



**TOWN OF COCHRANE
BYLAW 17/2024**

**Being a bylaw of the Town of Cochrane, in the Province of Alberta to
regulate the proceedings and conduct of Council and Council Committee
meetings**

- WHEREAS** the Municipal Government Act, S.A. 2000, Chapter M-26, as amended, provides that a Council may pass bylaws in relation to the procedure and conduct of Council, and committees established by Council, and may regulate the conduct of Members and members of committees established by Council;
- AND WHEREAS** Council has deemed it necessary to regulate the procedure and conduct at meetings of Council and committees established by Council;
- AND WHEREAS** Council has deemed it necessary to regulate procedures for receiving and responding to communications and submissions to Council:

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF COCHRANE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1 TITLE

- 1.1 This Bylaw may be cited as the "Procedural Bylaw".

2 DEFINITIONS

- 2.1 In this Bylaw:
- (a) "Act" means the Municipal Government Act, S.A., as amended;
 - (b) "Agenda" means the list and order of business items for any meeting of Council, or Committees;
 - (c) "Bylaw" means a bylaw of the Town;
 - (d) "CAO" means the Chief Administrative Officer;
 - (e) "Chairperson" means the Member elected from among the Members of a Committee to preside at all meetings of the Committee;
 - (f) "Chair" means the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor any other Member of Council chosen to preside at the meeting; or Chair or

Vice Chair as appointed by the relevant Committee.

- (g) "Committee of the Whole" is a Council Committee comprised of all members of Council that permits Council greater freedom of debate.
- (h) "Committee" means a committee, board, commission, authority, or any other public body established by Council pursuant to this bylaw, but does not include ad-hoc Committees/Task Forces;
- (i) "Council" means the Mayor and Members of the Town of Cochrane.
- (j) "Deputy Mayor" means the Member of Council appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor;
- (k) "Closed Session" means a part of the meeting closed to the public at which no resolution or bylaw may be passed;
- (l) "Mayor" means the Member of Council duly elected as the Chief Elected Official, as defined by the Act and continuing to hold office;
- (m) "Member" means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council;
- (n) "Notice of Motion" is the means by which a Member of Council may bring business before Council for consideration;
- (o) "Officer" means the Chief Administrative Officer, or delegates, all of whom shall be recorded in the official minutes;
- (p) "Point of Order" means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business;
- (q) "Public at Large" means a Council Committee member that is not a member of Council;
- (r) "Public Hearing" means a meeting of Council convened to hear matters pursuant to the Act;
- (s) "Quorum" is the majority of all Members, fifty (50) percent plus one (1) physically present at the meeting, unless Council provides otherwise in this Bylaw;
- (t) "Special Meeting" means a meeting called by the Mayor pursuant to the Act;
- (u) "Town" means the Corporation of the Town of Cochrane.

3 APPLICATION

- 3.1 This Bylaw shall apply to all meetings of Council, Committee of the Whole and Council Committees.
- 3.2 The precedence of the rules governing the procedure of Council is:
 - (a) the *Municipal Government Act*;
 - (b) other provincial legislation, and
 - (c) this bylaw,

- 3.3 To the extent that a matter is not dealt with in the *Municipal Government Act* or this Bylaw, subject to the appeal process described in this Bylaw, the Chair shall interpret procedure.
- 3.4 In the absence of a statutory obligation, any provision of this Bylaw may be temporarily altered or suspended by an affirmative vote of two-thirds of all Members present. A motion to temporarily alter or suspend this Bylaw is not debatable or amendable. A resolution waiving any provision of this Bylaw as provided for in this Section shall only be effective for the meeting during which it is passed.

4 CONDUCT OF MEETINGS

4.1 Rules Governing Debate

- (a) A motion must be made by a Member before Council can debate an item before Council.
- (b) All discussion at a Regular Meeting of Council shall be directed through the Chair;

4.2 The Chair may participate in debate on any matter before Council without relinquishing the chair.

4.3 The Chair may make a motion on any matter on the agenda but before doing so they must relinquish the Chair until the vote on the motion has been taken.

4.4 Quorum

- (a) As soon as there is a Quorum of Members after the hour fixed for the meeting, the Chair shall call the Meeting to order.
- (b) Unless a Quorum is present within 30 minutes after the time appointed for the Meeting, the Meeting shall stand adjourned until the next regular Meeting date or until a Special Meeting is called to deal with the matters intended to be dealt with at the adjourned Meeting. The Manager, Legislative Services shall record the names of the Members present at the expiration of the 30-minute time limit and such record shall be appended to the next Agenda.
- (c) The only action that can legally be taken in the absence of Quorum is to extend the time to which to adjourn (if more than 30 minutes is being allowed), adjourn, recess or to take measures to obtain a Quorum.
- (d) In the event that Quorum is lost after the meeting is called to order, the meeting shall be suspended until Quorum is obtained. If Quorum is not obtained within 30 minutes, the meeting shall stand adjourned.

4.5 Conduct

- (a) Members shall not:
 - (i) engage in abusive conduct, personal attacks or verbal attacks upon the character or motives of other Members of Council, boards, commissions, committees, staff or the public;
 - (ii) disobey the rules of the meeting or disturb the proceedings;
 - (iii) disobey the decision of the Chair on any ruling of a Point of Order, practice or interpretation;

- (iv) leave their seat while a vote is being taken until the result is declared;
 - (v) interrupt a Member while speaking, except to raise a Point of Order;
 - (vi) engage in any other conduct in contravention of an Act of Canada or Alberta or a Council-approved Bylaw or Policy; or
 - (b) A Member who wishes to leave the meeting prior to adjournment shall so advise the Chair and the time of departure shall be noted in the minutes.
- 4.6 Calling a Member to Order
- (a) When a Member has been warned about breaches of meeting conduct but continues to engage in them, the Chair may name the Member by stating the Members' name and declaring the offence.
 - (b) The offence must be noted in the minutes.
- 4.7 Effect of Naming Members
- (a) If a Member who has been named apologizes for a breach of meeting conduct and withdraws any objectionable statements, at the meeting at which they were made then:
 - (i) that Member may remain and continue participating in the meeting; and
 - (ii) the Chair may direct that the notation of the offence be removed from the minutes; or
 - (b) If a Member who has been named fails or refuses to apologize, then:
 - (i) Council may pass a motion to:
 - censure the Member; or
 - require that Member to immediately leave Council Chambers for the remainder of the meeting or until the Member apologizes and withdraws the objectionable statements.
 - (ii) Council must, without debate, vote on a motion under this Section; and
 - (iii) A majority vote carries the motion.
- 4.8 Removal of Members
- (a) If a Member has been expelled pursuant to Section 4.7 that Member must leave Council Chambers immediately.
- 4.9 Disturbance by Public
- (a) The Chair may order any member(s) of the public who disturbs the proceedings of Council by words or actions to be expelled.
 - (b) The Chair may request the Royal Canadian Mounted Police to remove the person(s).
- 4.10 Point of Order
- (a) A Member who desires to call attention to a violation or departure of this Bylaw, may raise a Point of Order at any time. The speaker in possession of the floor when the Point of Order was raised shall have the right to the floor when debate resumes.
 - (b) When a Point of Order is called, the Chair will determine if the matter is

urgent and will either allow the current speaker to continue and thereafter address the Point of Order or will cease debate on the current matter and provide the opportunity for the Member to speak to their Point of Order.

- (c) A Point of Order is not debatable, and no other Member is permitted to speak to the matter.
- (d) The Chair will rule on the point of order. This ruling is not debatable or amendable. The ruling is appealable.

4.11 Appeal Ruling

- (a) The decision of the Chair shall be final, subject to an immediate appeal by a Member of the meeting.
- (b) If the decision is appealed, the Chair shall give concise reasons for the ruling and call a vote to confirm if the ruling is upheld.
- (c) A majority of the Members present at the Meeting, without debate, shall decide the question. The ruling of the Members shall be final.

4.12 Pecuniary Interest

- (a) In accordance with the MGA, a Member has a pecuniary interest if:
 - (i) the matter could monetarily affect the Member or an employer of the Member; or
 - (ii) the Member knows or should know that the matter could monetarily affect the Members' family.
 - For clarity, the MGA defines a Member's family as a spouse, adult interdependent partner, children, parents, and parents of a spouse or adult interdependent partner.
- (b) A Member who believes they have a pecuniary interest in any matter before Council, Committee of the Whole, or any other Council Committee to which they are appointed as a representative of Council, shall:
 - (i) declare and disclose the general nature of the pecuniary interest prior to any discussion of the matter;
 - (ii) abstain from discussions or voting on any question relating to the matter; and
 - (iii) remove themselves from the meeting venue until the matter is concluded.
- (c) the Minutes shall indicate the declaration of disclosure, the time at which the Member left the room and the time the Member returned.

4.13 Conflict of Interest

- (a) When a Member believes the Member may have a conflict of interest or perceived conflict of interest in a matter before the council, a council committee or any other body to which the Member is appointed as a representative of the council, the Member may disclose the general nature of the conflict of interest or perceived conflict of interest prior to or during any discussion of the matter.
- (b) If a Member discloses a conflict of interest or perceived conflict of interest under subsection (a), the Member may, if present, do any one

or more of the following:

- (i) abstain from voting on any question relating to the matter;
 - (ii) abstain from any discussion of the matter;
 - (iii) leave the room in which the meeting is being held until discussion and voting on the matter are concluded.
- (c) The disclosure of a Members conflict of interest or perceived conflict of interest under subsection (a) and the abstention of a member under subsection (b) must be recorded in the minutes of the meeting.

4.14 Electronic Meetings

- (a) A Regular Meeting may be conducted by means of electronic or other communication facilities if:
- (i) notice is given to the public of the meeting, including the way in which it is to be conducted;
 - (ii) the facilities enable the public to watch or listen to the meeting at a place specified in the notice and a designated officer is in attendance at that place; and
 - (iii) the facilities enable all the meeting's participants to watch and hear each other; and
 - (iv) Members participating in a Meeting by means of electronic communications are deemed to be present at the Meeting only if the entire meeting is held electronically.
- (b) A Public Hearing may be conducted by means of electronic or other communication facilities if:
- (i) notice is given to the public of the meeting, including the way in which it is to be conducted;
 - (ii) the facilities enable the public to watch or listen to the meeting at a place specified in the notice and a designated officer is in attendance at that place; and
 - (iii) the facilities enable all the meeting's participants to watch and hear each other; and

4.15 Live Streaming

- (a) All Meetings will be video streamed to the Internet and be available through archives unless technical difficulties are experienced. The Town of Cochrane does not guarantee that video streamed footage will always be available.

5 AGENDAS AND MINUTES

5.1 The Order of Business at a Meeting is the order of the items as per Schedule "A" for Regular Meetings of Council and Schedule "B" for Committee of the Whole Meetings on the Agenda except:

- (a) when a previous Meeting has been adjourned for lack of Quorum and no Special Meeting has been called to deal with the business of the adjourned Meeting, the Agenda items from the adjourned Meeting must be dealt with before any items on the current Agenda;
- (b) when Council alters the Order of Business for the convenience of the

Meeting by a majority vote; and

- 5.2 The Legislative Services Manager shall ensure copies of the Agenda are available for Council no later than 5:00pm on the fourth day before the day on which the meeting is held.
- 5.3 The Legislative Services Manager shall make the Agenda and all reports and supplementary materials (*unless they must or may be withheld under the Act or any other statute dealing with access to information*) available on the municipal website, but only after they have been provided to the Council Members.
- 5.4 All submissions for the Agenda of Regular Meetings shall be received by the Legislative Services Manager no later than 9:00am on the fourteenth (14) complete day before the day on which the meeting is held.
- 5.5 Subject to Section 5.4 of this Bylaw, only material which has been received in accordance with this Bylaw shall be considered at the meeting for which the Agenda is prepared.
- 5.6 If an emergent matter needs to be brought before Council at any meeting the item shall:
 - (a) be accompanied by a brief explanation from a Member or from Administration indicating the reasons for, and the degree of urgency of the item; and
 - (b) be considered as an addendum to the Agenda.Council must vote to adopt the Agenda prior to transacting other business and may:
 - (a) add new items; and
 - (b) delete any items from the Agenda.
- 5.7 Minutes
 - (a) Minutes of Regular Meetings shall be recorded without note or comment and shall record the names of the Members and Administration present and participating in the Meeting and shall be presented to Council for adoption at a subsequent Meeting.
 - (b) Minutes of Committee of the Whole meetings shall be recorded to capture the general subject matter of the items discussed and shall record the names of the Members and Administration present and participating in the meeting and shall be presented to Council for adoption at a subsequent meeting.
 - (c) The preparation and distribution of minutes of Council Meetings shall be the responsibility of the Manager, Legislative Services.
 - (d) Clerical, typographical, and grammatical errors in Minutes may be corrected by the Manager, Legislative Services without Council resolution.

6 COUNCIL MEETINGS

- 6.1 Organizational Meeting
 - (a) An Organizational Meeting of Council shall be held annually as required by the Act.

- (b) The Agenda for the Organizational Meeting shall be restricted to:
 - (i) the administration of the oath, the introduction of new Members should the meeting follow a general municipal election;
 - (ii) the establishment of the Regular Meeting dates and times for Council and Committee of the Whole;
 - (iii) selection of the Deputy Mayor by an established 2 (two), 4 (four) month rotations of all Councillors;
 - (iv) establishment of Members membership on standing committees, boards and external partnerships;
 - (v) Review of the Committee Terms of References; and
 - (vi) any such other business as is described in the notice of the meeting.
- (c) The Manager, Legislative Services shall ensure a schedule of Meetings as scheduled at the Organizational Meeting is posted as directed by Council.

6.2 Regular Meetings

- (a) Notice of Regular Meetings need not be given.
- (b) Regular Meetings of Council shall be held in the Council Chambers unless notice is given in accordance with the Act and this Bylaw that the Regular Meeting will be held elsewhere in the community.
- (c) No Regular meetings will be held between Nomination Day and a Municipal General Election.
- (d) If a Regular Meeting of Council falls on a Statutory Holiday, the meeting will take place on the next business day.
- (e) If Council changes the date, time, or place of a Regular Meeting, at least 24 hours' notice of the change must be given to:
 - (i) any Members not present at the meeting at which the change was made, and
 - (ii) the public.

6.3 Special Meetings

Special Meetings will be called in accordance with the Act.

6.4 Cancellation of Meetings

- (a) If the deadline for adding items to the Agenda has passed and there are no time-sensitive items on the Agenda which need to be addressed prior to the next scheduled Regular Meeting, the Mayor, acting alone, may cancel any Regular Meetings in which event the following provisions shall apply:
 - (i) the Mayor may not cancel Regular Meetings less than three (3) business days prior to the scheduled Regular Meeting;
 - (ii) at least 24 hours' notice of the cancellation must be given to:
 - the Members; and
 - the public.
- (b) Council may temporarily suspend the Mayor's right to cancel Regular Meetings by resolution for up to one (1) calendar year at a time.

- (c) If a State of Local Emergency has been declared, the Mayor, acting alone, may cancel any meetings of Council without providing 24 hours' notice to Members and the Public.

6.5 Closed Session

- (a) Council, Committee of the Whole and Council Standing Committees may close all or part of a Meeting to the public if a matter to be discussed is within one of the exceptions to disclosure as set out in the Freedom of Information and Protection of Privacy Act, RSA 2000, c. F-25.
- (b) When a Meeting is closed to the public, the Meeting may include any person or persons invited to attend by Council.
- (c) Council must pass a Resolution to move into Closed Session in the public portion of the Meeting.
- (d) Council must pass a Resolution to move out of the Closed Session. This is to be done in the public portion of the Council Meeting.
- (e) No motions may be made when in closed session.

6.6 Public Hearings

- (a) Public Hearings will be held, whenever possible, at a time to accommodate members of the public.
- (b) The public and Applicant(s) may only attend virtually if at minimum, the virtual attendees can be heard in Council Chambers and by other virtual attendees and the attendees in Council Chambers can be heard by the virtual attendees.
- (c) Council may, on the request of a party or on its own motion, combine Public Hearings where it is satisfied that it is desirable to do so.
- (d) Persons interested in speaking at a Public Hearing should register with the Manager, Legislative Services' office prior to the Public Hearing.
- (e) All submissions for the Agenda of all Public Hearings, to be included in the published agenda, shall be received by the Legislative Services Manager no later than 9:00 a.m. on the seventh complete day before the day on which the meeting is held. Submissions received after the agenda is posted will be provided directly to Council and included in Minutes package.
- (f) The Chair shall introduce the resolution or bylaw and confirm with Administration that all advertising requirements have been met. Administration does not present at public hearings, as their presentation will come at first, second and third readings.
- (g) The applicant shall present first, upon completion of presentation from applicant, if applicable, the Chair shall then open the floor to presentations from the public.
- (h) The Chair shall call upon those persons who have registered with the Manager, Legislative Services' office to speak first, followed by other persons at the meeting who have not registered to speak but who wish to address Council. The Chair shall request those who wish to make presentations to identify themselves.
- (i) Presentations by the public may be made verbally, in writing, or electronically. Written submissions shall be collected by the Manager,

Legislative Services and retained for record purposes. All submissions become public documents and persons may want to limit personal information provided.

- (j) Presentations shall be limited to five (5) minutes unless there is consent by Council to extend the allotted time. If a presentation is on behalf of a group (2 or more people), then that presentation shall be limited to ten (10) minutes. Questions of clarification from Council, to either the applicant(s) or affected resident(s) will be addressed during the Public Hearing.
- (k) All parties are limited to one (1) formal presentation or opportunity to speak per Public Hearing.
- (l) Following public presentations, the Chair shall call on the applicant, if applicable, for final comment and then close the Public Hearing.
- (m) In the event a Public Hearing is recessed to a future date, it is as though the Public Hearing continued from when first called to order. Those members of the public who have already made presentations shall not be provided the opportunity to speak again, nor will the applicant be afforded an opportunity to reintroduce the application or make a new presentation, only provide final comments.
- (n) The passage of Bylaws requiring a Public Hearing shall be in accordance with Section 12.3 of this Bylaw.
- (o) When a Member is absent from the entirety of a Public Hearing on a proposed Bylaw or resolution, that Member must abstain from discussions or voting on any question relating to the matter and must declare the reason for the abstention prior to any discussion on the matter.
- (p) Where a Members is absent for a portion of a Public Hearing on a proposed Bylaw or resolution, that Member may abstain from discussions or voting on any question relating to the matter and must declare the reason for the abstention prior to any discussion on the matter.
- (q) The Minutes shall indicate all declarations of abstention.

7 MEMBERS INQUIRIES AND REPORTS

7.1 Reports

- (a) Each Member will be provided a maximum of two (2) minutes at the appropriate time on the agenda of a Regular Meeting of Council for the purpose of providing an update limited to the formal business of Council the member has been assigned, and committee activities. A report may be physically submitted via email to the Manager of Legislative Services no later than 9:00 a.m. on the seventh (7) complete day before the day on which the meeting is held to be included in the agenda package.
- (b) Any action required as a result of a Member's Report shall be brought forward as a separate business item or Notice of Motion at a subsequent Regular Meeting.

7.2 Notices of Motion

A Member of Council who wishes to introduce a new matter for consideration at a future Regular Meeting must submit a Notice of Motion and any supporting documents via the Notice of Motion Template as per Schedule D to the Manager, Legislative Services by 9:00 am exactly fourteen (14) days prior to the Meeting that the Member wishes to have the Motion added to an agenda.

- (a) A Notice of Motion must provide:
 - (i) sufficient detail so that the subject of the Resolution and any proposed action can be determined;
 - (ii) the date by which the proposed action is to occur.
 - (iii) fall within Council's responsibilities under the Act.
- (b) At the meeting in which the motion is first introduced, the Member shall provide a brief overview of the subject matter. Members and Administration may only ask clarifying questions; unless
 - (i) Council by resolution of a two-thirds (2/3) vote waives the requirement for Notice.
- (c) The Member who submitted a written Notice of Motion is not required to be present when the Notice of Motion is first introduced, but the Motion cannot be voted upon unless the member who requested the motion is present or has provided permission to do so.
- (d) A notice of motion may not be discussed or debated prior to putting a Motion on the floor.
- (e) No action will be taken by Administration on a Notice of Motion until a Resolution has been passed by Council.
- (f) For Notices of Motion which direct Administration to prepare an information report, the report shall be drafted based on information readily available and may or may not include a recommendation.
- (g) If a motion is not made at the meeting indicated in the notice, it will appear on the agenda for, and may be made at any of, the next two Regular Meetings; thereafter, it will be removed from the agenda and may only be made by a new Notice of Motion.
- (h) A Notice of Motion cannot be made at a Special Meeting of Council.

8 COMMITTEE OF THE WHOLE

- 8.1 Committee of the Whole Meetings shall be established by resolution at the annual organizational meeting, or as required at Council Meetings following the organizational meeting.
- 8.2 Committee of the Whole Meetings shall consist of all Members and Administration as required.
- 8.3 The purpose of Committee of the Whole Meetings is to:
 - (a) provide a means for information sharing from Administration or the public to Members in attendance;

- (b) allow for open, free-flowing debate and/or deliberation to occur by all Members, which may or may not be held prior to the item's presentation for decision on a future Council Meeting Agenda; and
 - (c) allow for clarifying questions to be asked.
- 8.4 Meetings shall be open to the public unless the meeting is in Closed Session.
- 8.5 Notice of Committee of the Whole Meetings need not be given for those meetings which have been approved by Council resolution.
- 8.6 The Deputy Mayor shall act as the chair during Committee of the Whole Meetings. In lieu of the Deputy Mayor, the Mayor shall chair the Committee of the Whole Meetings. In the absence of both the Mayor and Deputy Mayor, Council shall appoint a chair from those Members present.

9 MOTIONS

- 9.1 A recommendation in a report does not constitute a motion until a Member has expressly moved it.
- 9.2 Any Member may require the motion under discussion to be read at any time during the debate, except when a Member is speaking.
- 9.3 The mover of a motion must be present when the vote on the motion is taken.
- 9.4 When a matter is under debate, no motion shall be received other than a Motion to:
 - (a) Fix the Time for Adjournment;
 - (b) Adjourn;
 - (c) Recess;
 - (d) Withdraw;
 - (e) Call the Question (that the vote must now be taken);
 - (f) Postpone to a certain time or date;
 - (g) Refer;
 - (h) Amend;
 - (i) Postpone indefinitely;which in declining order shall be the order of precedence.
- 9.5 Motion to Withdraw
 - (a) Enables the mover to withdraw or modify a motion or substitute a different one in its place.
 - (b) If the motion is formally before the meeting the mover may ask to withdraw, substitute or modify it and the Chair shall grant permission with the unanimous consent of Council; however, if any objection is made, it is necessary to obtain leave by Motion to Withdraw and this motion cannot be debated or amended. Once a motion is withdrawn, the effect is the same as if it had never been made.
- 9.6 Motion to Postpone to a Certain Time or Date
 - (a) Is used if Council would prefer to consider the main motion later in the same meeting or at another meeting.

- (b) Is debatable to its merits only and cannot go into the main question except as necessary for debate of the immediately pending question.
- 9.7 Motion to Refer
- (a) Is used to send a pending question to a committee, or Administration so that the question may be investigated and brought back in the future for Council to consider.
 - (b) Shall be clear as to the information required.
 - (c) Is debatable.
- 9.8 Motion to Amend
- (a) Is used to modify the wording of a motion before the motion itself is voted on.
 - (b) Is debatable whenever the motion to which it applies is debatable.
 - (c) All amendments must relate to the matter being discussed in the main motion and shall not so substantially alter the motion so as to change the basic intent or meaning of the main motion. The Chair shall rule on disputes arising from amendment.
 - (d) Only one amendment to a motion may be made at any time, and only one amendment to that amendment may be made at a time.
 - (e) The amendment to the amendment must be voted on before the amendment.
 - (f) An amendment to an amendment must be relevant to the amendment.
 - (g) The amendment shall be voted upon and, if any amendment is carried, the main motion, as amended, shall be put to the vote, unless a further amendment is proposed.
 - (h) Nothing in this Section shall prevent other proposed amendments being read for the information of the Members.
 - (i) The Chair may accept an amendment as a Friendly Amendment if no member of Council objects.
 - (j) "Friendly Amendment" means a change that does not affect the substance of a motion and clarifies the motion's intent.
- 9.9 Motion to Reconsider
- (a) If a Resolution is voted on by Council, the same matter dealt with in the Resolution, or one materially the same, cannot be reconsidered by Council unless:
 - (i) a general election has been held;
 - (ii) six (6) months has passed since the date that the Resolution was considered; or
 - (iii) a Resolution to reconsider is passed.
 - (b) A Member can only introduce a Resolution asking Council to reconsider a matter dealt with in a previous Resolution if:
 - (i) the Resolution is made at the same Meeting at which the original matter was considered and is moved by a mover who voted with the prevailing result; or
 - (ii) a Member who voted with the prevailing result provides notice

in writing to Council in accordance with Section 7.2, in which notice the Member sets out what special or exceptional circumstances warrant Council considering the matter again; and

(iii) the Resolution to which it is to apply has not already been acted upon.

(c) If a Resolution to reconsider is passed, the original Motion is on the floor.

9.10 Motion to Rescind

(a) A Member who voted with the prevailing result may move to rescind a Motion previously passed. If passed, the Motion to rescind renders the original Motion null and void.

(b) A Motion to Rescind will not undo actions which have already been taken as a result of the motion previously passed.

10 REPETITIVE ISSUES COMING BEFORE COUNCIL

(a) Repetitive matters already dealt with by Council will not be re-presented to Council or the Committee of the Whole until six months has elapsed, unless a Resolution is passed allowing for the reconsideration of the matter, or if new significant and material information is discovered.

11 SPEAKING TO MOTIONS AND LIMITS ON DEBATE

11.1 No Member is permitted to speak unless and until recognized by the Chair.

11.2 Members may not speak more than once until every Member has had the opportunity to speak except:

(a) in response to a question or to provide clarification on a material part which may have been misunderstood; or

(b) in reply, after everyone else wishing to speak has spoken, provided the Member presented the motion to the Meeting.

11.3 Through the Chair, a Member may ask:

(a) questions of another Member or of staff relevant to the business at hand.

(b) questions to obtain information relating to the Minutes presented to the Meeting, or to any clause contained therein, at the commencement of the debate on the minute or clause.

11.4 All questions or debate shall be directed through the Chair.

12 VOTING

12.1 Votes on all motions must be taken as follows:

(a) The Chair must declare the motion and call for the vote.

(b) Members must:

(i) Vote by a show of hands; or

(ii) Vote verbally by stating "for" or "against" the motion if participating by electronic communications.

(c) Every Member present, including the Mayor, shall vote on every matter,

unless:

- (i) the Member is required to abstain from voting under this or any other bylaw or enactment; or
- (ii) the Member is permitted to abstain from voting under this or any other bylaw or enactment.
- (d) A Member present at a meeting shall make a request for a recess if for any reason they may be away from Council Chambers during a time when a vote on a matter is imminent unless that Member is excused from voting pursuant to this Section.
- (e) Every vote taken at a Meeting shall be recorded in the minutes by stating the names of those Members voting against the motion and declaring the result of the vote.
- (f) If there are an equal number of votes for and against a resolution, the resolution is defeated.
- (g) After the Chair declares the result of the vote, Members may not change their vote for any reason.

12.2 Call the Question

- (a) When a Motion that a Vote be Taken (Call the Question) is presented, it shall be put to a vote without debate and, if carried by a majority vote of the Members present, the motion and any amendments thereto shall be submitted to a vote immediately without further debate.
- (b) When the Chair, having ascertained that no further information is required, commences to take a vote, no Members shall speak to or present another motion until the vote has been taken on such motion or amendment.

12.3 Voting on Bylaws

- (a) When a Bylaw is presented to Council for enactment, the Manager, Legislative Services shall publish the number and title of the Bylaw in the Agenda.
- (b) The Manager, Legislative Services shall copy the Bylaw in full and forward it with the Agenda.
- (c) Every Bylaw shall have three readings. Only the title or identifying number must be read at each reading.
- (d) A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
- (e) Prior to first reading, a Member may ask questions of clarification concerning the Bylaw.
- (f) Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- (g) A Bylaw shall be introduced for second reading by a motion that it be read a second time.
- (h) After a Member has made a motion for second reading of a Bylaw, Council may:
 - (i) debate the substance of the Bylaw; and
 - (ii) propose and consider amendments to the Bylaw.

- (i) A Bylaw shall not be given more than two readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for third reading.
- (j) When Council unanimously agrees that a Bylaw may be presented for third reading:
 - (i) motion for third reading of the Bylaw shall be made;
 - (ii) Council shall vote on the motion without amendment or debate;
 - (iii) the third reading requires no greater majority or affirmative votes than if it had received third reading at a subsequent Meeting.
- (k) A Bylaw shall be passed when a majority of the Members voting on third reading vote in favor, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.
- (l) In conformance with the Act:
 - (i) if a Bylaw does not receive third reading within two years from the date of first reading, the previous readings are deemed to have been rescinded; and
 - (ii) if a Bylaw is defeated on second or third reading the previous readings are deemed to have been rescinded.
- (m) The Manager, Legislative Services is designated to consolidate one (1) or more bylaws as deemed convenient and in doing so, must:
 - (i) incorporate all amendments to the bylaw into one (1) bylaw; and
 - (ii) omit a provision that has been repealed or that has expired.
- (n) After passage, a Bylaw shall be signed by the Mayor or in their absence the Deputy Mayor, and by the Director, Legislative & Administrative Services, or their designate and shall be impressed with the corporate seal of the Town.
- (o) Clerical, typographical, and grammatical errors in bylaws may be corrected by the Manager, Legislative Services without Council resolution.
- (p) A copy of any bylaw, resolution or record certified by the Manager, Legislative Services as a true copy of the original is prima facie proof of the bylaw, resolution, or record.

13 DELEGATIONS

- 13.1 The opportunity to appear as a Delegation to Council is afforded to those presenting on a matter that is: of broad interest within the jurisdiction of the Town; will initiate interest and guidance to a solution for an item of public concern; or, to bring Council up to date on an endorsed community project, idea, or concept.
- (a) A member of the public may request in writing to be included on an agenda as a delegation to the Manager of Legislative Services.
 - (b) The written application must clearly indicate the topic and purpose of the presentation for inclusion in the meeting agenda.
 - (c) The Manager of Legislative Services will review the request in

consultation with any affected Departments and may:

- (i) Provide an administrative response to the delegation to satisfy the request for an appointment with Council;
- (ii) Add the appointment to a future Regular Council or Committee of the Whole meeting agenda;
- (d) Not all delegation requests will be approved. In some cases, the request may be directed to a Council Committee or to Administration. Delegations are scheduled at the discretion of the CAO, subject to:
 - (i) the volume of material on any given agenda;
 - (ii) the number of requests for a specific meeting date and urgency of request;
 - (iii) subject matter
- (e) Upon approval, if presenters have written or electronic submissions that are intended to be part of their presentation, the written or electronic submission must be provided to the Manager of Legislative Services at least fourteen (14) working days prior to the meeting unless the Manager approves a lesser time.
- (f) Delegations consisting of more than one individual may appoint a spokesperson that will be responsible for presenting the points of view or position for the group.
- (g) Delegates will be required to identify themselves prior to addressing Council.
 - (i) As per Section 4.14 of this Bylaw, presentations to Council may be recorded to provide live streaming and video archiving. Any printed materials provided will be made public subject to the provisions of the Freedom of Information and Protection of Privacy Act.
 - (ii) Presentations will be directed to the Chair and, unless otherwise scheduled, will be limited to five (5) minutes for individuals and ten (10) minutes for groups, exclusive of time for questions or clarification by members. The Chair may extend the time limits as necessary.
- (h) Council may not make any decisions at that meeting on the matter. Council may refer the issue to staff for review, report, and recommendation to Council at a future meeting.

14 COMMUNICATIONS & PETITIONS

- 14.1 When a person wishes to have a letter or other communication considered by Council, it shall be directed to the Manager, Legislative Services and shall:
- (a) be legible and clearly set out the matter and issue and any request made of Council;
 - (b) be signed by at least one person who provides a printed name and address;
 - (c) be on paper or in a printable form; and

- (d) not be libelous, impertinent, or improper.
 - (e) In the case of a petition, indicate in the petition if a representative wish to address Council on the subject matter of the petition;
 - i Be signed by the proper authorities as required by the Act;
 - ii In the case of a petition, be in the form and provide the information as required in accordance with the Act.
- 14.2 Where a matter has been presented to Council by a person or group pursuant to Section 14.1 and has been dealt with by Council in any final manner and a person or group directs a letter or communication to Council on the same or substantially the same matter again within six months after the time Council so dealt with the matter, Council shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 14.3 Notwithstanding Section 14.2, Council may by a majority vote, brought forward by a member who voted with the prevailing side, consider the matter at an earlier time.

15 INVITED PRESENTATIONS

- (a) Presenters invited by Administration to present at a Committee of the Whole, or Council Meeting do not have to request to present as a delegation.
- (b) Invited presenters must email their presentation materials to the Manager, Legislative Services at least 14 days before the desired Meeting.
- (c) Invited presentations are limited to 20 minutes and may be extended beyond 20 minutes by majority vote.
 - (i) Delegates requesting reappearance on a matter shall only be permitted to do so if the information to be presented is new or significantly additional to the material previously presented.
- (d) Council may not make any decisions, at that meeting, on any requests made. Requests may be referred to staff for review, report, and recommendation to Council at a future meeting.

16 ADJOURNMENT

- 16.1 A Regular Council Meeting shall adjourn no later than 10:00pm, if in session at that time, except to conclude the matter under discussion, and Council shall recess and reconvene at 6:00pm on the next business day unless:
- (a) otherwise directed by Council; or
 - (b) Council, by resolution of a two-thirds (2/3) vote, taken as soon before 10:00pm as the business permits, agree to an extension of the meeting beyond 10:00pm.
- 16.2 A Member may move a motion to adjourn or recess a Meeting at any time, except when:
- (a) another Member has the floor;
 - (b) a call for a vote has been made;

- (c) the Members are voting;
 - (d) Council is in Closed Session; or
 - (e) a previous motion to adjourn or recess has been defeated and no other intervening proceedings have taken place.
- 16.3 A motion to adjourn shall be put without comment or debate.
- 16.4 When all items of an approved agenda have been dealt with, the Chair may adjourn the meeting without requiring a motion or vote by Council.

17 URGENT BUSINESS

- 17.1 Notwithstanding subsection 7.2, a Member may move to discuss a matter of urgent public importance without a prior Notice of Motion.
- 17.2 A motion to bring a matter before Council as urgent business is subject to the following conditions:
 - (a) the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;
 - (b) the matter shall not involve discussion of an item that has been discussed previously in the same meeting;
 - (c) the matter shall not be one which should be dealt with by giving written Notice of Motion.

18 STANDING COMMITTEES

- 18.1 Council may, by Bylaw, establish any Standing Committee as necessary or advisable.
- 18.2 Upon establishment of a new Standing Committee, Council shall approve a Terms of Reference which includes:
 - (a) mandate,
 - (b) authority,
 - (c) composition,
 - (d) terms of appointment
 - (e) meetings and attendance,
 - (f) quorum, and
 - (g) any other criteria Council deems appropriate.
- 18.3 The following are the Standing Committees of Council:
 - (a) Cochrane Planning Commission
 - (b) Emergency Management Committee
 - (c) Family & Community Support Services Committee
 - (d) Parks & Recreation Committee
- 18.4 Standing Committees are accountable to Council.
- 18.5 The following are Quasi-Judicial Committees of Council:
 - (a) Assessment Review Board
 - (b) Subdivision and Development Appeal Board
- 18.6 Quasi-Judicial Boards, as well as the Cochrane Library Board, are independent

of Council and are accountable to the provincial legislation under which they are governed.

19 ESTABLISHING AD HOC COMMITTEES / TASK FORCES

- 19.1 Council may, by resolution, approve a Terms of Reference to establish an Ad-Hoc Committee or Task Force for a fixed period or until the completion of a specific task.
- 19.2 Ad-Hoc Committees and Task Forces are accountable to Council.

20 COUNCIL COMMITTEE MEETING PROCEDURES

- 20.1 Unless otherwise established by a Council Committee bylaw, Council Committee meetings shall be held as established within the Terms of Reference and at the discretion of the Chair whenever they consider it necessary to do so or according to legislative requirements.
- 20.2 Unless otherwise established by a Council Committee bylaw, a majority of members of a Council Committee may, by written request, require the Chair to call a meeting and it shall be the duty of the Chair, or in their absence, the duty of the Manager, Legislative Services, to call such a meeting.
- 20.3 Unless otherwise established by a Council Committee bylaw, Members may attend Council Committee meetings of which they are not appointed but shall not take part in any discussion or debate or vote in such meeting.
- 20.4 If quorum for a Council Committee as indicated in the specific Council Committee bylaw is not met within 30 minutes from the identified start of the meeting, the Manager, Legislative Services or designate shall take down the names of the members present for the purpose of attending the meeting and such meeting shall then be deemed cancelled.
- 20.5 Unless otherwise established by a Council Committee bylaw, a Council Committee appointed by Council shall conduct its business under the following roles of procedure:
 - (a) A notice of every meeting shall be sent by the designated recording secretary to the Mayor and to each applicable Council Committee members at least one (3) business days prior to such meeting being held;
 - (b) When a vote is taken on any question, the names of those who voted for or against the question shall be entered in the minutes.
- 20.6 Section 20.5 is not applicable to Quasi-Judicial Committees or Ad-Hoc Committees.

21 COUNCIL MEMBER APPOINTMENTS TO STANDING COMMITTEES

- 21.1 A Council Committee term for a Council Member starts at the Organizational Meeting they are appointed and ends at the next Organizational Meeting.
 - (a) Notwithstanding section 21.1, Members appointed to a Quasi-Judicial Committee are appointed according to the terms specified in legislation and/or specific Quasi-Judicial Committee bylaws.

- (b) Notwithstanding section 21.1, Members appointed to an Ad-Hoc Committee are appointed according to the term specified in the Terms of Reference.
- (c) Notwithstanding Section 21.1, Council may, by resolution, appoint a Member to a Council Committee for a shorter term.
- 21.2 Council may enter Closed Session to consider Member appointments to Council Committees.
- 21.3 Upon leaving Closed Session, Council shall report back, in open session, and appoint Members to Council Committees.
- 21.4 When a vacancy is created by a resignation midterm, Council may appoint a new Member to fill the remaining term on the Council Committee.
- 21.5 The Mayor is an ex-officio, member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 21.6 The Council Member ceases to be a member of any Council Committee if the Council Member is no longer an Elected Official.
- 21.7 Council may at any time, by resolution, revoke appointment of a Member of a Council Committee.

22 EXTERNAL COMMITTEE COMPOSITION

- 22.1 Council shall appoint Members by resolution at the Organizational Meeting annually to the External Committees as listed in Schedule C.

23 MEMBER APPOINTMENTS TO EXTERNAL COMMITTEES

- (a) An External Committee term for a Member starts at the Organizational Meeting they are appointed and ends at the next Organizational Meeting.
- (b) Council may enter Closed Session to consider Member appointments to External Committees.
- (c) Upon leaving Closed Session, Council shall report back, in open session, and appoint Members to External Committees.
- (d) When a vacancy is created by a resignation midterm, Council may appoint a new Member to fill the remaining term on the External Committee.
- (e) The Member ceases to be a member of any External Committee if the Member is no longer an Elected Official.
- (f) Council may at any time, by resolution, revoke appointment of a Member on an External Committee.
- (g) Council may at any time, by resolution, revoke formal involvement in an External Committee.

24 MEMBER CONDUCT ON EXTERNAL COMMITTEES

- (a) Members appointed to an External Committee are responsible to the

organization to which they are appointed.

- (b) Members appointed to an External Committee will abide by the confidentiality, procedural and reporting rules of the External Committee.

25 PUBLIC AT LARGE MEMBER APPOINTMENTS TO COUNCIL COMMITTEES

- (a) A person must be appointed by Council as a Public at Large Member representative on a Standing Committee and the Cochrane Library Board.
- (b) Appointments of Public at Large Members to serve on Standing Committees and the Cochrane Library Board shall be made annually at the Organizational Meeting and as vacancies arise.
- (c) A Public at Large Member's term on a Standing Committee begins on January 1 and ends on December 31.
 - (i) Public at Large Members appointed to Quasi-Judicial Committees and Cochrane Library Board are appointed according to terms specified in legislation and/or specific committee bylaws.
 - (ii) Public at Large Members appointed to an Ad-Hoc Committee are appointed according to the term specified in the Terms of Reference.
- (d) When a Public at Large Member's vacancy on a Standing Committee is created by a resignation mid-term, Council may appoint a new Public at Large Member to fill the remaining term.
- (e) To encourage a broad degree of Public at Large participation, no Public at Large Member shall serve concurrently on more than one Standing Committee unless Council determines there is a need.
- (f) Public at Large Member appointments may be made to Ad-Hoc Committees by resolution, at Council's discretion.

26 PUBLIC AT LARGE MEMBER APPOINTMENTS PROCESS

- (a) Prior to the end of a Public at Large Member's term on a Standing Committee, the Manager, Legislative Services shall:
 - (i) canvas currently serving Public at Large Members regarding re-appointment and confirm continuing appointments;
 - (ii) notify Council of any Public at Large Members whose term is approaching a term limit as indicated in a committee bylaw;
 - (iii) advertise for new Public at Large Members wishing to serve;
 - (iv) arrange interviews with a minimum of two applicants who have submitted an application expressing their interest to serve.
- (b) The Manager, Legislative Services shall carry out the appointments and re-appointment process using criteria as per Section 26 and Section 27 for persons who apply for the Cochrane Library Board in addition to other external criteria required by the Cochrane Library Board
- (c) Council may enter Closed Session to consider Public at Large Member

appointments on Standing Committees and the Cochrane Library Board as per the Libraries Act.

- (d) Upon leaving Closed Session, Council shall report back, in open session, and appoint Public at Large Members to Standing Committees and to the Cochrane Library Board as per the Libraries Act.
- (e) Once an appointment has been accepted, the Public at Large Member's name will be posted to the Town's website under the Standing Committee they have been appointed to.
- (f) A Public at Large Member may serve beyond the appointment term specified in a committee bylaw if authorized by a resolution of Council.
- (g) Council may by resolution revoke appointment of a Public at Large Member on a Standing Committee.

27 ELIGIBILITY OF A PUBLIC AT LARGE MEMBER

- (a) Applicants must satisfy eligibility requirements to be selected for appointment.
- (b) Unless otherwise specified in a Council Committee Bylaw, Public at Large Members shall be:
 - (i) a Resident of the Town;
 - (ii) at least 18 years of age when appointments are made;
 - (iii) not be employed at the Town;
 - (iv) not a recent terminated employee at the Town for a period of 24 months starting from the date of termination from the Town to submission of a Council Committee application; and
 - (v) not a former Town of Cochrane Elected Official for a period of 24 months starting from the last date of their electoral term to the submission date of a Council Committee application.
- (c) Public at Large Members are not required to be an elector as per the Local Authorities Elections Act.
- (d) A Council Committee bylaw may outline additional eligibility requirements for its members.
- (e) Public at Large Members must continually adhere to any legislative requirements and the Code of Conduct Bylaw throughout their term.
- (f) To be considered for re-appointment, Public at Large Members cannot have three (3) or more unexcused absences from regular meetings during their term of appointment.
- (g) To be considered for re-appointment, Public at Large Members must provide a written confirmation of interest and willingness to continue serving when canvassed by the Manager, Legislative Services.
- (h) A Public at Large Member's appointment ends if they no longer satisfy the eligibility requirements.
- (i) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of

competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.

28 COUNCIL COMMITTEE CHAIRS AND VICE-CHAIRS

- (a) Council Committee Chairs and Vice-Chairs appointed by majority vote of all committee members at the first meeting each calendar year and shall be appointed from the Public at Large. The chair shall not be a Member of Council unless specified in the Council approved Terms of Reference.
- (b) The Committee Chair shall perform the following duties for a Council Committee:
 - (i) open Council Committee meetings;
 - (ii) chair Council Committee meetings;
 - (iii) preserve order in Council Committee meetings;
 - (iv) decide all questions of procedure at Council Committee meetings;
 - (v) ensure that each Council Committee member who wishes to speak on a debatable motion is granted the opportunity to do so; and
 - (vi) decide who, aside from Members, may address the Council Committee; and
 - (vii) present Council Committee reports to Council.
- (c) The Committee Chair may approve meeting procedures for a specific Council Committee meeting provided it is not in conflict with any Council policies or legislation.

29 MISCELLANEOUS

- (a) Council Committee members may modify, waive, or supplement any procedures approved by the Committee Chair by majority vote.

30 GENERAL

- 30.1 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order, or licence.
- 30.2 That Bylaw 19/2019 and any amendments thereto, is hereby repealed in its entirety.
- 30.3 That this Bylaw comes into effect upon third and final reading.

Read a first time: April 8, 2024

Read a second time: June 24, 2024

Read a third time: June 24, 2024



Mayor



Director, Legislative & Administrative Services

Town of Cochrane ~ Procedural Bylaw

Schedule 'A'

ORDER OF BUSINESS AT REGULAR COUNCIL MEETINGS

The normal order of business for the regular meeting of Council shall be as follows:

- (a) Call to Order
- (b) Adoption of Agenda
- (c) Adoption of Previous Minutes
- (d) Delegations
- (e) Business
- (f) Notices of Motion
- (g) Mayor's Report
- (h) Councillors' Reports
- (i) Closed Session
- (j) Adjournment

Town of Cochrane ~ Procedural Bylaw

Schedule 'B'

ORDER OF BUSINESS AT COMMITTEE OF THE WHOLE MEETINGS

The normal order of business for the Committee of the Whole shall be as follows:

- (a) Call to Order
- (b) Adoption of Agenda
- (c) Adoption of Previous Minutes
- (d) Delegations
- (e) Business
- (f) Closed Session
- (g) Adjournment

Town of Cochrane ~ Procedural Bylaw

Schedule 'C'

EXTERNAL COMMITTEE LIST

- (a) Bow Rivers Edge Campground Society
- (b) Capital Re-Investment Sub Committee
- (c) Calgary Metropolitan Region Board
- (d) Intermunicipal Committee (IMC) with Rocky View County
- (e) Rocky View Foundation
- (f) Rocky View HandiBus
- (g) Spray Lake Sawmill Recreation Park Society
- (h) Cochrane Tourism Association Board
- (i) Cochrane & Area Seniors Advisory Committee Board

Town of Cochrane ~ Procedural Bylaw

Schedule 'D'

NOTICE OF MOTION REQUEST FORM



Meeting:

Meeting Date: Click or tap here to enter text.

Originated By: Click or tap here to enter text.

Title: Click or tap here to enter text.

Agenda Item:

RECOMMENDED ACTION

Click or tap here to enter text.

EXECUTIVE SUMMARY

Click or tap here to enter text.

BACKGROUND

Click or tap here to enter text.

COMMUNICATION / PUBLIC ENGAGEMENT

Click or tap here to enter text.

ATTACHMENTS

Click or tap here to enter text.