated in the meeting by presenting or responding to questions and the names of the public who are permitted to address Council during the meeting;
- (5) the names of the public who speak at a public hearing pursuant to section 216.4(6) of the *Municipal Government Act*.
- (6) the names of everyone, including members, staff, the public, or others, in attendance during any closed sessions held at the meeting;
- (7) all motions, which member moved each motion, whether each motion was carried or defeated, and any members who were absent or abstained from the vote on the motion;

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- (8) any abstentions of a conflict of interest or pecuniary interest made by members and the reasons provided by the member in their disclosure of the interest; and
  - (9) if a vote is a recorded vote, then the names of which members voted in favour and in opposition to the motion if the result of the vote is not unanimous in accordance with section 185(2) of the *Municipal Government Act*.
- 65 Meeting minutes must be adopted by resolution of Council or the committee and be signed in accordance with section 213(1) of the *Municipal Government Act*.
- 66 Minor corrections may be made to approved meeting minutes without requiring a resolution of Council or the committee provided they are limited and clerical in nature, such as correcting spelling or grammar. Minor corrections to the meeting minutes must be approved by both the Chair and the Chief Administrative Officer.
- 67 Major corrections to approved meeting minutes must be made by resolution of Council or the committee. Major corrections include capturing the correct wording of motions, clarifying whether motions were carried or defeated, or properly recording any disclosures or abstentions made at the meeting.

### Meeting Agendas

- 68 Council and committee meeting agendas are prepared by Administration in consultation with the Mayor and the Deputy Mayor.
- 69 Council meeting agendas are approved by the Mayor prior to them being published to Council, and the Mayor may reschedule agenda items to maximize the efficiency and effectiveness of the meeting.
- (1) The Deputy Mayor approves agendas and reschedules any agenda items if the Mayor is absent or unable to do so.
- 70 Committee meeting agendas are approved by the Chair prior to them being published to the committee, and the Chair may reschedule agenda items to maximize the efficiency and effectiveness of the meeting.
- (1) The Vice-Chair approves agendas and reschedules any agenda items if the Chair is absent or unable to do so.
- 71 The Chief Administrative Officer publishes Council and committee agendas to Council or the committee no later than seven days prior to each meeting and to The Village of Empress's public website no later than six days prior to each meeting.

### Addendums to an Agenda

- 72 The Chief Administrative Officer or designate may prepare and publish addendums to Council or committee meeting agendas. Agenda addendums may include the following:
- (1) supplementary reports and materials;

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- (2) revised or corrected reports and materials;
  - (3) reports and materials for emergent business items;
  - (4) additional public submissions or public submissions not included in the agenda; and
  - (5) anything else that, in the determination of the Chief Administrative Officer, is required for consideration of business at the meeting.
- 73 Prior approval from the Mayor or Chair, as otherwise required by sections 69 and 70 of this bylaw, is not required for the Chief Administrative Officer to prepare and publish agenda addendums.
- 74 The Chief Administrative Officer or designate publishes Council and committee agenda addendums to Council or the committee and on The Village of Empress's public website no later than two business days prior to the meeting.

### **Updates and Adoption of an Agenda**

- 75 Meeting agendas must be adopted by resolution prior to consideration of any business at a Council or committee meeting. When an agenda is adopted, the adoption includes any addendums to the agenda published by the Chief Administrative Officer or designate.
- 76 After an agenda has been published to Council or a committee, Council or the committee may only add or remove items from an agenda by resolution. Updates to an agenda should be considered prior to the adoption of the agenda at the meeting.
- (1) Despite this bylaw, Council or a committee may only add or remove items from a special meeting agenda by resolution passed by a majority of members and only if the entire Council or committee is present at the special meeting pursuant to section 194(5) of the *Municipal Government Act*.
- 77 After an agenda has been adopted by Council or a committee, Council or the committee may only add or remove items from the agenda by resolution passed unanimously by all members present at the meeting.

### **Emergent Business**

- 78 Only emergent business items may be added to a Council or committee meeting agenda after the agenda has been published to Council or the committee. Emergent business items are matters that were not included on a meeting agenda but due to urgency, time constraints, or unusual circumstances must be considered at the meeting.

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- 79 The Chief Administrative Officer or a member may propose that an emergent business item be added to a meeting agenda. Emergent business items must be added to an agenda by resolution.
- (1) When Administration proposes an emergent business item, the Chief Administrative Officer provides reasons why the item should be considered as emergent business at the meeting.
  - (2) When a member proposes an emergent business item, the member provides reasons why the item should be considered as emergent business at the meeting.
- 80 When considering whether to add an emergent business item to the agenda, Council or the committee should consider, but is not bound or limited to considering, the following:
- (1) the reasons provided by the Chief Administrative Officer or member;
  - (2) whether the matter could be considered at a future meeting;
  - (3) whether enough information is available to properly consider the matter; and
  - (4) whether the matter requires prior advertisement or notification in accordance with this bylaw, the *Municipal Government Act*, or other governing legislation.

### Notices of Motion

- 81 A councillor who wishes to introduce a new matter for consideration at a Council meeting that is not emergent business must submit a notice of motion to the Chief Administrative Officer and the notice of motion must be seconded by another councillor.
- 82 All notices of motion are introduced at one meeting by reading the notice of motion into the public record, and the proposed motion is then considered by Council at a subsequent meeting as specified in the notice of motion.
- 83 To be included on the agenda, notices of motion must be submitted to the Chief Administrative Officer by noon not less than 7 days prior to the meeting at which the councillor wishes to introduce their notice of motion.
- 84 The notice of motion must include the following:
- (1) the date of the meeting at which the councillor will introduce the notice of motion by reading it into the public record;
  - (2) the date of the meeting at which Council will consider the motion proposed in the notice of motion;
  - (3) the name of the Councillor who seconded the notice of motion;
  - (4) an indication of the purpose and background of the proposed motion to be considered by Council; and

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(5) the proposed motion to be considered by Council.

85 After a notice of motion has been read into the public record, consideration of the proposed motion will be scheduled with no further action required by Council. At the meeting where the proposed motion will be considered, a councillor must still move the motion proposed in the notice of motion, at which point Council proceeds to consider the motion.

86 When considering a motion proposed by a notice of motion, Council considers the motion in the same manner it would if the motion was moved without a notice of motion. Council may, for example, consider passing or defeating the motion, amending the motion, postponing the motion, or referring the motion to Administration to prepare a response to the motion.

### **Member Conduct at Meetings**

87 When in attendance at a Council or committee meeting, members must maintain order and decorum during the meeting. Members must:

- (1) speak and listen respectfully to all those participating or attending the meeting;
- (2) be acknowledged by the Chair prior to speaking;
- (3) use parliamentary language whenever possible;
- (4) respect the rules and proceedings of Council or the committee;
- (5) refrain from side conversations with each other when another person is speaking; and
- (6) respect the decisions of the Chair and of Council or committee, respect the submissions made by the public, and respect the advice provided by Administration.

88 If a member continues to breach the rules in this bylaw, the Chair may request that another member move a motion to remove the unruly member from either the balance of the meeting or until such a time provided in the motion so long as that time does not extend beyond the balance of the meeting. If the motion passes, the member must leave the meeting.

89 If the Chair continues to fail to adhere to the rules of this bylaw, a member may move a motion to remove the unruly Chair from either the balance of the meeting or until such a time provided in the motion so long as that time does not extend beyond the balance of the meeting. If the motion passes, the Chair must leave the meeting.

90 If the Chair or a member has been directed to leave the meeting in accordance with this bylaw, the Chair or member may provide an explanation and apology for their behaviour. If the remaining members find the statement satisfactory, the members may by resolution allow the offending member to remain or return to the meeting.

**Public Conduct at Meetings**

- 91 When in attendance at a Council or committee meeting, the public must maintain order, decorum, and quiet for the duration of the meeting. The public must not:
  - (1) approach or address, or attempt to approach or address, Council or the committee without prior permission being granted; or
  - (2) otherwise disturb or interrupt the proceedings of Council or the committee.
  
- 92 The Chair may order that a member of the public be expelled from a meeting for disturbing or interrupting the proceeds of a meeting, or for otherwise acting improperly during the meeting in accordance with section 198 of the *Municipal Government Act*.

**Public Requests to Address Council Or a Committee**

- 93 Members of the public wishing to address Council or a committee, either with a verbal presentation or with a written submission, on an agenda item that is not a public hearing must notify the Chief Administrative Officer of the request and the reasons for the request.
  
- 94 The Chief Administrative Officer advises Council or the committee of the request and the reasons provided by the requester.
  
- 95 Council or the committee may by resolution permit the member of the public to speak on the agenda item or may by resolution receive the written submission on the agenda item. Members of the public who are permitted to address Council or the committee have a maximum speaking time of 5 minutes, unless otherwise provided for by resolution.

**Meeting Proceedings**

- 96 All proceedings during a meeting must be directed through the Chair, including presentations, questions, responses, and debate. The Chair, when directing the proceedings of a meeting, should apply the rules in this bylaw in the spirit of fairness and to advance the business before Council or the committee.
  
- 97 The order of business conducted at a meeting is determined by the Chair, subject to:
  - (1) the time of any advertised public hearings or any matters scheduled for a specific time;
  - (2) a request or point of order raised by a member; or
  - (3) a request raised by Administration.
  
- 98 No member or participant in a meeting may speak until they are recognized by the Chair unless they are attempting to gain the attention of the Chair, in which case they must do so in the least disruptive way possible.

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- 99 Unless otherwise permitted by the Chair, members may speak twice on a matter or motion, once to ask questions and once in debate. The Chair may allow members to speak more than twice on a matter or motion in the following cases:
- (1) the member is seeking clarification from another member, from Administration, or from a presenter;
  - (2) the member is responding to a question or comment made by another member, by Administration, or by a presenter;
  - (3) the matter under consideration warrants, in the determination of the Chair, further questioning or debate;
  - (4) to allow the mover of a motion to close debate; or
  - (5) for any other reason that the Chair, in their determination, considers reasonable.
- 100 Councillors sit in the numerical order of their electoral division, other than the Chair and Vice Chair, with any seating changes subject to approval from the Chair.

### Quorum and Absences

- 101 If a member is unable to attend a meeting, that member must advise the Chair and the Chief Administrative Officer of their absence and the reasons for their absence as soon as possible after they are aware that they will be unable to attend.
- 102 If quorum is lost at any time during a meeting, the meeting is recessed and if quorum is not regained within 15 minutes, or more than 15 minutes if agreed upon by the members present, the meeting is adjourned and all remaining business on the agenda is postponed to the next available meeting.
- 103 If quorum is not present within 15 minutes, or more than 15 minutes if agreed upon by the members present, after the advertised start time of the meeting, the meeting is adjourned and all business on the agenda is postponed to the next available meeting.
- 104 If both the Chair and the Vice-Chair are not present within 15 minutes, or more than 15 minutes if agreed upon by the members present, of the start time of a meeting but there is quorum present, the Chief Administrative Officer will call the meeting to order, and the members present will appoint an Acting Chair for the meeting.

### Pecuniary Interests and Abstentions

- 105 When a member is aware or reasonably believes that they have a pecuniary interest in a matter before Council or a committee, the member must disclose their pecuniary interest and abstain from participating in the matter in accordance with section 172 of the *Municipal Government Act*.

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- 106 Members should make their disclosures of pecuniary interest, including the general nature of the pecuniary interest, at the onset of the meeting at which they have a pecuniary interest, as well as at the onset of the agenda item for which they have the pecuniary interest.
- 107 The members' disclosure of pecuniary interest and abstention are recorded in the meeting minutes in accordance with section 172(5) of the *Municipal Government Act*.

### **Conflicts of Interest and Abstentions**

- 108 When a member is aware or reasonably believes that they have a conflict of interest or a perceived conflict of interest in a matter before Council or a committee, the member may disclose the general nature of their conflict of interest and abstain from participating in the matter in accordance with section 172.1 of the *Municipal Government Act*.
- 109 Members should make their disclosures of conflict of interest or perceived conflict of interest, including the general nature of the conflict of interest, at the onset of the meeting at which they have a conflict of interest, as well as at the onset of the agenda item for which they have a conflict of interest.
- 110 The members' disclosure of conflict of interest or perceived conflict of interest and abstention are recorded in the meeting minutes in accordance with section 172.1 (3) of the *Municipal Government Act*.

### **Moving Motions**

- 111 The Chair should, whenever possible, ensure a motion is on the floor before allowing debate on a matter. The Chair must not call for a vote on a motion until the members and the Chief Administrative Officer are clear on how the motion reads.
- 112 Motions may be displayed prior to the vote on the motion at the request of the Chair or a member, and the Chair may request that a motion be submitted by a member in writing or electronically prior to moving the motion.
- 113 A member may move a motion regardless of whether the member intends to vote in support of the motion and members may vote in opposition to motions that they have moved.
- 114 Motions are not required to be seconded by another member, with the exception of a notice of motion submitted in accordance with section 81 of this bylaw.
- 115 Minor corrections may be made to a motion after it has been moved but before the vote on the motion without requiring an amending motion provided that the corrections are limited and clerical in nature, such as correcting spelling and grammar.
- 116 Minor corrections to a motion require the unanimous consent of the members present. If a minor correction does not receive unanimous consent, it may be made in the form of an amending motion.
- 117 Minor corrections to a motion are not recorded in the meeting minutes, and the mover of the original motion is still considered the mover after any minor corrections have been made to the motion.

### **Debating Motions**

- 118 After a motion has been moved by a member, debate may begin on the motion and the Chair provides each member an opportunity to speak to the motion before it is voted on unless debate is closed.
- (1) The Chair must allow the mover of a motion to open and close debate on the motion they have moved. The order of debate among the members between the opening and closing of debate on a motion is determined by the Chair.
  - (2) The Chair is encouraged to allow all other members to participate in debate before the Chair participates in debate, with the exception of allowing the mover of a motion to close debate.
- 119 When a member is speaking to a motion, other members must not interrupt the speaker unless the member is raising a point of order or point of privilege or is attempting to gain the attention of the Chair.
- 120 The Chair must call for a vote on a motion after debate on the motion has concluded. The Chair may close debate in the following circumstances:
- (1) all members have been provided an opportunity to debate and ask questions on the motion and no member wishes to further debate or ask questions the motion;
  - (2) all members have been provided an opportunity to debate and ask questions on the motion and, in the determination of the Chair, the debate or questioning has become repetitious or unproductive; or
  - (3) if the members pass a resolution to close debate on the motion.

### **Severing Motions**

- 121 When a motion has two or more recommendations, a member may request, after a motion has been moved but before the vote on the motion, that the recommendations be severed and considered as separate motions.
- 122 The Chair determines whether the motion will be severed and the mover of the original motion is still considered the mover of the severed motions.

### **Withdrawing Motions**

- 123 After a member moves a motion, the motion belongs to the members as a whole and may only be withdrawn by the mover with the unanimous consent of the members present. If a motion does not receive unanimous consent to be withdrawn, the members must continue with consideration of the motion.

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- 124 Withdrawn motions are not recorded in the meeting minutes except when, in the determination of the Chief Administrative Officer, recording the withdrawn motion is needed to accurately record the proceedings of the meeting in the minutes.

### Motions Out of Order

- 125 The Chair may rule a motion out of order. When ruling a motion out of order, the Chair must provide the reasons for their ruling and may consider, but is not limited to, the following:
- (1) whether the motion is germane to the matter under consideration;
  - (2) whether an amending motion would nullify or contradict the intent of the original motion;
  - (3) whether the motion would infringe on the role of the Chief Administrative Officer as provided for in section 201 (2) of the *Municipal Government Act*;
  - (4) whether the motion would be contrary to the bylaws of The Village of Empress, the *Municipal Government Act*, or other governing legislation;
  - (5) whether the motion would be contrary to the established procedures and customs of Council or the committee;
  - (6) whether the motion is outside of the authority or jurisdiction of The Village of Empress.
  - (7) whether the motion should be made through a notice of motion or brought before Council or the committee through another means; and
  - (8) whether the motion, or a substantially similar motion, has been considered within the previous six months, in which case the motion is out of order.
- 126 Motions ruled out of order are no longer motions and are not considered by Council or the committee and are not recorded in the meeting minutes.

### Voting on Motions

- 127 Every member present at a meeting must vote on every motion put to a vote unless that member is permitted or required to abstain from voting on the matter in accordance with section 183(1) of the *Municipal Government Act*.
- 128 A motion is carried when a majority of members present vote in favour of the motion. A motion is defeated when it does not receive the required number of votes in favour or if the vote results in a tie.
- (1) Despite this section, if a motion requires more than a majority of members present to vote in favour of the motion under the *Municipal Government Act* or other governing legislation, the motion is carried when the required number of members vote in favour of the motion.
- 129 Votes on motions are taken as follows:

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- (1) the Chair calls the question on the motion;
  - (2) the Chair calls for those in favour of the motion and asks for a show of hands if an electronic voting system is unavailable; and
  - (3) the Chair calls for those opposed to the motion and asks for a show of hands if an electronic voting system is unavailable.
- 130 The Chair, at their discretion, may conduct votes through an alternate method agreed upon by the members, such as voting by exception.
- 131 After the Chair calls for a vote on a motion, no member may speak to the motion or move another motion until the results of the vote are declared. Members must cease any distractions and remain in their seats after the voting process begins and until the results of the vote have been declared.
- 132 Members who incorrectly vote on a motion and wish to change how they voted may only do so during the voting process. After the Chair has declared the results of the vote, members who wish to change how they voted must do so through reconsideration of the motion.

### Recorded Votes

- 133 Before the voting process on a motion begins, a member may request that the results of the vote be recorded pursuant to section 185 of the *Municipal Government Act*.
- 134 When a vote is a recorded vote, the meeting minutes show the names of the member who moved the motion, who voted in favour and in opposition to the motion, who abstained or were absent from the vote, and whether the motion was carried or defeated.

### Main Motions

- 135 Motions that bring a proposed action or question on a matter before Council or a committee are known as main motions. When a main motion has been moved and is being considered, a member cannot move another motion except to:
- (1) move a subsidiary motion, such as an amending motion, a motion to postpone, or a referral motion, in accordance with this bylaw;
  - (2) move a privileged motion, such as a motion to recess or a motion to adjourn; or
  - (3) raise a point of order, raise a point of privilege, or challenge a ruling of the Chair in accordance with this bylaw.
- 136 Main motions are debatable and may be amended unless otherwise provided for in this bylaw.

### Motions Arising

- 137 Motions that arise out of consideration of a matter, but are not required for the matter under consideration, are known as motions arising. Immediately after a matter has been

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considered, a member may move a motion arising to deal with something directly related to the matter that was just considered.

138 Motions arising should be used in circumstances where it is prudent to provide subsequent direction in a timely manner or when the direction provided does not require further information.

139 Motions arising are debatable and may be amended

### **Motions to Receive for Information**

140 A member may move to receive a report, either written or verbal, for information for the purpose of acknowledging the report and ensuring its inclusion in the corporate record. Receiving a report for information does not endorse the conclusions of the report nor does a motion to receive for information adopt any of the recommendations or actions included in the report.

141 Motions to receive for information should be used in circumstances where Council or a committee wishes to acknowledge a report under consideration when no further action or direction is required or desired.

142 Motions to receive for information are debatable and may be amended.

### **Subsidiary Motions**

#### **Amending Motions**

143 A member may propose an amendment to a motion by moving an amending motion. The amending motion must be made after the original motion has been made and prior to the vote on the original motion.

144 Amending motions should be used to change the wording, but not the meaning, of motions. Amending motions are used for the purpose of adding words, removing words, or replacing words in the original motion. Amending motions must relate to the subject matter of the original motion and must not be contrary to the original motion.

145 Only one amending motion and only one amendment to an amending motion are permitted at the same time. When there are multiple amending motions at the same time, the amending motions are considered in reverse order of when they were moved, resulting in the original motion being considered last.

#### **Referral Motions**

146 A member may move to refer a matter or motion, including any pending amendments to a motion, to Administration or another body to complete further actions or to report further on a matter or motion under consideration.

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- 147 Referral motions should be used in circumstances where doing something further is the main consideration, whether that is for further action or reporting, prior to making a decision on the matter or motion.
- 148 Referral motions should include sufficient direction to guide Administration or the other body in completing the further action or reporting on the matter or motion.
- 149 Referral motions are debatable and may be amended.

### Motions to Postpone

- 150 A member may move to postpone a matter or motion, including any pending amendments to a motion, to consider the matter or motion at a different time. A matter or motion may be postponed to a different point in the same meeting, be postponed to a future date, or be postponed to after a specific event.
- 151 Motions to postpone should be used in circumstances where timing or convenience is the main consideration. If further action or reporting on a matter or motion is desired, a referral motion should be considered instead of a motion to postpone.
- 152 When consideration of a matter or motion resumes after being postponed, consideration of the matter or motion resumes as it was when it was postponed, including any pending amendments to a motion.
- 153 Motions to postpone are debatable and may be amended.

### Privileged and Incidental Motions

#### Reconsidering Motions

- 154 A member may propose to reconsider a motion that has already been voted on by moving a motion to reconsider the original motion at the same meeting at which the vote on the original motion took place.
  - (1) The member moving a motion to reconsider must have voted on the prevailing side of the original motion, except in the case of a motion defeated on a tie, in which case any member who voted for the original motion may move the motion to reconsider.
- 155 A motion to reconsider should be used when a motion is passed or defeated at a meeting and a member wishes to reconsider the vote on the motion at the same meeting. If a motion to reconsider passes, the original motion is brought back for consideration as if the mover of the original motion had just made the motion.
- 156 The same motion can only be reconsidered once during the same meeting, and a motion to reconsider cannot be reconsidered or rescinded.
- 157 Motions to reconsider are debatable and cannot be amended.

#### Rescinding Motions

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- 158 A member may propose to rescind a motion passed at a previous meeting by moving a motion to rescind the original motion at a different meeting than the meeting at which the vote on the original motion took place.
- (1) The member moving a motion to rescind must have voted on the prevailing side of the original motion, except in the case of a motion defeated on a tie, in which case any member who voted for the original motion may move the motion to rescind.
- 159 A motion to rescind should be used when a motion is passed at a meeting and a member wishes to rescind the motion at a different meeting. If a motion is rescinded, the original motion is deemed null and void, but it does not undo any actions that have been taken since the original motion was passed.
- 160 When a member wishes to amend the wording of a motion passed at a previous meeting, the member should first move to rescind the original motion before proceeding to move an amended version of the original motion.
- 161 Motions to rescind are debatable, cannot be amended, and cannot be reconsidered or rescinded.

### **Motions to Close Debate**

- 162 A member may move to close debate on a motion if, in the determination of the member, the debate has become repetitious or unproductive.
- 163 If a motion to close debate passes, no further debate on the original motion is allowed and no further amendments to the original motion are allowed. The Chair must immediately call for a vote on the original motion.
- 164 If a motion to close debate is defeated, the Chair must allow for the debate to continue and further amendments to the original motion are permitted.
- 165 Motions to close debate are not debatable, cannot be amended, and are not recorded in the meeting minutes.

### **Motions to Recess and to Reconvene**

- 166 A member may move to recess a meeting for a specific period or until a specific time. If a meeting is recessed by resolution, it must be reconvened by resolution.
- 167 The Chair may recess a meeting for a specific period or until a specific time. If a meeting is recessed by the Chair, it may be reconvened by the Chair or by resolution.
- 168 Motions to recess or to reconvene are not debatable and cannot be amended.

### **Motions to Adjourn**

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- 169 A member may move to adjourn a meeting at any time during the meeting unless the meeting is in closed session, or another motion is being considered.
- 170 If a meeting is adjourned before all the business included on the meeting agenda has concluded, the remaining business will be included on the agenda for the next available meeting or on the agenda of a special meeting.
- 171 Motions to adjourn are not debatable and cannot be amended.

### Points of Order

- 172 Any member may question a procedural decision or interpretation made by the Chair or another member, or to bring attention to a potential or actual breach of the rules of this bylaw, by raising a point of order.
- 173 The member raising the point of order must state what is in question and the reasons for raising the point of order. The point of order must be raised immediately after what is in question.
- 174 The Chair must rule on the point of order by agreeing or disagreeing with the point of order and stating the reasons for their ruling. There is no debate on a point of order and points of order are not recorded in the meeting minutes.

### • Points of Privilege

- 175 A member may question the behaviour of another member or raise a question of comfort by raising a point of privilege. Points of privilege may include the treatment and conduct of members, employees, and the public during the meeting, the ability to see or hear the proceedings, the conditions of the room used to hold the meeting, or the effectiveness of the technology used to support the meeting.
- 176 The member raising the point of privilege must state what is in question and the reasons for raising the point of privilege. The point of privilege must be raised immediately after what is in question.
- 177 The Chair must rule on the point of privilege by agreeing or disagreeing with the point of privilege and stating the reasons for their ruling. There is no debate on a point of privilege and points of privilege are not recorded in the meeting minutes.

### Challenges of the Chair

- 178 A member may challenge the ruling of the Chair, including on a point of order or a point of privilege, by stating that they wish to challenge the ruling of the Chair. The members then decide on the question raised by the point of order or point of privilege by voting on whether to uphold or overturn the ruling of the Chair. The decision of the members is final.
- 179 There is no debate on a challenge of the Chair and challenges of the Chair are not recorded in the meeting minutes.

### Scheduling Public Hearings

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- 180 Public hearings are held when required by the *Municipal Government Act* or when Council directs that a matter be considered through a public hearing.
- 181 Public hearings must be held at regular or special Council meetings in accordance with section 216.4(2)b) of the *Municipal Government Act*.
- 182 When a public hearing is held on a proposed bylaw or resolution, the public hearing must be held before second reading of the proposed bylaw or prior to a vote on the proposed resolution in accordance with section 216.4(1) of the *Municipal Government Act*.
- (1) More than one public hearing may be held on a proposed bylaw or resolution, except for matters that consider residential development, either whole or in part, in accordance with section 216.4(5.1) of the *Municipal Government Act*.
  - (2) Despite the above subsection, only one public hearing may be held for matters that consider residential developments, either whole or in part, in accordance with section 216.4(5.1) of the *Municipal Government Act*.
- 183 When a member is absent from all of a public hearing, the member must abstain from voting on the matter in accordance with section 184(1) of the *Municipal Government Act*.
- 184 When a member is absent from a portion of a public hearing, the member may abstain from voting on the matter in accordance with section 184(2) of the *Municipal Government Act*.

### Notice and Circulation of Public Hearings

- 185 Notice of public hearings is provided in accordance with section 606 of the *Municipal Government Act* and the *Public Notification Bylaw* for at least two consecutive weeks prior to a public hearing, as well as circulated to residences in the area through mail in accordance with the *Circulation and Notification Standards Policy*.
- (1) In addition to the requirements of section 606(6) of the *Municipal Government Act*, notices of public hearing must also include the process and deadlines to be followed by anyone wishing to provide a submission to be considered at the public hearing.

### Withdrawing Public Hearings

- 186 After the public has been notified of a public hearing, but before the agenda has been published for the meeting at which the public hearing is scheduled to be held, the public hearing may only be withdrawn in the following circumstances:
- (1) by Administration if, in its determination, the public hearing cannot or should not proceed as scheduled. If time permits, notice of the withdrawal is provided prior to the meeting at which the public hearing would have been held in accordance with section 185 of this bylaw; or
  - (2) by Administration at the request of the applicant with the requirement to pay the required fee under the *Master Rates Bylaw*. If time permits, notice of the withdrawal is provided prior to the meeting at which the public hearing would have been held in accordance with section 185 of this bylaw.

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- 187 After the public has been notified of a public hearing, and after the agenda has been published for the meeting at which the public hearing is scheduled to be held, the public hearing may only be withdrawn in the following circumstances:
- (1) by resolution of Council at the request of Administration if, in its determination, the public hearing cannot or should not proceed as scheduled; or
  - (2) by resolution of Council at the request of the applicant with the requirement to pay the required fee under the *Master Rates Bylaw*.
- 188 Public hearing presentations may be made in-person at the Village Office or electronically through Microsoft Teams. Instructions for how to attend and participate in a public hearing, either in-person or electronically, will be provided in the notice of public hearing.
- 189 People who wish to present in-person at a public hearing, whether on their own behalf or on behalf of a group, should register to speak at the public hearing through the sign-in sheet provided at the Village Office on the day of the public hearing.
- 190 People who wish to present electronically at a public hearing, whether on their own behalf or on behalf of a group, must register to speak at the public hearing prior to the advertised submission deadline by:
- (1) submitting a requested in the prescribed form on The Village of Empress's public website; or
  - (2) emailing Legislative Services [info@villageofempres.ca](mailto:info@villageofempres.ca)
- 191 When presenting at a public hearing, each presenter must provide:
- (1) their name and how they are affected by the subject of the public hearing, preferably with a statement of whether they are in support, in opposition, or have concerns with the subject of the public hearing;
  - (2) an indication of where they live in proximity to the subject of the public hearing, preferably in the form of a municipal address or legal land description; and
  - (3) the names, if any, of any additional people that they are presenting on behalf of.
- 192 In addition to the requirements of section 191 of this bylaw, when electronically presenting at a public hearing, presenters must:
- (1) identify themselves by name through their usernames on Microsoft Teams and may further identify themselves by position or organization if they wish;
  - (2) keep their cameras and microphones deactivated before and after their presentation; and
  - (3) keep their cameras activated for the duration of their presentation, unless otherwise permitted by the Chair.

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- 193 Presentations by the public at a public hearing are limited to five minutes for an individual or 10 minutes for a group, unless extended by a resolution of Council.
- 194 The Chief Administrative Officer is authorized to deactivate cameras and microphones during public hearings to avoid disruptions to the proceedings.
- 195 The Chair has the authority to end a presenter's electronic participation in a public hearing if, in their opinion, it is inappropriate or disruptive to the proceedings.
- 196 Presentations may include supplemental materials such as photos, videos, maps, and PowerPoint presentations without requiring a resolution of Council. Presenters should bring at least 15 copies of any materials that they wish to distribute to Council at the public hearing.
- 197 All presentation materials provided at a public hearing will be collected by The Village of Empress to retain with the meeting minutes and will be provided to the public upon request without requiring an access to information request under the *Freedom of Information and Protection of Privacy Act*.

### Public Hearing Submissions

- 198 Public hearing submissions may be in the form of a written submission and/or a pre-recorded audio/video submission. An individual or group may provide a written submission for a public hearing and may also choose to do only one of the following:
- (1) present in-person at the public hearing;
  - (2) present electronically at the public hearing; or
  - (3) provide a pre-recorded audio/video submission.
- 199 For a submission to be included as part of a public hearing, either in an agenda or an agenda addendum, the submission must be received prior to the advertised submission deadline and must include the following:
- (1) the name of the person providing the submission and how they are affected by the subject of the public hearing, preferably with a statement of whether they are in support, in opposition, or have concerns with the subject of the public hearing;
  - (2) an indication of where the person lives in proximity to the subject of the public hearing, preferably in the form of a municipal address or legal land description; and
  - (3) the names, if any, of any additional people that the submission is on behalf of.
- 200 Public hearing submissions received after the advertised submission deadline for both the agenda and the agenda addendum may still be received by a resolution of Council passed at the public hearing.
- 201 Pre-recorded audio/video submissions at a public hearing are limited to five minutes for an individual or 10 minutes for a group, unless extended by a resolution of Council.

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- 202 Public hearing submissions may be redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 203 Public hearing submissions that do not comply with the requirements of this bylaw may not be included as part of the public hearing or if, in the determination of the Chief Administrative Officer, the submission contains:
- (1) excessive personal attacks or derogatory or defamatory statements; or
  - (2) statements that promote discrimination against a person or class of persons, or is likely to expose a person or class of persons to hatred or contempt, pursuant to the *Human Rights Act*.

### **Group Public Hearing Presentations and Submissions**

- 204 A group may present in-person, present electronically, or provide a submission for a public hearing if the group is comprised of three or more persons who claim to be affected by the subject matter of the public hearing, and they have agreed to put forward common interests or concerns.
- (1) If a group wishes to provide an in-person or electronic presentation at a public hearing, the group must designate one individual as its spokesperson to be solely responsible for presenting on behalf of the group.
  - (2) If a person is part of a group that wishes to present or provide a submission for a public hearing, that person cannot also present or provide a submission as an individual for the same public hearing.
- 205 All the same requirements that apply to a presentation or submission by an individual under this bylaw also apply to a presentation or submission by a group.

### **Public Hearing Procedures**

- 206 Public hearings are generally conducted in the following sequence for planning and development matters, but may follow a different sequence depending on the subject of the public hearing:
- (1) the Chair calls for a motion to open the public hearing. The public hearing will begin only after a motion has passed to open the public hearing;
  - (2) the Chair informs those in attendance of the general procedures to be followed during the public hearing;
  - (3) the Chair calls for a presentation by Administration to introduce the proposed bylaw, resolution, or other matter that is subject of the public hearing.
    - (a) the Chair allows questions of clarification from members to Administration during this portion of the public hearing;
  - (4) if applicable, the Chair calls for the applicant to present their application;

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- (a) presentations by the applicant are limited to 10 minutes unless Council passes a resolution to extend the presentation time limit; and
  - (b) the Chair allows questions of clarification from members to the applicant and to Administration during this portion of the public hearing;
- (5) the Chair calls for presentations from the public who are in support of the bylaw, resolution, or other matter that is subject of the public hearing;
- (a) presentations in support begin with in-person presenters followed by electronic presenters;
  - (b) questions of clarification from members to presenters in support are only permitted by the Chair during this portion of the public hearing; and
  - (c) after all presentations in support have been made, the Chair calls for any pre-recorded audio/video submissions in support to be played;
- (6) the Chair calls for presentations from the public who are in opposition or have concerns with the bylaw, resolution, or other matter that is subject of the public hearing;
- (a) presentations in opposition begin with in-person presenters followed by electronic presenters;
  - (b) questions of clarification from members to presenters in opposition or with concerns are only permitted by the Chair during this portion of the public hearing; and
  - (c) after all presentations in opposition or with concerns been made, the Chair calls for any pre-recorded audio/video submissions in opposition or with concerns to be played;
- (7) following presentations and pre-recorded audio/video submissions from the public, the Chair calls for the applicant to provide a rebuttal to any opposition or concerns with their application raised during the public hearing;
- (a) the rebuttal by the applicant is limited to a maximum of 5 minutes unless a resolution is passed by Council to extend the rebuttal time limit;
  - (b) the Chair allows questions of clarification from members to the applicant and to Administration during this portion of the public hearing only regarding the information provided by the applicant during their rebuttal.
- (8) the Chair calls for any final questions from members to Administration prior to closing the public hearing; and
- (9) the Chair calls for a motion to close the public hearing. The public hearing must be closed before Council considers the proposed bylaw, resolution, or other matter that was the subject of the public hearing.

## Bylaws

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- 207 Every proposed bylaw must have three distinct and separate readings to be passed in accordance with 187(1) of the *Municipal Government Act*.
- 208 Proposed bylaws must not have more than two readings at the same meeting unless the councillors present provide unanimous permission to consider third reading of the bylaw at the same meeting in accordance with section 187(4) of the *Municipal Government Act*.
- 209 Any bylaw that fails to receive unanimous permission to consider third reading when required by section 187(4) of the *Municipal Government Act* will be included on the agenda for the next available regular Council meeting, or on the agenda of a special Council meeting, for consideration of third reading.
- 210 Council must be provided or have had the opportunity to review a copy of a proposed bylaw before considering a motion to provide the proposed bylaw with first reading in accordance with section 187(2) of the *Municipal Government Act*.
- 211 If a proposed bylaw fails to receive first reading, it is considered defeated. If a bylaw fails to receive second or third reading, it is also considered defeated and all previous readings of the bylaw are rescinded in accordance with section 188 of the *Municipal Government Act*.
- 212 All amendments to a proposed bylaw must be made by resolution and must be made prior to consideration of third reading of the proposed bylaw. Council must be provided the opportunity to review the full text of the amendment before a vote is called on the amendment to the proposed bylaw.
- 213 Council must be provided or have had the opportunity to review a copy of a proposed bylaw before considering a motion to provide the proposed bylaw with third reading, including any amendments that have been made to the proposed bylaw, in accordance with section 187(3) of the *Municipal Government Act*.
- 214 Once a bylaw receives third reading and the final version of the bylaw is available for signing, the Mayor and Chief Administrative Officer must sign the bylaw in accordance with section 213(3) of the *Municipal Government Act*.
- 215 Once a bylaw has received third reading and has been signed by the Mayor and Chief Administrative Officer, it may only be amended or repealed by bylaw and through the same process that was used to pass the original bylaw in accordance with section 191 of the *Municipal Government Act*.
- 216 The Chief Administrative Officer is authorized to prepare consolidations of bylaws as required from time to time in accordance with section 69 of the *Municipal Government Act*.

### **Severability**

- 217 Each provision of this bylaw is independent of all other provisions. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

### **Repeal and Effective Date**

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- 218 Bylaw 2022-01 , being the *Procedure Bylaw*, and all amendments thereto are repealed upon this bylaw passing and coming into full force and effect.
- 219 Bylaw 2025-03, being the *Procedure Bylaw*, is passed when it receives third reading and is signed in accordance with the *Municipal Government Act*
- 220 Bylaw 2025-03 being the *Procedure Bylaw*, comes into full force and effect on April 16, 2025 , with the exception of the following sections that will come into full force and effect upon the proclamation of the *Municipal Affairs Statutes Amendment Act, 2024*:
  - (1) sections 108 through 110, which pertain to conflicts of interest; and
  - (2) sections 182(1) and 182(2), which pertain to public hearings for residential developments.

READ A FIRST TIME this day 03/19/2025X Dawn Marts

READ A SECOND TIME this day 04/16/2025 X Dawn Marts

READ A THIRD AND FINAL TIME this day 04/16/2025X Dawn Marts

**Bylaw 2025-03**

**Schedule 'A' Definitions**

- 1     **"Administration"** means The Village of Empress's operations and staff under the direction of the Chief Administrative Officer.
- 2     **"Chair"** means the person appointed to the position of Chair or who has the authority to preside over a meeting and direct the proceedings and conduct of that meeting, as the context requires.
- 3     **"Chief Administrative Officer"** means the person appointed as Village of Empress's Chief Administrative Officer, or their authorized delegate, pursuant to the *Municipal Government Act*.
- 4     **"Chief Administrative Officer Bylaw"** means The Village of Empress Bylaw 2025-06, being the *Chief Administrative Officer (CAO) Bylaw*, as amended or replaced from time to time.
- 5     **"Circulation and Notification Standards Policy"** means The Village of Empress Policy 2025-06, being the *Circulation and Notification Standards Policy*, as amended or replaced from time to time.
- 6     **"Closed session"** means a meeting or part of a meeting that is closed to the public in accordance with section 197 of the *Municipal Government Act*.
- 7     **"Code of Conduct Bylaw"** means, as the context requires, either:
- (1)     The Village of Empress Bylaw 1-2018, being the *Council Code of Conduct Bylaw*, as amended or replaced from time to time;
- or
- (2)     The Village of Empress Bylaw 1-2018, being the *Board and Committee Code of Conduct Bylaw*, both as amended or replaced from time to time.
- 8     **"Committee"** means a committee, board, commission, or other body of The Village of Empress established by Council and with members appointed by Council but does not include the Subdivision and Development Appeal Board nor the Assessment Review Boards.
- 9     **"Conflict of interest"** means a conflict of interest pursuant to the *Municipal Government Act*.
- 10    **"Council"** means the duly elected councillors of The Village of Empress.
- 11    **"Councillor"** means a duly elected councillor of Rocky View, including the Mayor and Deputy Mayor.
- 12    **"Deputy Mayor"** means the person appointed as Village of Empress's Deputy Chief Elected Official pursuant to section 152 of the *Municipal Government Act*.

- 13 **"Emergent business"** means a matter that was not included on a meeting agenda but due to urgency, time constraints, or unusual circumstances must be considered at a specific meeting.
- 14 **"Freedom of Information and Protection of Privacy Act"** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25 as amended or replaced from time to time.
- 15 **"General election"** has the same meaning as general election in the *Local Authorities Election Act*.
- 16 **"Group"** means three or more persons with a common interest in a matter before Council.
- 17 **"Land Use Bylaw"** means The Village of Empress Bylaw being the *Land Use Bylaw*, as amended from time to time.
- 18 **"Local Authorities Election Act"** means the *Local Authorities Election Act*, RSA 2000, c L-21, as amended or replaced from time to time.
- 19 **"Majority"** means more than half of the members present. For example, the majority for a body of seven members is four and the majority for a body of six members is also four.
- 20 **"Master Rates Bylaw"** means The Village of Empress's current *Master Rates Bylaw*, as amended or replaced from time to time.
- 21 **"Meeting"** means an organizational, inaugural, regular, or special meeting of Council or a committee.
- 22 **"Member"** means either:
- (1) a Councillor; or
  - (2) a person appointed by Council to a committee.
- 23 **"Motion"** means a proposal for action on a matter that is brought before Council or a committee for consideration.
- 24 **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time.
- 25 **"Nomination day"** has the same meaning as nomination day in the *Local Authorities Election Act*, which is four weeks from election day.
- 26 **"Pecuniary interest"** means a pecuniary interest pursuant to the *Municipal Government Act*.
- 27 **"Public hearing"** means a public hearing held pursuant to the *Municipal Government Act* or any other legislation, whether statutory or non-statutory.
- 28 **"Public Notification Bylaw"** means The Village of Empress Bylaw being the

VILLAGE OF EMPRESS

*Public Notification Bylaw*, as amended or replaced from time to time.

- 29     **"Quorum"** is the minimum number of members who must be present at a meeting in order to conduct business, which is a majority of members. For example, the quorum for a body of seven members is four and the quorum for a body of four members is three.
- 30     **"Mayor"** means the person elected or appointed as The Village of Empress's Chief Elected Official pursuant to section 150 of the *Municipal Government Act*.
- 31     **"Resolution"** means a motion that is passed by Council or a committee.
- 32     **"Stand at ease"** means an informal pause in the meeting called by the Chair that is not a formal recess.
- 33     **"Subdivision Authority Bylaw"** means The Village of Empress Bylaw being the *Subdivision Authority Bylaw*, as amended or replaced from time to time.
- 34     **"Terms of reference"** means a terms of reference or bylaw approved by Council that establishes the functions, procedures, membership, and other governance characteristics of a board or committee.
- 35     **"Unanimous consent"** means a proposal for action on a matter that is brought before Council or a committee without requiring a motion as provided for in this bylaw. If unanimous consent is not provided, the proposal for action on a matter may be brought forward as a motion.