BYLAW 2021-036

PROCEDURAL BYLAW

VULCAN COUNTY

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BYLAW 2021-036

Office Consolidation Current as of May 21, 2025

A BYLAW OF VULCAN COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH THE PROCEDURES FOR THE CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS.

WHEREAS the Municipal Government Act, R.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 Councillors and members of committees established by Council;

AND WHEREAS Vulcan County Council has deemed it necessary to regulate the conduct of Council and Council Committee meetings in order to promote orderly proceedings and provide for open and effective government;

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

PART ONE - INTRODUCTION

1. TITLE

This bylaw may be cited as the "Procedural Bylaw".

2. DEFINITIONS

2.1. In this Bylaw:

a) "**Act**" means the Municipal Government Act, R.S.A. 2000, Chapter M-26, and amendments thereto;

b) "**Administration**" means the Chief Administrative Officer or an employee accountable to the Chief Administrative Officer;

c) "**Administrative Inquiry**" means a written or verbal request from a Member of Council to Administration, made at a Regular Council Meeting, for the future provision of information or reporting;

d) "**Adjourn**" means to close and terminate the Meeting or Public Hearing.

e) "**Agenda**" means the list and order of business items for any meeting of Council or Committees;

f) "**Bylaw**" means a Bylaw of Vulcan County;

g) "**CAO**" means the Chief Administrative Officer as appointed by Vulcan County Council;

h) "**Chair**" means the Member elected from among the Members of a Committee to preside at all meetings of the Committee;

i) "**Closed Meeting**" (In-Camera) means a part of the meeting closed to the public at which no resolution or Bylaw may be passed, except a resolution to revert to a meeting held in public;

j) "**Committee**" means a committee, board, commission, authority, task force or any other public body established by Council pursuant to this Bylaw;

k) "**Council**" means the Reeve and Councillors of Vulcan County.

l) "**Councillor**" means a member of Council elected pursuant to the *Local Authorities Election Act*;

m) "**County**" means the municipal corporation of Vulcan County;

n) "**Deputy Reeve**" means the Member of Council appointed pursuant to this Bylaw to act as Reeve in the absence or incapacity of the Reeve;

o) **"Electronic Means"** refers to the participation in a meeting by electronic or telephonic communication and holds the same definition for electronic means as in the *Municipal Government Act.*

Amended May 21, 2025 by Bylaw 2025-023

p) "**Member**" means any member of Council or Council Committee;

q) "**Meeting**" means a meeting Council held in accordance with the Act and includes a meeting of a Council Committee;

r) "**Public Hearing**" means a meeting of Council convened to hear matters pursuant to the *Act*;

s) "**Quorum**" means the majority of all Members, fifty (50) percent plus one (1), unless Council provides otherwise in this Bylaw;

t) "**Reeve**" means the Member of Council duly elected as Reeve and continuing to hold office;

u) "**Terms of Reference**" means those terms pertinent to the establishment and mandate of a Committee;

3. APPLICATION

3.1. This Bylaw shall govern all Meetings of Council.

3.2. Committees established by Council shall also abide by the applicable provisions of this Bylaw, unless Council has authorized that Committee to establish its own rules.

3.3. The precedence of the rules governing the procedure of Council and Committees is:

a) the *Act*;
b) other Provincial legislation;
c) this Bylaw; and,
d) the most recent version of "*Roberts Rules of Order Newly Revised*".

3.4. Subject to the appeal process described in this Bylaw, the Presiding Officer or Chairperson shall interpret procedure.

3.5. 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 (2/3) of all Members present. A motion to temporarily alter or suspend this Bylaw is not debatable or amendable. Such a motion is only valid during the meeting in which it was passed.

PART TWO – COUNCIL & COMMITTEE MEETINGS

4. ORGANIZATIONAL MEETING OF COUNCIL

4.1. Council shall hold an annual Organizational Meeting each year not later than two weeks after the third Monday in October.

4.2. Should the Organizational Meeting follow the general municipal election:

a) each Member shall take the Oath of Office, as prescribed by the Act, as the first order of business; and
b) until the Reeve has taken the Oath of Office, the CAO shall chair the Organizational Meeting.

4.3. The CAO shall set the time and place for the Organizational Meeting, the business of the meeting being limited to:

a) the election of Council members to the following offices for a term of one (1) year:
   (i) Reeve
   (ii) Deputy Reeve
b) the appointments of Members to Committees which Council is entitled to make; and,
c) any other business required by the Act, or which Council or the CAO may direct.

4.4. Appointments of Council Members to Committees shall be for a term of one (1) year, unless otherwise specified.

4.5. Procedure for the election of the officers in Section 4.3(a) shall be as follows:

a) the elections will be held in the order in which they are presented in Section 4.3(a);

b) the CAO will call for nominations from the floor for each position and they will be submitted to the CAO by the Members in confidence;

c) if only one nomination is received from the floor for a position, and the nominee accepts the nomination, he/she shall be declared elected to that position;

d) if two or more nominations are received from the floor for one position and two or more nominees accept their nomination, the CAO will call for a vote by secret ballot;

e) each Member shall vote for only one of the nominees and the ballots shall be collected by the CAO. The CAO and another staff member shall count the ballots in a separate room;

f) if one candidate receives a simple majority of votes cast, the CAO shall report to Council the name of the candidate as the elected officer without reporting the vote count;

g) in the event of a tie, the CAO shall report the result to Council and the names of the candidates who received the same number of votes cast shall be written on separate pieces of paper and placed in a receptacle. The CAO shall draw one piece of paper from the receptacle and the candidate whose name is on that paper shall be declared elected to the position;

h) once all the positions have been filled, the CAO shall call for a motion to destroy the ballots cast.

5. REGULAR MEETINGS OF COUNCIL

5.1. Regular Meetings shall be held in Council Chambers of the Vulcan County Administration Building unless notice is given in accordance with the *Act* and this Bylaw that the Regular Meeting will be held elsewhere in the community.

5.2. Regular Meetings of Council shall be established by resolution at the annual Organizational Meeting, or at a Meeting of Council following the Organizational Meeting, as required.

5.3. A Regular Meeting shall commence immediately following the Municipal Planning Commission Meeting, which starts at 9:00 a.m.

6. SPECIAL MEETINGS OF COUNCIL

6.1. A Special Meeting shall be scheduled when required by the Reeve or a majority of Council.

6.2. The Agenda for a Special Meeting shall be restricted to the business stated in the notice unless all Councillors are present and a resolution is passed to deal with the additional matter.

7. COMMITTEE MEETINGS

7.1. Committee Meetings shall be scheduled as per the Committees Terms of Reference.

7.2. Municipal Planning Commission Meetings shall be scheduled at the annual Organizational Meeting, or at a Meeting of Council following the Organizational Meeting, and shall be scheduled the same day as Regular Council Meetings.

8. CLOSED MEETINGS

8.1. The *Act* permits Council or a Committee to close all or part of the Meeting to the public if a matter to be discussed is within one of the exceptions to disclose contained in the *Freedom of Information and Protection of Privacy Act (FOIP Act)*.

8.2. Before closing all or any part of the Meeting to the public, a Council or Committee shall pass a motion that includes the matter to be discussed, the related sections of the *FOIP Act* that apply, and the names persons in attendance other than the Members.

8.3. Council or a Committee may allow one or more persons that are not Members to attend, as it considers appropriate. The names of those persons present must be included in the Minutes.

8.4. All persons' present are required by law to keep in confidence matters discussed in a closed session.

8.5. When a Meeting is held in closed session, no motion may be passed except a motion to revert to a meeting held in public.

8.6. A Subdivision Authority, Development Authority or Subdivision and Development Appeal Board established under Part 17 of the *Act* may deliberate and make its decisions in a meeting closed to the public.

9. MEMBER PARTICIPATION IN MEETINGS BY ELECTRONIC MEANS

Section Amended May 21, 2025 by Bylaw 2025-023

9.1. A Member may participate in a Meeting by Electronic Means if:

a) the Member is unable to attend a Meeting, and

b) the Member has provided reasonable notice prior to the Meeting, to the CAO or the Presiding Officer, that they intend to participate by Electronic Means in the specific Meeting.

9.2. Unless a Meeting is held entirely by Electronic Means, the Presiding Officer for the Meeting shall be physically present at the place of the Meeting.

9.3. A Member who participates in meetings by Electronic Means is deemed to be present at the Meeting and counts towards quorum.

9.4. No Member shall record the Meeting while attending by Electronic Means.

9.5. If in a closed session, Members must prevent any person not authorized to be at the closed session from hearing the proceedings.

10. NOTICE OF MEETINGS

10.1. For all meetings requiring notice, the notice must be:

a) issued a minimum of 24 hours prior to the meeting date;
b) in writing and must specify the time, date, location and purpose the meeting;
c) emailed to each Member;
d) posted to Vulcan County's website; and
e) given any other notification as requested by Council or the Committee.

11. CANCELLATION OF MEETINGS

11.1. A Meeting may be cancelled:

a) by the majority of Members at a previously held Meeting; or
b) with the written consent of a majority, providing twenty-four (24) hours notice is provided to the Members and the public.
c) A Special Meeting may be cancelled with less that twenty-four (24) hours notice to the public with the written consent of two-thirds (2/3) of the whole Council.

12. QUORUM

12.1. The quorum of a Council or Committee Meeting is the majority of all the Members appointed.

12.2. When a quorum is present at the time set for commencement of a Meeting, the Presiding Officer shall call the meeting to order.

12.3. No Meeting shall be held without a quorum present.

12.4. If a quorum is not constituted within thirty (30) minutes from the time set for commencement of a Council Meeting, the CAO or designate shall record the names of all the Members present and adjourn the meeting.

12.5. 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 thirty (30) minutes, the Meeting shall stand adjourned.

12.6. If a Meeting is adjourned as per Section 12.3 or 12.4, then the agenda for that Meeting shall be considered at the next Meeting unless a Special Meeting is conducted to complete the business.

13. ADJOURNMENT

13.1. A Regular Council Meeting shall adjourn no later than 4:00 p.m., unless a motion to proceed past that time is carried by a two-third (2/3) vote.

a) Should there be no motion to continue past 4:00 p.m., Council shall recess the Meeting and reconvene at 9:00 a.m. on the next business day, unless otherwise directed by Council.

13.2. A Member may move a motion to adjourn 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) a Closed Meeting is in progress; or
e) a previous motion to adjourn has been defeated and no other intervening proceedings have taken place.

13.3. The Presiding Officer may adjourn the Meeting without requiring a motion only when all items of an approved Agenda have been dealt with.

14. RECESS

14.1. Any Member may move that Council or the Committee recess for a specific period. After the recess, business will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker.

14.2. The Presiding Officer may recess the Meeting without requiring a motion or vote from the Members.

15. ADMINISTRATIVE INQUIRIES

15.1. An Administrative Inquiry to the CAO may be made during a Regular Council Meeting under the appropriate section of the Agenda and may be a verbal request or written request to Administration.

15.2. Unless the Member making the inquiry specifies that they wish the answer to appear on a subsequent Council Agenda, the CAO or another staff member may give the answer directly to the Members.

15.3. When an Administrative Inquiry involves a written answer to be given at a future Council Meeting and it appears to the CAO that the County would incur a cost of over five hundred (500) dollars, then the CAO shall report the anticipated cost to Council before undertaking such inquiry.

15.4. When the CAO has reported the cost of an Administrative Inquiry, Council may direct that Administration proceed with the investigation necessary to answer the inquiry and make

provision for the payment of the cost; or by a majority vote direct that Administration abandon the inquiry.

15.5. The subject matter of an Administrative Inquiry is not debatable until the reply to the inquiry has been made or presented to Council.

15.6. A Member who requested an Administrative Inquiry may, at a Regular Meeting, instruct Administration to abandon the Inquiry.

16. PUBLIC INPUT SESSION *(previously referred as 'Question Period')*

16.1. The purpose of the public input session is to provide Council with an opportunity to obtain public comment on matters relevant to Vulcan County. These matters should exclude those bylaws or resolutions that require Council to hold a Public Hearing.

16.2. Public input sessions shall be scheduled during Regular Council Meetings and shall commence at the advertised time, or soon thereafter the advertised time as reasonably possible.

16.3. Those persons who do not identify themselves will not be given an opportunity to speak.

16.4. No person or group shall address Council for more than five (5) minutes.

Amended March 12, 2025 by Bylaw 2025-010

16.5. Council may debate matters raised and ask questions of the speaker.

16.6. Council may provide a written response to questions raised within five (5) business days.

17. DELEGATIONS

17.1. A member of the public may request to be included on an Agenda as a delegation. The request must be submitted in writing and shall:

a) include a summary of the information that will be presented to Council or the Committee;
b) be submitted to the Municipal Clerk no later than 12:00 p.m. on the seventh complete day before the day on which the next Meeting is being held.

17.2. No person or group shall address Council for more than fifteen (15) minutes, exclusive of the time required to answer questions put to him/her by a Member, unless granted a time extension by the majority of the Members.

Amended March 12, 2025 by Bylaw 2025-010

17.3. No motion shall be made during the delegation portion of the Meeting and any decision forthcoming should be referred to the appropriate section of the Agenda or a subsequent Meeting.

18. COMMUNICATIONS FROM PUBLIC

18.1. Written submissions from the public in response to advertised public hearing matters or development permit applications (*as per Vulcan County's Land Use Bylaw)*, must be received no later than 12:00 p.m. on the seventh complete day before the Meeting.

18.2. Submissions must be in a form that can be reproduced and shall become public record. Submissions will be made available in the Agenda and will include the individual's name, group (and group members) name, or corporation's name;

18.3. Submissions received after the deadline may be distributed at the Meeting.

18.4. Communications from the public must:

a) Contain the individual's name, group (and group members) name, or corporation's name; and,

b) Use respectful language (not contain personal attacks or have a derogatory tone).

18.5. Public communications that do not meet the conditions in subsection 18.4 may be withheld and the requestor notified (if notification is possible).

Amended March 12, 2025 by Bylaw 2025-010

19. COUNCILLOR REPORTS

19.1. Each Council Member may provide a written or verbal report at a Meeting for the purpose of providing an update on Committees or community events in which municipal participation has been approved by Council.

19.2. If a verbal update is provided, then the Council Member shall be allotted a maximum of ten (10) minutes to provide the update, exclusive of time required for questions from other Council Members.

20. USE OF COUNCIL CHAMBERS

20.1. The CAO or delegate may approve the use of Council Chambers for meetings or training other than Council Meetings, Committee Meetings, or Council business.

20.2. Meetings of Council and Council business take priority over any other meeting or training that will be or has been approved in the Council Chambers.

PART THREE – AGENDAS AND MINUTES

21. AGENDA

21.1. The Agenda shall list the items and order of business for the meeting.

21.2. All submissions from Administration and Members for the Agenda shall be received by the CAO or designate no later than 12:00 p.m. on the sixth day before the day on which the meeting is held.

21.3. The Agenda order of business shall be reviewed by the Presiding Officer prior to distribution to the Members.

21.4. The CAO or designate shall ensure copies of the Agenda are distributed to Members no later than 4:30 p.m. on the fifth day before the day on which the meeting is held.

21.5. The CAO or designate 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 to the public through the municipal website, but only after the Agenda has been provided to the Members.

21.6. At the Meeting, during the adoption of the Agenda, Members or Administration may request an item to be added to the Agenda under Emergent Issues provided the matter is of sufficient urgency or of a time sensitive nature, such that it is not possible to refer it to the next Meeting and there is sufficient information available to make a decision on the matter.

21.7. Once the Agenda has been adopted, matters may be added to the Agenda by motion with the support of two-thirds (2/3) of the Members present.

21.8. If alterations to the order of business is desired to take up an urgent matter or for the convenience of the Meeting, the Presiding Officer may make such alteration, but shall not delete any portion of the business set out in the adopted Agenda.

22. MINUTES

22.1. The CAO or designate shall ensure minutes of a Council Meeting are prepared and that a copy is distributed to each Member of Council for review by the third day following a Regular Meeting or Special Meeting.

22.2. The unapproved minutes shall be posted to the municipal website by the fifth day following a Regular Meeting or Special Meeting, provided the minutes were distributed as per Section 21.1.

22.3. Minutes of the Municipal Planning Commission shall be distributed as per Schedule 'B' of this Bylaw.

22.4. Minutes of Committee Meetings shall be distributed as per the Committees Terms of Reference.

22.5. The CAO or designate shall ensure minutes of a Meeting are presented on the following Meeting to be adopted by Council or the Committee.

22.6. Any Member may make a motion to request the minutes be amended to correct any inaccuracy or omission.

PART FOUR - CONDUCT OF MEETINGS

23. PUBLIC CONDUCT

23.1. Members of the public gallery during a Meeting:

a) shall not address Council or the Committee without permission;
b) shall maintain order and quiet; and
c) shall not applaud or otherwise interrupt any speech or action of the Members, or any other person addressing Council or the Committee.

24. ROLE OF PRESIDING OFFICER

24.1. The Presiding Officer shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order, replying to points of procedure, and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal by any Member from any ruling of the Presiding Officer.

24.2. The Presiding Officer shall ensure each Member who wishes to speak on a debatable motion is granted the opportunity to do so.

24.3. With the permission of Council or the Committee, the Presiding Officer may invite persons forward from the audience to speak if it is deemed to be within the best interests of the issue being discussed.

24.4. The Presiding Officer has all the same rights and is subject to the same restrictions, as to participation in debate, as all other Members and may make a motion without vacating the Chair.

25. MEMBER CONDUCT

25.1. When a Member wishes to speak at a Meeting they shall obtain the approval of the Presiding Officer before doing so.

25.2. When a Member, Administration, or member of the public is addressing the Presiding Officer, every other Member shall:

a) remain quiet and seated;

b) not interrupt the speaker except on a Point of Order, Point of Procedure or Question of Privilege; and
c) not carry on a private conversation.

25.3. When a Member is addressing Council or a Committee, the Member shall:
a) not speak disrespectfully of others;
b) not shout, raise his/her voice or use offensive language;
c) not reflect on any vote of Council or the Committee except when moving to rescind it and shall not reflect on the motives of the Members who voted on the motion, or the mover of the motion; and
d) assume personal responsibility for any statement quoted to Council or upon request of Council shall give the source of the information.

25.4. No Member shall, subject to the *Act*, leave the Meeting after a question is put to a vote until the vote is taken.

26. POINT OF PROCEDURE

26.1. May be used by a Member to obtain information on a matter of parliamentary law or this Bylaw to assist the Member to:
a) make an appropriate motion;
b) raise a Point of Order;
c) understand the procedure; or
d) understand the effect of a motion.

26.2. When a Point of Procedure arises, it shall be immediately taken into consideration by the Presiding Officer.

27. POINT OF ORDER

27.1. May be used by a Member to raise question to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business.

27.2. When a Point of Order arises, it shall be immediately taken into consideration by the Presiding Officer.

28. POINT OF INFORMATION

28.1. May be used by a Member to obtain information relevant to the business at hand, but not related to a Point of Procedure.

28.2. When a Point of Information arises, it shall be immediately taken into consideration by the Presiding Officer.

29. QUESTION OF PRIVILEGE

29.1. May be used by a Member to raise a question which concerns a Member, Council, or a Committee, when the Member believes that another Member has spoken disrespectfully

towards them or Council or the Committee, or when they believe their comments have been misunderstood or misinterpreted by another Member.

29.2. When a Question of Privilege arises, it shall be immediately taken into consideration by the Presiding Officer.

PART FIVE – MOTIONS AND VOTING

30. GENERAL PROVISIONS

30.1. A motion that has been moved shall not be required to be seconded.

30.2. A recommendation on a report does not constitute a motion until a Member has expressly moved it.

30.3. A Member may move a motion whether or not the Member intends to support it.

30.4. Any Member may require the motion under consideration to be read at any time during the debate, except when a Member is speaking.

30.5. When a motion is before the Meeting and the mover wishes to withdraw or modify it, or substitute a different one in its place, an if no Member objects, the Presiding Officer shall grant permission. 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.

30.6. Unless otherwise required under the *Act* or this Bylaw, a simple majority vote shall be required.

30.7. Once a motion is carried it becomes a motion of Council or the Committee and shall be supported by all Members.

31. MOTIONS CONTAINING DISTINCT PROPOSITIONS

31.1. A motion containing several distinct propositions is not out of order for that reason alone.

31.2. When a motion contains two or more propositions, and when any Member requires or the Presiding Officer orders, then the Members shall vote on each proposition separately.

32. MOTIONS OUT OF ORDER

32.1. It is the duty of the Presiding Officer to determine what motions or amendments are in order, subject to challenge by a Member, and to decline to put to a vote a motion deemed to be out of order.

32.2. The Presiding Officer shall advise the Members that a motion is out of order and shall cite the applicable rule or authority without further comment.

32.3. The following motions are out of order:

a) a motion contrary to law, bylaw, policy or a previous motion;
b) a motion similar to an item which has been defeated, tabled or referred; or
c) a motion relating to a matter not within the jurisdiction of Council or the Committee.

33. MOTION TO RESCIND OR MOTION TO RENEW

33.1. A motion to rescind a motion which has been passed or to renew a defeated motion may be offered subsequent to the meeting at which the motion was passed or defeated if the rescinding or renewal motion is:

a) made by a Member who voted with the prevailing side;
b) brought more than six months after the date of the original motion; or
c) brought after a General Election which has taken place since the date of the original motion.

33.2. No motion to rescind may be made when:

a) a vote has caused an irrevocable action; or
b) the question can be reached by reconsidering the motion.

34. MOTION TO RECONSIDER

34.1. A Member who voted with the prevailing side may move to reconsider a motion only at the same meeting or during any continuation of the meeting at which it was decided.

34.2. A motion to reconsider may not be applied to:

a) a vote which has caused an irrevocable action; or
b) a motion to reconsider.

34.3. A motion to reconsider is only debatable when the motion being reconsidered is debatable.

35. DEBATE ON MOTIONS

35.1. When a matter is under debate, no motion shall be received other than a motion to:

a) amend the motion;
b) amend the amendment to the motion;
c) refer the main motion and any pending amendments;
d) table the main motion and any pending amendments;
e) recess;
f) extend the time of the Meeting;
g) raise a Point of Order;
h) raise a Point of Information; or
i) raise a Question of Privilege.

35.2. A Member who moved the main motion may close the debate after other Members have been given an opportunity to speak.

35.3. Before the debate is closed and the vote called, a Member may request that the motion be read aloud or ask a question that:

a) relates directly to the debate;
b) contains no argument; and
c) introduces no new material on the motion.

35.4. When a Member has closed debate, the Presiding Officer shall declare the motion and ask for a vote.

36. AMENDMENTS

36.1. No amendment shall be made to a motion:

a) to refer a question to some other body for consideration; or
b) to adjourn a meeting.

36.2. A Member may not move an amendment which:

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

36.3. A “friendly amendment” may be accepted by the mover if it does not change the substance of the motion and clarifies the motions intent; it will not constitute a formal amendment to the motion that requires a vote.

36.4. Only one amendment to the main motion and one amendment to that amendment shall be allowed.

36.5. The Presiding Officer shall put amendments to a vote in the reverse order to which they have been moved.

36.6. When all amendments are vote on, the Presiding Officer shall call for a vote on the main motion, incorporating any carried amendments.

37. CHALLENGING THE RULING OF THE PRESIDING OFFICER

37.1. When a Member wishes to challenge the ruling of the Presiding Officer, the motion, "That the decision of the Presiding Officer be overruled" shall be made, and the question shall be put immediately without debate.

37.2. The Presiding Officer shall be governed by the vote of the majority of the Members present, and the names of the Members voting shall be recorded in the Minutes.

38. VOTING ON MOTIONS

38.1. When this Bylaw requires that a motion be made, a Bylaw be passed, or any other action be taken by a vote of:

a) a simple majority of Council;
b) two-thirds (2/3) of Council or any other fraction of Members; or

c) all Members,

the requirements shall be interpreted as meaning such majority, fraction or total of the Members who are present, provided the *Act*, or some other relevant statute does not specify differently.

38.2. A motion shall be declared defeated when it does not receive the required number of votes.

38.3. Each Member present shall vote on every motion as prescribed by the *Act*, unless the *Act* or other provincial or federal enactment requires or permits the Member to abstain, in which case the Member shall cite the legislative authority for abstaining, and the CAO or designate shall record the abstention and reasons in the minutes.

38.4. A Member shall not vote on a matter if they are absent from the Meeting when the vote is called.

38.5. All votes are recorded and the CAO or designate shall record the names of those who voted for and those who voted against a motion in the Minutes, excepting motions that are approved or defeated unanimously.

38.6. Votes on all motions must be taken as follows:

a) the Presiding Officer must declare the motion and call for the vote;
b) Members must vote by a show of hands.

38.7. Despite Section 37.6, when a Meeting is being conducted electronically or any Member is attending the Meeting electronically, then the Presiding Officer shall call for a vote in reverse, meaning Members are to notify if they object to a motion.

38.8. After the Presiding Officer declares the result of the vote, Members may not change their vote for any reason.

39. TIE VOTE

39.1. If there is an equal number of votes for and against a motion, the motion is defeated.

PART SIX – BYLAWS

40. GENERAL PROVISIONS

40.1. When a Bylaw is presented to Council for enactment, the CAO or designate shall publish the number and title of the Bylaw in the Agenda.

40.2. The Bylaw shall be presented in its entirety to all Members of Council and included in the Agenda.

40.3. Council shall hear an introduction of the proposed bylaw from Administration prior to first reading.

Amended May 15, 2024 by Bylaw 2024-011

40.4. In conformance with the *Act*:

a) 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

b) if a Bylaw is defeated on second or third reading the previous readings are deemed to have been rescinded.

41. READINGS

41.1. Every Bylaw shall have three readings. Only the title or identifying number must be read at each meeting.

41.2. A proposed Bylaw must not have more than two readings at a Council Meeting unless the Council Members present unanimously agree to consider third reading.

Amended May 15, 2024 by Bylaw 2024-011

41.3. A Bylaw shall be passed when a majority of the Members voting on third reading vote in favour, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.

42. AMENDMENTS

42.1. Any proposed amendments shall be put to a vote if required, and if carried, shall be considered incorporated into the proposed bylaw.

Amended May 15, 2024 by Bylaw 2024-011

42.2. Once a Bylaw has been passed, it may only be amended or repealed by another Bylaw made in the same way as the original Bylaw, unless another method is specifically authorized by this Bylaw or the *Act*.

43. CONSOLIDATION

43.1. The CAO or designate is designated to consolidate one or more Bylaws as deemed convenient and in doing so, must:

a) incorporate all amendments to the Bylaw into one Bylaw; and

b) omit a provision that has been repealed or that has expired.

44. REVISIONS

44.1. Clerical, typographical and grammatical errors in bylaws may be corrected by the Chief Administrative Officer. If clerical, typographical or grammatical errors are made by the Chief Administrative Officer, then a copy of the bylaw shall be distributed to all Council Members stating what was corrected.

Amended May 4, 2022 by Bylaw 2022-018

PART SEVEN – PUBLIC HEARINGS

45. ADVERTISING

45.1. Notice of Public Hearings must be advertised in accordance with the Act.

45.2. The deadline for written submissions to be included in the Agenda package shall be included in the advertised notice and shall adhere to Section 18 of this Bylaw.

'Written Submissions' removed – March 12, 2025 by Bylaw 2025-010

46. PROCEDURE

46.1. Procedure and conduct of Public Hearings is established in Schedule 'A' of this Bylaw.

47. PARTICIPATION

47.1. The public may attend a Public Hearing by Electronic Means;

47.2. The participation by Electronic Means may be through Vulcan County's video conferencing software or telephone conference system provided that they have registered with the CAO or designate no later than 4:00 p.m. of the business day preceding the Public Hearing;

Amended May 21, 2025 by Bylaw 2025-023

'Committee Section' removed - May 4, 2022 by Bylaw 2024-016

PART EIGHT – TRANSITION

48. SERVERABILITY

48.1. If a portion of this Bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the Bylaw remains valid and effective.

49. EFFECTIVE DATE

49.1. This Bylaw comes into effect upon third reading of this Bylaw.

50. BYLAW REPEAL

50.1. Bylaw 2012-026 is hereby repealed.

50.2. Bylaw 2017-020 is hereby repealed.

50.3. Bylaw 2017-032 is hereby repealed.

READ a first time on this 1st day of September, 2021
READ a second time on this 15th day of September, 2021
READ a third time on this 15th day of September, 2021

[original signed] [original signed]

_____ _____

Reeve **Chief Administrative Officer**

OFFICE CONSOLIDATION

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

Bylaws included in this consolidation:

2021-036 Procedural Bylaw
2022-018 Procedural Bylaw Amendment
2024-011 Procedural Bylaw Amendment
2024-016 Procedural Bylaw Amendment
2025-010 Procedural Bylaw Amendment
2025-023 Procedural Bylaw Amendment

BYLAW 2021-036

SCHEDULE 'A'

PUBLIC HEARING PROCEDURE

AUTHORITY

Section 230 of the *Municipal Government Act*

PROCEDURE

1. The Presiding Officer shall state the purpose of the Public Hearing (including the Bylaw number and general description) and declare the Public Hearing open.

2. The Presiding Officer will outline the public hearing procedure for all those present.

3. The Presiding Officer shall call upon Administration to:
    a. confirm the Public Hearing was advertised in accordance with the *Act;* and,

    b. provide an overview regarding the resolution, Bylaw or matter to be dealt with.

4. The Presiding Officer shall call upon the Applicant to present.
    a. The applicant shall state their name and present their application within a time period of twenty (20) minutes, unless there is consent by the majority of Council to extend the allotted time.

    b. The Chair shall allow questions of clarification from Council and Administration to the applicant.

5. The Presiding Officer shall open the floor to presentations from the public; any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded the opportunity to speak. All persons speaking must state their name and address for the record.
    a. Individuals and groups shall speak in the following order:
        i. those who have indicated on a sign-in sheet that they wish to speak;
        ii. those who support the proposed Bylaw;
        iii. those who oppose the proposed Bylaw;

    b. Presentations shall be directed to the Presiding Officer and be limited to five (5) minutes per individual, or ten (10) minutes per group.

    c. The Presiding Officer shall allow questions of clarification from Council or Administration to individuals or groups presenting.

6. If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on his or her behalf.
    a. The authorization must:
        i. be in legible writing;
        ii. name the individual authorized to speak;
        iii. indicate the proposed Bylaw to be spoken to; and
        iv. be signed by the person giving the authorization.
    b. The authorized speaker must state the name of the person that the speaker represents and present the written authorization to the CAO or designate.

7. The Presiding Officer shall invite the applicant for any rebuttal to the points raised by those who spoke in support or in opposition to the proposed Bylaw. The rebuttal period shall last no longer than ten (10) minutes unless there is consent by the majority of Council to extend the allotted time. The Chair shall allow questions for clarification from Council members to the applicant.

8. The Presiding Officer shall allow Administration to make closing comments.

9. The Presiding Officer may recess the Public Hearing to take a short break with the intent of returning to the Public Hearing in the same meeting, or may postpone the Public Hearing to another Council Meeting.

    a. If a Public Hearing is recessed or postponed, Council shall not receive any additional submissions in relation to the subject matter until it reconvenes the Public Hearing.

10. The Presiding Officer shall declare the Public Hearing adjourned (closed). The Presiding Officer shall advise that no further information on the matter shall be received by Council.

11. The Public Hearing Meeting Minutes shall record the names and a summary of the presentation of all persons who spoke in support and opposition of the proposed Bylaw or Motion.

12. The decision regarding whether or not to grant the proposed bylaw or resolution will be dealt with following the close of the Public Hearing, which may be later in the meeting or at a subsequent meeting.

BYLAW 2021-036

SCHEDULE 'B'

MUNICIPAL PLANNING COMMISSION MEETING PROCEDURE

1. APPLICATION

a. This Schedule shall be used as a supplemental procedure for the conduct of a Municipal Planning Commission Meeting.

2. DEFINTIONS

a. "**Application**" means a Development Permit or Subdivision Application as per Vulcan County's Land Use Bylaw.

b. "**MPC**" means Vulcan County's Municipal Planning Commission, established as per Part 17 of the Act.

3. PROCEDURE

a. The Chair shall call upon Administration to:
   i. Provide an overview of the Application being reviewed by the MPC;
   ii. The Chair shall allow questions from MPC Members.

b. The Chair shall call upon the Applicant to present.
   i. The applicant shall state their name and speak to their Application within a time period of twenty (20) minutes, unless there is consent by the majority of MPC Members to extend the allotted time.
   ii. The Chair shall allow questions from MPC Members and Administration to the applicant.

c. The Chair shall open the floor to any person or groups who claim to be affected by the Application, and they must state their name and address for the record.
   i. Individuals and groups shall speak in the following order:
      1. those who have indicated on a sign-in sheet that they wish to speak;
      2. those who support the Application;
      3. those who oppose the Application.

d. Presentations shall be directed to the Chair and be limited to five (5) minutes per individual, or ten (10) minutes per group.

e. The Chair shall allow questions of clarification from MPC Members or Administration to individuals or groups presenting.

f. If a person is unable to attend a MPC Meeting, that person may authorize an individual to speak on his or her behalf.
   i. The authorization must:

ii. be in legible writing;
iii. name the individual authorized to speak;
iv. indicate the Application to be spoken to; and
v. be signed by the person giving the authorization.
ii. The authorized speaker must state the name of the person that the speaker represents and present the written authorization to the CAO or designate.

g. The Chair shall invite the applicant for any rebuttal to the points raised by those who spoke in support or in opposition to the Application. The rebuttal period shall last no longer than ten (10) minutes unless there is consent by the majority of MPC Members to extend the allotted time. The Chair shall allow questions for clarification from MPC Members to the applicant.

h. The Chair shall allow Administration to make closing comments.

i. The MPC can debate or make a decision regarding the Application in an open meeting or can move the meeting to a Closed Session (Private Deliberations) to deliberate and make its decisions under the authority of Section 197(2.1) of the *Municipal Government Act* and Section 23(1)(b) of the *Freedom of Information and Protection of Privacy Act.*

j. Minutes of the MPC Meeting shall be presented at the next MPC Meeting for approval prior to posting on Vulcan County's website due to the semi-judicial nature of the subject matter and possible litigation action that may fall out of decisions.