

VILLAGE OF BERWYN

BYLAW NO. 698

PROCEDURAL BYLAW

PART 1 - INTERPRETATION

1.1 Definitions In this Bylaw, unless the context otherwise requires:

"Act" means the Municipal Government Act, RSA 2000 c M-26 and any amendments thereto;

"Council" means the Council of the Village of Berwyn;

"Mayor" means the Mayor of the Village of Berwyn;

"Meeting" means a meeting of the Council;

"Minutes" means the written record of the proceedings of a Meeting;

"Municipal Office" means the office of the Chief Administrative Officer of the Village of Berwyn;

"Resolution" means a resolution of the Council.

PART 2 - MEETINGS OF COUNCIL

2.1 Regular Meetings

2.1.1 Council shall hold regular Meetings on the second and fourth Thursday of each month at 7:00 p.m. unless otherwise determined by Council.

2.1.2 The Mayor shall preside over all Meetings of the Council unless the Mayor is absent or unable to act, in which case the Deputy Mayor shall preside.

2.2 Notice of Meetings

2.2.1 Notice of all Meetings of Council shall be given to the public in accordance with the Act.

2.2.2 The Agenda for each Regular Meeting of the Council shall be posted in a conspicuous place in the Municipal Office and on the Village's website at least 48 hours before the Meeting.

2.2.3 Any person or delegation must provide their written submission for inclusion in the agenda to the CAO no later than noon on the Wednesday of the week prior to the scheduled meeting;

2.2.3 Presentations shall speak only on the matters which they have submitted to Council and which have been included in the agenda;

2.2.4 Presentations will be limited to thirty (30) minutes, followed by questions from Council members;

2.2.5 Council will not entertain submissions from the public on issues that are before the Subdivision and Development Appeal Board, the courts, or that require a statutory Public Hearing; and

2.2.6 Presenters shall not address Council on the same subject matter more than once every three (3) months.

2.3 Quorum

2.3.1 When a quorum is present at the time set for the commencement of a Council meeting, the Mayor shall call the meeting to order.

2.3.2 If a quorum is present at the time set for the commencement of a Council meeting, but the Mayor and Deputy Mayor are absent, the CAO shall call the meeting to order and call for a Presiding Officer to be chosen by resolution.

2.3.3 If the quorum is not constituted within fifteen (15) minutes from the time set for the commencement of a Council meeting, the CAO shall record the names of all the members present and state that the meeting is cancelled.

2.3.4 Whenever a vote on a motion before the Council cannot be taken because of a loss of quorum resulting from:

- a. the declaration of pecuniary interest or conflict of interest; or
- b. from a Councillor or Mayor not being present for all or part of a Public Hearing;

then the motion shall be the first order of business to be proceeded with and disposed of at the next Council meeting under that particular business order.

2.3.5 If a quorum is lost for any other reason the meeting is adjourned.

2.4 AGENDAS FOR COUNCIL MEETINGS

2.4.1 The agenda for each regular Council meeting shall be prepared by the CAO and submitted electronically together with all pertinent correspondence, statements and reports to each member of the Council at least four (4) calendar days prior to the meeting.

2.4.2 Any Council member wishing to have an item of business placed on the agenda for a regular Council meeting shall make the submission to the CAO not later than 12:00 noon on the Wednesday of the week prior to the meeting. The submission shall contain adequate information to the satisfaction of the CAO to enable the Council to consider the matter.

2.4.3 Council shall only consider items of business on the agenda unless a motion to change it is unanimously passed.

2.5 MOTIONS

- 2.5.1 The wording and intent of motions made by councillors should be as clear as possible. Councillors may request that the motion be read aloud by the recording secretary prior to debating or voting on the motion. A motion submitted to Council does not require a seconder.
- 2.5.2 When a motion has been made and is being considered by the Council, no other motion may be made and accepted, except:
 - (a) a motion to refer the main question to some other person or group for consideration;

- (b) a motion to amend the main question;
- (c) a motion to table the main question;
- (d) a motion to postpone the main question to some future date;

- 2.5.3 Where a question under consideration contains distinct prepositions, the vote upon each preposition shall be taken separately when any member so requests or when the Mayor or the presiding officer so directs.
- 2.5.4 After any question is finally put by the mayor or the presiding officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or the presiding officer as to whether the question has been finally put shall be conclusive.

2.6 Order of Business

2.6.1 The order of business at regular Meetings of the Council shall be as follows:

- A. Call to Order;
- B. Adoption of the Agenda;
- C. Disclosure of Pecuniary Interests;
- D. Adoption of the Minutes;
- E. Business Arising from the Minutes;
- F. Petitions and Delegations;
- G. Committee of the Whole;
- H. Bylaws;
- I. New Business;
- J. Financials;
- K. Correspondence and Information;
- L. Reports of Committees;
- M. Staff Reports;
- N. Closed Session
- O. Adjournment.

2.6.2 The Mayor may vary the order of business if deemed necessary.

2.7 The COTW

A motion must be made in order to enter and leave the Committee of the Whole. The Committee enables Committee members to review upcoming and important issues and opportunities with members of The administration where deemed appropriate, where the focus is on understanding the broader policy implications of the items being considered. The purpose of the COTW is to:

- a) Receive updates on emerging and ongoing projects and initiatives.
- b) Meet principally as a forum for discussion rather than as a decision-making arena, enabling all Committee members to discuss key items without the requirement to make a decision.

The key for the Committee is to keep the focus on the broader and more strategic items. The operation of the Committee is purposely kept informal to encourage deliberation of information and ideas. The Committee has no power to commit funds. Matters requiring further direction will be forwarded as a recommendation to Council.

2.8 Special Meetings

2.8.1 The administrator shall call a special meeting of the council whenever requested to do so in writing the mayor or a majority of the members.

2.8.2 The written request referred to in subsection

2.8.3 shall include all items of business to be transacted

2.9 MEETING THROUGH ELECTRONIC COMMUNICATIONS

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

2.9.2 A Council member may attend regular or special Council meetings by means of electronic communication a maximum of three (3) consecutive times unless otherwise approved by Council.

2.9.3 A Council member shall be permitted to attend a meeting using electronic communication if that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.

2.9.4 A Council member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.

2.10 Minutes

2.10.1 The Minutes of the previous Meeting of the Council shall be presented at the next regular Meeting of the Council for adoption.

2.10.2 The Minutes of each Meeting of the Council shall be available to the public in accordance with the Act.

2.11 Petitions

2.11.1 Any person or group may present a petition to Council, provided it is signed by at least ten percent (10%) electors of the Village.

2.12 Rules of Order Council shall follow the latest edition of "Robert's Rules of Order" at all Meetings unless otherwise provided for in this Bylaw or the Act.

PART 3 - MAYORAL ELECTIONS

3.1 Eligibility Only members of the Council are eligible to be elected as Mayor.

3.2 The term of office for the Mayor shall be for one year, commencing on the first regular Meeting of the Council in the calendar year following the municipal election.

3.3 Election

3.3.1 The Mayor shall be elected by a majority vote of the members of the Council present at an Organizational Meeting where there is a full Council.

3.3.2 If there is no full council, then the Mayor will be appointed interim until a full council is convened.

3.3.3 If there is a tie vote, the Deputy Mayor shall cast the deciding vote.

3.3.4 If the Deputy Mayor is a candidate for Mayor, the Mayor shall cast the deciding vote.

3.3.5 If the Mayor's position becomes vacant during the term of office, a new Mayor shall be elected in accordance with this Bylaw.

3.4 Declaration of Mayor The Chief Administrative Officer shall declare the candidate elected as Mayor and shall forthwith notify the Minister and the returning officer of the Village.

4. Closed Sessions

4.1 Council has the authority to move into Closed Session pursuant to Section 197(2) of the Act for the purposes of:

- a. protecting the Village, its operations, economic interests and delivery of its mandate from harm that could result from the release of certain information; and
- b. to comply with Division Two of Part One of the Freedom of Information and Protection of Privacy Act.

4.2 A resolution to move into a closed session shall state in general terms the topic of discussion.

4.3 Where the council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:

- a) The members of the council;
- b) The administrator and other members of the administration as the members of the council may deem appropriate; and
- c) The members of the public as the members of the council may deem appropriate.

4.4 Where the council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the administrator shall record in the minutes:

- a) The time that the closed session portion of the meeting commenced and concluded;
- b) The names of the parties present; and
- c) The legislative authority including the exemptions in Part III of The Local Authority Freedom of Information and Protection of Privacy Act relied upon for authority to close the meeting to the public.

4.5 No resolutions or bylaws may be passed during a closed meeting.

4.6 No business other than that described within the resolution pursuant to the subsection may be discussed.

4.7 Matters discussed or to be discussed in a closed meeting are to be kept in confidence until discussed at a public meeting of the council unless otherwise provided for in this bylaw.

PART 5 - AMENDMENT OF BYLAW

This Bylaw may be amended by Council.

PART 6 - REPEAL OF BYLAW

This Bylaw shall repeal any previous procedural Bylaw 604 and Bylaw Amendment 607 of the Village.

PART 6 - ENACTMENT

This Bylaw shall come into full force and effect upon the date of its final adoption.

ADOPTED by Council on the 09 day of February, 2023.



Mayor



Chief Administrative Officer