



OFFICE CONSOLIDATION

BYLAW 30M2002

**A BYLAW OF THE CITY OF CALGARY TO
REGULATE THE PROCEEDINGS OF COUNCIL
OF THE CITY AND ITS COMMITTEES**

(Amended by Bylaw Number's 19M2003, 39M2003, 59M2003, 38M2004, 30M2005)

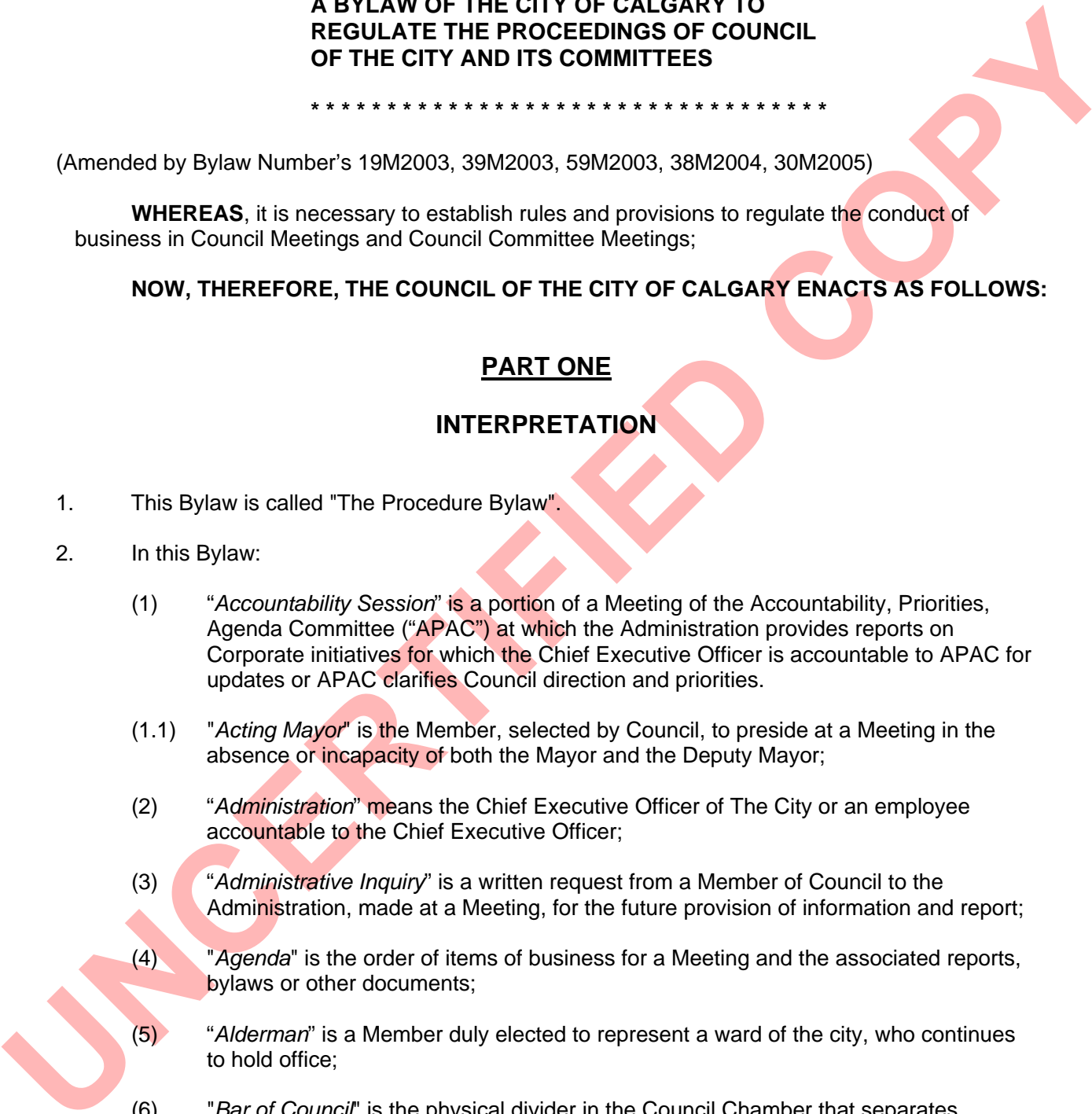
WHEREAS, it is necessary to establish rules and provisions to regulate the conduct of business in Council Meetings and Council Committee Meetings;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

PART ONE

INTERPRETATION

1. This Bylaw is called "The Procedure Bylaw".
2. In this Bylaw:
 - (1) "*Accountability Session*" is a portion of a Meeting of the Accountability, Priorities, Agenda Committee ("APAC") at which the Administration provides reports on Corporate initiatives for which the Chief Executive Officer is accountable to APAC for updates or APAC clarifies Council direction and priorities.
 - (1.1) "*Acting Mayor*" is the Member, selected by Council, to preside at a Meeting in the absence or incapacity of both the Mayor and the Deputy Mayor;
 - (2) "*Administration*" means the Chief Executive Officer of The City or an employee accountable to the Chief Executive Officer;
 - (3) "*Administrative Inquiry*" is a written request from a Member of Council to the Administration, made at a Meeting, for the future provision of information and report;
 - (4) "*Agenda*" is the order of items of business for a Meeting and the associated reports, bylaws or other documents;
 - (5) "*Alderman*" is a Member duly elected to represent a ward of the city, who continues to hold office;
 - (6) "*Bar of Council*" is the physical divider in the Council Chamber that separates Council, Officers of Council and the Executive Office from the remainder of the Administration and the public gallery;
 - (7) "*Chair*" means a person who has authority to preside over a Meeting;



- (8) "*Chief Executive Officer*" means the person, or designate, appointed by Council to the position of chief administrative officer;
- (9) "*City*" is the geographic area contained within the boundaries of the municipality of Calgary;
- (10) "*The City*" is the municipal corporation of The City of Calgary having jurisdiction under the *Municipal Government Act* and other applicable legislation;
- (11) "*City Clerk*" means the person, or designate, appointed to the designated officer position established by Council bylaw;
- (12) "*City Solicitor*" means the person, or designate, appointed to the designated officer position established by Council bylaw;
- (13) "*City Treasurer*" means the person, or designate, appointed to the designated officer position established by Council bylaw;
- (14) "*Committee*" means a Council Committee, board, commission or other body established by Council;
- (15) "*Committee of the Whole*" refers collectively to those Members of Council present when Council recesses to sit as a Committee;
- (16) "*Council*" is the Mayor and Aldermen duly elected in the city and who continue to hold office;
- (17) "*Deputy Mayor*" is the Alderman appointed by Council pursuant to the *Municipal Government Act*, and this Bylaw to act as Mayor in the absence or incapacity of the Mayor;
- (18) "*Freedom of Information and Protection of Privacy Act*" means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25, as amended or legislation substituted therefor;
- (19) "*General Election*" means an election held for all the Members of Council to fill vacancies caused by the passage of time, in accordance with the *Local Authorities Election Act*;
- (20) "*In Camera*" means in the absence of the public;
- (21) "*Local Authorities Election Act*" means the *Local Authorities Election Act* RSA 2000, Chapter L-21, as amended or legislation substituted therefor;
- (22) "*Mayor*" is the Member duly elected in the city as the Chief Elected Official who continues to hold office;
- (23) "*Meeting*" means a Meeting of Council or Committee;
- (24) "*Member*" is a Member of Council duly elected who continues to hold office, or a member of a Committee duly appointed to that Committee;
- (25) "*Minutes*" are the record of decisions of a Meeting recorded in the English language without note or comment;

- (26) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended or legislation substituted therefor;
- (27) "*Officers of Council*" are the Chief Executive Officer, the City Clerk, and the City Solicitor, or their designates;
- (28) "*Pecuniary Interest*" means a pecuniary interest within the meaning of the *Municipal Government Act*;
- (29) "*Point of Information*" is a request to a Member or the Administration, for information relevant to the business at hand, but not related to a Point of Procedure;
- (30) "*Point of Order*" is a statement by a Member raising a departure from this Bylaw;
- (31) "*Point of Privilege*" refers to matters affecting the rights and immunities of Council collectively, or the propriety of the conduct of individual Members and includes, but is not limited to, the following:
- (a) the organization or existence of Council,
 - (b) the comfort of Members,
 - (c) the conduct of Administration or members of the public in attendance at the Meeting, and
 - (d) the reputation of Members or Council as a whole;
- (32) "*Point of Procedure*" is a question to obtain information on the procedures of Council or Committee to assist a 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;
- (33) "*Public Hearing*" is a Meeting;
- (a) to hear matters pursuant to the *Municipal Government Act*, and may be referred to as a "Planning Meeting", or
 - (b) other matters which Council or the Nominating and Agenda Committee directs be considered at a Public Hearing;
- (34) "*Precedence*" means when a motion is pending only one of a higher rank or "*Precedence*" is in order;
- (35) "*Privilege*" is attached to motions that are important to safety, orderliness, comfort or well being of a Member(s) that they must be considered immediately;
- (36) "*Question Period*" is the time set aside at the beginning of a Regular Business Meeting for Members to ask specific questions on urgent issues;

- (37) "Quorum" is the majority of all Members, fifty (50) percent plus one (1), unless Council provides otherwise in this Bylaw or in the Terms of Reference with respect to a Committee;
- (38) "Regular Business Meeting" means a Regular Meeting, other than a Regular Public Hearing, including a Regular Meeting which combines a Regular Business Meeting and a Regular Public Hearing;
- (39) "Regular Meeting" means a Meeting of Council scheduled in accordance with this Bylaw;
- (40) "Regular Public Hearing" is a Regular Meeting held as a Public Hearing;
- (41) "Special Committees" are Committees established by this Bylaw as Special Committees;
- (42) "Special Meeting" is a Meeting called by the Chair;
- (43) "Terms of Reference" is a statement of the purpose of a Committee and shall include, but is not limited to, composition, duties, powers and functions;
- (44) "Two-Thirds (10) Vote" is a vote requiring at least two-thirds of the Members who continue to hold office or appointment, to vote in the affirmative. This number is ten (10) with fifteen (15) Members; and
- (45) "Unfinished Business" is business on the Agenda at the same or a previous Meeting and which is not completed.

(B/L 19M2003, 2003 April 8)

3. This Bylaw applies to all Meetings, unless the Terms of Reference provide permission for the establishment of procedures.
4. (1) When a matter arises relating to proceedings in a Meeting which is not covered by a provision of this Bylaw or the Municipal Government Act, the matter shall be decided by reference to Robert's Rules of Order Newly Revised, 10th edition.
- (2) Procedure is a matter of interpretation by the Mayor or the Committee Chair.
- (3) In the absence of a statutory obligation, a provision of this Bylaw may be temporarily altered or suspended by a Two-Thirds (10) Vote.

PART TWO

ORGANIZATION OF COUNCIL & COMMITTEE (Establishment, Responsibilities, Membership, Chair and Quorum)

COUNCIL

5. The Mayor, when present, shall preside as Chair over all Meetings of Council, Accountability, Priorities, Agenda Committee ("APAC") and Intergovernmental Affairs ("IGA").
(B/L 19M2003, 2003 April 8)
6. Council, at its Organizational Meeting, shall adopt a roster of Deputy Mayors for the following year.

7. In the absence, incapacity, or inability, of the Mayor or Deputy Mayor to act:
 - (1) the next Deputy Mayor, in the rotation approved in Section 6, shall assume the Chair as Acting Mayor; or
 - (2) Council may appoint another Alderman as Acting Mayor.
8.
 - (1) Unless otherwise provided in a bylaw, the Mayor shall be an ex-officio Member of all Committees.
 - (2) If the Mayor is present at a Committee Meeting, the Mayor is counted to determine if the number of Members required for Quorum is present.
 - (3) The Mayor has all of the rights and privileges of other Members.

COMMITTEE ESTABLISHMENT

9.
 - (1) Council may establish Committees as are necessary or advisable for the orderly and efficient handling of the affairs of The City and establish the Terms of Reference and duration of a Committee.
 - (2) By this Bylaw Council establishes Standing Policy Committees ("SPC'S") and APAC (B/L 19M2003, 2003 April 8)

STANDING POLICY COMMITTEES

10. Each SPC has the following mandates:
 - (1) **SPC on Community and Protective Services** – parks, recreational, cultural and social services; affordable housing; disaster, emergency medical, fire and rescue services; grants related to such services provided or allocated by The City;
 - (2) **SPC on Finance and Corporate Services** – services provided by the Corporate Services Department; matters related to City revenues and expenditures;
 - (3) **SPC on Land Use Planning Transportation** – land use planning and policy, development and building approvals; planning, design and monitoring of transportation routes, traffic operations, parking facilities and public transit; property assessment;
 - (4) **SPC on Utilities and Environment** – services provided by the Utilities and Environmental Protection Department.
(B/L 39M2003, 2003 October 20)
11. Each SPC has the following delegated powers, duties and functions within their mandates:
 - (1) make new or revised policy proposals;
 - (2) make final decisions within existing Council policy;
 - (3) receive reports for information; and
 - (4) create and be responsible for sub-committees and their Terms of Reference.

12. Council shall appoint seven (7) Aldermen to each SPC ensuring that each Alderman sits on two (2) SPCs.
13.
 - (1) When the Aldermen have been named to the SPCs each Committee shall, at the Organizational Meeting, withdraw in turn and, with the City Clerk acting as temporary Chair, choose, by secret ballot, one of its Aldermen as Chair and one as Vice-Chair.
 - (2) No Alderman may:
 - (a) be a Chair of more than one (1) SPC in any single term of office as a Member of Council;
 - (b) serve as Chair of a SPC, if the Alderman was Chair of that SPC in the preceding year or served as Chair for a majority of the SPC Meetings in the preceding year or;
 - (c) serve as the Chair of the Audit Committee and an SPC at the same time.
 - (3) The Chair presides at all Meetings and votes on all motions.
 - (4) In the absence of the Chair, the Vice-Chair shall preside and in the absence of both, another Member shall be elected as Acting Chair with the City Clerk as temporary Chair for the vote.

(B/L 39M2003, 2003 October 20)
14.
 - (1) Meetings shall be open to all Aldermen, who may take part in the discussion or debate.
 - (2) At any time following confirmation of the Agenda, an Alderman who is a non-member in attendance at a SPC meeting may notify the Chair of an interest in an agenda item and may then vote on the item and be counted for Quorum on the item.
 - (3) The Mayor, if present, is counted to determine if the number of Members required for Quorum is present.

(B/L 59M2003, 2003 December 9)

ACCOUNTABILITY, PRIORITIES, AGENDA COMMITTEE

15.
 - (1) APAC consists of the Mayor or Deputy Mayor and the Chair of each SPC, with the Vice-chairs as alternates.
 - (2) The Chief Executive Officer and the City Clerk, or their designates, must attend all meetings of APAC.

(B/L 19M2003, 2003 April 8)
16. APAC has the following powers, duties and functions:
 - (1) recommending appointments to Committees when vacancies occur throughout the year following Council's Organizational Meeting;
 - (2) recommending naming of City-owned facilities such as parks and arenas upon receipt of a report from the Naming Committee;

- (3) Receiving communications from the Mayor and City Clerk which cannot be disposed of through the administrative process;
- (4) approving the use of Council Chambers for Meetings, other than Meetings of Council; and
- (5) authorizing formal presentations at a Regular Meeting of Council.
- (6) receiving reports on senior personnel matters from the Chief Executive Officer;
- (7) providing performance evaluations and ongoing monitoring of the Chief Executive Officer as required by the Municipal Government Act;
- (8) holding Accountability Sessions;
- (9) reviewing and making recommendations about corporate structure, corporate personnel issues and corporate policy;
- (10) preparing initial budget guidelines in consultation with Administration and referring guidelines to the SPC on Finance and Corporate Services;
- (11) acting as a policy coordinator between the Chief Executive Officer and the SPCs;
- (12) receiving updates on files from the Executive Leadership Team and providing oversight with respect to implementation of Council policy; and
- (13) providing interpretation of Council policy for Administration; and
- (14) planning and ratifying agendas for strategic sessions of Council; and
- (15) creating maintenance of a process for the regular review and reporting of Council's legislative governance practices.

(B/L 19M2003, 2003 April 8)

(B/L 39M2003, 2003 October 20)

(B/L 59M2003, 2003 December 9)

17. (1) When APAC is considering a report from the Aldermanic Office Co-ordinating Committee, that Committee Chair may participate in debate, vote and be counted for Quorum on that matter.
- (2) All Aldermen who are not members of APAC may attend Meetings and have the right to debate but not to vote.
- (3) REPEALED BY B/L 59M2003, 2003 DECEMBER 9
- (4) The Quorum of APAC shall be four (4).

(B/L 19M2003, 2003 April 8)

(B/L 59M2003, 2003 December 9)

18. APAC reports to Council.

(B/L 19M2003, 2003 April 8)

19. APAC may:
- (1) accept reports for information;
 - (2) refer reports to Administration;
 - (3) refer reports to Council for policy direction; and
 - (4) refer reports to Council for policy review.
- (B/L 19M2003, 2003 April 8)
20. All members of Council may bring an item to an Accountability Session of APAC.
- (B/L 19M2003, 2003 April 8)

SPECIAL COMMITTEES AND OTHER (not established by this Bylaw) COMMITTEES

21. Each of the established Special Committees has the following mandates:
- (1) **Audit Committee** - overseeing internal and external audit operations, and current and long range fiscal planning for The City;
 - (2) **Gas, Power and Telecommunications Committee** – to monitor and participate as necessary in regulatory proceedings only to protect the interests of The City of Calgary in its role of municipal government
 - (3) **Intergovernmental Affairs Committee**
 - (a) preparing representations on the impact of other governments' policies on The City;
 - (b) co-ordinating long term growth and development plans between Calgary and other municipalities.
 - (4) **Land and Asset Strategy Committee** – overseeing the City's involvement in property transactions; public policies and standards to which The Corporation's land and assets are managed by the Administration.
 - (5) REPEALED BY B/L 59M2003, 2003 DECEMBER 9

(B/L 39M2003, 2003 October 20)
(B/L 59M2003, 2003 December 9)
(B/L 30M2005, 2005 May 16)
22. The membership of a Committee shall be as provided for in the enabling bylaw or in the Terms of Reference.
- 22.1 No member is eligible to serve on the Gas, Power & Telecommunications Committee if also serving as a director of ENMAX Corporation or any of its subsidiaries and, notwithstanding Section 27, a meeting of said Committee is not open to a Member who is also a director of ENMAX Corporation or any of its subsidiaries.
- (B/L 30M2005, 2005 May 16)
23. All Council appointments to Committees shall be reviewed annually at the Organizational Meeting, unless otherwise specified in this Bylaw or the Terms of Reference.

24. (1) Each Committee shall elect one (1) of its Members to be the Chair unless Council designates:
- (a) the Chair of a Committee; or
 - (b) the manner in which the Chair shall be selected.
- (2) Each Committee, with the City Clerk in the chair, shall meet as soon as possible after appointment to elect a Chair and Vice-Chair.
- (3) No member shall serve as a chair of a Standing Policy Committee and Audit Committee at the same time.
- (B/L 19M2003, 2003 April 8)
25. (1) The Chair shall preside at every Meeting and vote on all motions.
- (2) In the absence of the Chair, the Vice-Chair shall preside and in the absence of both, another Member shall be elected as Acting Chair with the City Clerk as temporary Chair for the vote.
26. The Chair of a Committee may be removed by a vote of the Committee. A motion to remove is not in order unless a Notice of Motion has been given in writing at a regular Meeting of the Committee held at least seven (7) days prior to the Meeting at which the motion is to be considered.
27. (1) Meetings of Special Committees are open to all Aldermen:
- (a) who may, at any time following confirmation of the Agenda, take part in discussion or debate;
 - (b) who, if a non-member and if in attendance, may notify the Chair of an interest in an Agenda item and may vote on the item and be counted for quorum on the item; and
 - (c) notwithstanding section 1(b), an Alderman who is a non-member may not place nominations or vote for the Chair and Vice-Chair
- (2) Meetings of other Committees are open to all Aldermen, who may take part in the discussion or debate, but, except for the Mayor, only those Members specifically appointed form part of the Quorum and may vote.
- (B/L 59M2003, 2003 December 9)

PART THREE

MEETINGS OF COUNCIL & COMMITTEE (Dates, Times, In Camera & Notice)

REGULAR MEETINGS

28. All Meetings of Council shall be held in the Council Chamber in the Municipal Building.
29. (1) Regular Meetings shall be held on Mondays.

- (2) If a Regular Meeting would fall on a Statutory Holiday, the Meeting will take place on the next business day.
 - (3) Every Regular Meeting shall commence at 9:30 a.m.
 - (4) In the year of a General Election, no Regular Meeting shall be held between Nomination Day and the Organizational Meeting following the General Election.
30. (1) Council may, at a Regular Meeting, direct that the date, time or location of a subsequent Meeting be other than as provided in Sections 28 and 42(2), provided notice is given.
- (2) The City Clerk shall ensure notice is given under Sections 42 - 44.

COMBINED MEETINGS

31. When a Regular Business Meeting and a Regular Public Hearing are scheduled for the same Regular Meeting, the Regular Public Hearing Meeting shall start at 9:30 a.m. and, the Regular Business Meeting will commence upon completion of the Regular Public Hearing.

SPECIAL MEETINGS

32. Special Meetings may be called. The City Clerk shall ensure notice is given under Sections 42 - 44.

COMMITTEE OF THE WHOLE MEETING

33. Council may go into Committee of the Whole to discuss a matter.

ORGANIZATIONAL MEETING

34. An Organizational Meeting of Council shall be held annually.
35. The City Clerk shall set the time and place for the Organizational Meeting.

STANDING POLICY COMMITTEE MEETINGS

36. (1) Council sets the days of Regular Meetings of the SPCs.
- (2) Regular SPC Meetings shall commence at 9:30 a.m., unless Council directs otherwise.
 - (3) A SPC may schedule additional Meetings by resolution, but must give notice to all Members and the public.
 - (4) Additional Meetings should not be scheduled when a Regular Council or SPC meeting is scheduled.
 - (5) Each sub-committee may set its own Meeting dates and times, with consideration of the Council calendar.

COMMITTEE MEETINGS

37. (1) Council shall decide the dates of Special Committee Meetings which commence at 9:30 a.m., unless otherwise directed.
- (2) Other Committees shall meet as soon as possible after appointment and, if required, decide the day and time for holding its regular Meetings with consideration of the Council calendar.

PUBLIC MEETINGS

38. Except as provided in Section 39, all Meetings shall be held in public.

IN CAMERA MEETINGS

39. Notwithstanding Section 38, a Meeting held In Camera subject to the Municipal Government Act and the Freedom of Information and Protection of Privacy Act and may exclude the Administration, but not Members or the City Clerk.
40. No bylaw or resolution shall be passed at an In Camera Meeting, except a resolution to revert to meeting in public or to recess.
41. Notwithstanding Section 39, the Calgary Planning Commission and the Subdivision and Development Appeal Board may deliberate and make their decisions In Camera.

PROVIDING NOTICE OF MEETINGS

42. (1) Members and the public must receive notice of all Meetings.
- (2) Notice of Regular Meetings and SPCs is deemed to be given by annual publication of a calendar by the City Clerk.
- (3) Notice of sub-committee, Special Meetings and other Committee Meetings is deemed to be given by the City Clerk posting a schedule monthly in the City Hall complex.
43. For all Meetings requiring notice, the City Clerk shall ensure the notice is:
- (1) issued a minimum of twenty-four (24) hours prior to the Meeting date;
- (2) posted in the City Hall Complex and specify the time, date, location and purpose of the Meeting; and
- (3) delivered, faxed or e-mailed to each Member.
44. If a matter is not specified in the notice of a Special Meeting, it may not be dealt with, unless all Members are present and a motion is passed to deal with the matter.
(B/L 59M2003, 2003 December 9)
45. Notwithstanding Sections 29(1), 32 and 42, the Mayor may call a Special Meeting of Council, on shorter notice without giving notice to the public, provided Two-Thirds (10) of Members

give written consent to holding the Meeting before the Meeting begins. This does not apply to Committees

CANCELLATION OF MEETINGS

46. (1) A Regular Meeting may be cancelled:
- (a) by a majority of Members at a previously held Meeting; or
 - (b) with the written consent of a majority, provided twenty-four (24) hours notice is provided to Members and the public; or
 - (c) with the written consent of two-thirds (2/3) of the Members if twenty-four hours notice is not provided to the public.
- (2) A Special Meeting, called under the initiative of the Mayor, may be cancelled:
- (a) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
 - (b) if less than twenty-four hours notice is provided, the Mayor may cancel with the written consent of two-thirds of the Members.
- (3) A Special Meeting, requested in writing by a majority of Members, may be cancelled:
- (a) with the written consent of the requesting Members, if twenty-four (24) hours notice is provided to the Members and the public; or
 - (b) if less than twenty-four hours notice is provided, with the written consent of two-thirds of the Members.
- (4) Committee Meetings may be cancelled as per S. 46(1)(a) & (b), however at least twenty-four (24) hours notice of cancellation must be provided to the Members and the public.

PART FOUR

RECORDS OF COUNCIL

AGENDA

47. (1) An Agenda for a Regular Business Meeting shall be adopted by the Mayor and City Clerk;
- (2) Once an Agenda is adopted or otherwise published, items may only be removed from the Agenda by a unanimous vote.

(B/L 19M2003, 2003 April 8)
(B/L 39M2003, 2003 October 20)
(B/L 59M2003, 2003 December 9)

48. The City Clerk should provide copies of the Agenda as follows:

- (1) for Regular Meetings, delivered on the Wednesday prior to the Meeting;
- (2) for SPCs, and Special Committees, delivered to all Members of Council and non Council Members, four (4) days prior to the Meeting;
- (3) for APAC, circulate to all Members of Council by 4:30 p.m. the Thursday preceding the Meeting;
- (4) distributed to City officials and media who are entitled to receive copies, but only after the Agenda is delivered to the Members; and
- (5) made available to the general public, as required.

(B/L 19M2003, 2003 April 8)

49. Submissions for inclusion in a Regular Meeting Agenda shall be delivered as follows:

- (1) all administrative reports for the Agenda of Regular Meetings shall be in the Office of the City Clerk no later than 4:00 p.m. on the Tuesday prior to the Meeting;
- (2) all submissions in response to advertised Public Hearing matters, the titles and report numbers of all administrative reports and Notices of Motion from Members for the Agenda of a Regular Business Meeting shall be in the Office of the City Clerk no later than 10:00 a.m. on the Thursday two (2) Thursdays before the Meeting;
- (3) when the date for receipt of submissions falls on a statutory holiday, the date for receipt shall be the following business day;
- (4) only material received by the City Clerk in the time set out in subsections (1) to (3) shall be considered at the Meeting for which the Agenda is prepared; and
- (5) notwithstanding subsections (1) and (4), in exceptional circumstances, items may be sent out under "Separate Cover" if received after the time set if they are already on the Agenda.

(B/L 19M2003, 2003 April 8)

(B/L 59M2003, 2003 December 9)

(B/L 38M2004, 2004 May 17)

50. In the event a supplementary Agenda of business items, referred to as a "Blue Sheet", is required because of Urgent Business to be brought before Council at a Regular Meeting, each item shall:

- (1) be accompanied by a brief explanation from the Chief Executive Officer, indicating the reasons and degree of urgency; and
- (2) be considered as an addendum to the Agenda, if Council agrees by a Two-Thirds (10) Vote.

51. The Agenda for Public Hearings shall include those items relating to planning matters in accordance with the *Municipal Government Act*, items which Council has directed to the Public Hearing, and items placed on the Agenda by the Mayor and City Clerk.

(B/L 19M2003, 2003 April 8)

(B/L 39M2003, 2003 October 20)

MINUTES - COUNCIL

52. The City Clerk shall:
- (1) ensure that all Minutes of Meetings are recorded in the English language, without note or comment;
 - (2) record the names of the Members voting on a challenge to the Mayor, Sections 77-79;
 - (3) record the names of those who vote for and against a motion in the Minutes when a roll call or a recorded vote is taken.
 - (4) prepare the Minutes of every Meeting and distribute a copy to each Member in or for a subsequent Agenda for adoption at the Meeting;
 - (5) record the names and general nature of a Pecuniary Interest declared by a Member; and
 - (6) record the names of persons who have spoken for or against a matter considered at a Public Hearing.
53. (1) The City Clerk shall keep an audio record of all Regular Meetings held in Council Chambers for three (3) months following Confirmation of the Minutes, when it shall be erased, unless a written request has been received to retain the tapes followed by receipt of a Court Order within sixty (60) days of such request.
- (2) A Member may make a motion requesting that the Minutes be amended to correct an inaccuracy or omission, however, the City Clerk shall be advised of the challenge to the Minutes before the Meeting at which they are officially confirmed, to allow the City Clerk to review the audio tapes.
 - (3) If a Member questions the accuracy of a portion of the Minutes of a Meeting, the audio recording shall be used to decide the question.
 - (4) Only minor changes may be made to correct errors in grammar, spelling, and punctuation, or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change shall be allowed which would alter or affect, in a material way, the actual decision made by Council.
 - (5) No Member may introduce extraneous evidence to support a challenge to the accuracy of the Minutes unless the evidence has been compiled or made under the direction or control of the City Clerk.

(B/L 59M2003, 2003 December 9)

MINUTES - COMMITTEE

54. Committee Minutes shall be recorded as for Regular Meetings, except:
- (1) that the Officers of Council are not recorded, but the General Managers in attendance are recorded;
 - (2) the City Clerk shall not record the names of the Members voting, unless requested that a Member's name be shown as opposed; and

- (3) lost motions are not recorded only the decision and direction .
(B/L 59M2003, 2003 December 9)

CORPORATE SEAL

55. (1) The City Clerk shall have custody of the corporate seal.
- (2) The corporate seal shall only be used under the direction of the City Clerk as prima facie evidence that The City has assented to those documents to which the seal is affixed.
56. The corporate seal shall be affixed to the following documents:
- (1) all bylaws of The City signed by the Mayor, Deputy Mayor or Acting Mayor, and the City Clerk, Deputy City Clerk, Acting City Clerk or Acting Deputy City Clerk presiding at the Meeting at which the bylaw was given third reading;
- (2) debentures issued by The City and signed by the Mayor;
- (3) certificates of registration of debentures signed by the City Treasurer or other designated officer;
- (4) contracts signed by the City Clerk;
- (5) papers certified by the City Clerk as being true copies of original documents held in the City Clerk's Office; and
- (6) such other papers or documents which, in the opinion of the City Clerk, warrant the seal to be affixed.

PART FIVE

PROCEDURES OF MEETINGS

DIVISION ONE

Control of and Conduct at Meetings

ROLE OF THE MAYOR

57. The Mayor:
- (1) shall maintain order and preserve decorum and may, if necessary, call a Member to order;
- (2) shall decide points of order without debate or comment;
- (3) shall determine which Member has a right to speak;

- (4) shall ensure that all Members who wish to speak on a motion have spoken, that the Members are ready to vote and shall subsequently call the vote; and
 - (5) shall rule when a motion is out of order.
58. The Mayor shall have the same rights and be subject to the same restrictions, as to participation in debate, as all other Members. When wishing to join in the debate or make a motion, the Mayor shall:
- (1) vacate the Chair, and request that the Deputy Mayor take the Chair;
 - (2) if the Deputy Mayor is absent, wishes to debate or is the mover or seconder of the motion, the Acting Mayor will take the Chair; and
 - (3) remain out of the Chair until the motion on the floor has been dealt with, exclusive of Motions Arising.
59. A person who is not a Member or Officer of Council shall not come within the Bar of the Council, unless permitted by the Mayor.
60. The Chair assumes the role of the Mayor at Committees for procedural purposes.

CONDUCT IN PUBLIC GALLERY

61. The Members of the public gallery, during a Meeting, shall:
- (1) not address the Members without permission;
 - (2) maintain order and quiet; and
 - (3) not applaud or otherwise interrupt a speech or action of the Members or other person addressing the Members.
62. The Mayor may order a member of the public who disturbs or acts improperly at a Meeting by words or actions be expelled. The Mayor may request city security personnel or the Calgary Police Service, if required, to remove the person.

CONDUCT OF MEMBERS

63. A Member wishing to speak at a Meeting shall obtain the approval of the Mayor before speaking.
64. When a Member is addressing the Mayor, every other Member shall:
- (1) remain quiet and seated;
 - (2) not interrupt the speaker, except on a point of order;
 - (3) not carry on a private conversation; and
 - (4) not cross between the speaker and the Mayor.

65. A Member addressing the Meeting shall:
- (1) not speak disrespectfully of Her Majesty the Queen, her official representatives or her government;
 - (2) not use offensive words in referring to a Member, or to an official of The City or member of the public;
 - (3) not reflect on a vote 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;
 - (4) not shout, use an immoderate tone of voice, profane, vulgar or offensive language, break the rules of Council, or disturb the proceedings; and
 - (5) assume personal responsibility for a statement quoted and, upon request of the Members, shall give the source of the information.
66. (1) A Member wishing to leave while a Meeting is in progress, shall rise and await the permission of the Mayor before leaving.
- (2) Subject to the Municipal Government Act, no Member shall leave after a question is put to a vote until the vote is taken.
67. A Member must be seated, remain seated and be silent from the time the vote is called for until the vote is declared.

CALLING A MEMBER TO ORDER

68. When the Mayor calls a Member to order, the Member speaking shall be seated and remain seated. After the Mayor has ruled, the Member may explain the action resulting in the call to order.
69. In the event that a Member refuses to be seated when called to order, the Mayor shall request the Deputy Mayor to move a motion to remove the unruly Member either:
- (1) for the balance of the Meeting; or
 - (2) until a time stated in the motion; or
 - (3) until the Member makes an apology acceptable to the Meeting for the unruly behavior;
- whichever is the shortest time.
70. If the resolution passes, the Mayor shall direct the Member to leave.
71. When the Mayor has directed a Member to leave and the Member makes a satisfactory explanation and apology, the Members may, by a motion, allow the offending Member to remain.

POINTS OF INFORMATION, ORDER, PROCEDURE AND POINT OF PRIVILEGE

72. When a Point of Order, Point of Procedure or Point of Privilege arises, it shall be considered immediately.
73. When a Point of Information is raised, the Mayor shall answer or direct the Point to the appropriate Member of the Administration.
74. When a Point of Privilege arises, the Mayor shall rule upon the admissibility of the question and, if the Mayor rules favorably, the Member, who raised the Point of Privilege, shall be permitted to pursue the Point.
75. When the Mayor is called upon to decide a Point of Order or to answer a Point of Procedure:
 - (1) the Point shall be stated without unnecessary comment;
 - (2) the Mayor shall state the rule or authority applicable;
 - (3) after raising the Point, the Member speaking shall be seated;
 - (4) as soon as the Mayor decides the Point raised, the Member raising the Point may be granted permission by the Mayor to explain; and
 - (5) the Mayor shall advise the Members immediately when a decision that a motion is contrary to procedures is made, quoting the rule or authority applicable.
76. The decision of the Mayor shall be final unless a challenge is made pursuant to Sections 77 - 79.

CHALLENGE TO THE RULING OF THE MAYOR

77. When a Member wishes to challenge the ruling of the Mayor, the motion, "That the decision of the Mayor be overruled" shall be made, and the question shall be put immediately without amendment or debate.
78. The Mayor shall be governed by the vote of the majority of the Members present.
79.
 - (1) If the Mayor refuses to put the motion, "That the decision of the Mayor be overruled", the Deputy Mayor shall be requested to proceed with putting the motion and the vote, from the floor if necessary.
 - (2) A resolution carried under subsection (1), is effectual and binding as if carried with the Mayor as Chair.

DIVISION TWO

General Meeting Procedures

CALL TO ORDER & QUORUM

80. A Meeting is called to Order when:
- (1) sufficient Members are present to form a Quorum at the time set for the start of the Meeting. The Mayor shall take the Chair and call the Meeting to order; and
 - (2) there are sufficient Members present to form a Quorum at the time set for the start of the Meeting and the Mayor, Deputy Mayor and the Acting Mayor are all absent, the City Clerk shall call the Meeting to order and shall call for an Acting Mayor to be appointed by a resolution. In the case of a Committee, other than those chaired by the Mayor, Sections 13(4) or 25(2) apply.
81. When there are insufficient Members present to form a Quorum at the time set for the start of the Meeting, the City Clerk shall record the names of the Members present and the Meeting shall be adjourned until the next Regular Meeting, unless a Special Meeting is called earlier. The Agenda delivered for that Meeting shall be considered at the next Regular Meeting prior to the consideration of the Agenda for the subsequent Meeting, or it shall be the Agenda for a Special Meeting called for that purpose.

PRESENTATIONS

82. All presentations made to Council at a Regular Business Meeting must be approved and placed on the Agenda through APAC.
- (B/L 19M2003, 2003 April 8)

QUESTION PERIOD

83. (1) Question Period is allowed only at a Regular Business Meeting.
- (2) Question Period shall not exceed fifteen (15) minutes in duration.
- (3) No more than three (3) questions shall be allowed.
- (4) No Member shall be allowed to ask more than one question.
- (5) No motion to extend Question Period shall be made. Where a question has been asked prior to the expiry of the fifteen (15) minute period, that matter may be concluded.

CHANGE AGENDA ORDER

84. When a change in the order of business is desired, the Members may table, bring forward, or refer an item.

CONFIRMATION OF MINUTES

85. (1) The Mayor shall present the Minutes with a request for a motion to confirm the Minutes.
- (2) The Minutes of a previous Meeting shall not be read aloud unless directed by a unanimous vote of the Members present.

PECUNIARY INTEREST

86. A Member who has a Pecuniary Interest in a matter before Council shall:
- (1) disclose the general nature of the Pecuniary Interest;
- (2) leave the Meeting before debate and return after the vote is declared; and
- (3) is not considered part of the Quorum for the item.

RECESS

87. (1) Every Regular Meeting shall recess without a motion for:
- (a) seventy-five (75) minutes at 12:00 noon;
- (b) for thirty (30) minutes at 3:15 p.m.; and
- (c) for seventy-five (75) minutes at 6:00 p.m.
- (2) A Two-Thirds (10) Vote is required to change the time of recess.
- (3) No Meeting shall be scheduled during the recess period in subsections (1)(a) and (1)(c) unless an additional one (1) hour recess is scheduled before or after that Meeting.

(B/L 19M2003, 2003 April 8)

ADJOURNMENT

88. (1) A Regular Meeting shall adjourn at 9:30 p.m. If in session at that time, Council may conclude the matter under discussion, by a two-thirds vote of the Members present, taken before 9:30 p.m. and recess the meeting.
- (2) The Regular Meeting shall reconvene at 1:00 p.m. on the next business day to complete Unfinished Business remaining at the time of the recess, unless otherwise directed by a Two-Thirds (10) Vote.

(B/L 39M2003, 2003 October 20)

89. A Meeting is deemed to be adjourned when:
- (1) a Quorum is not assembled within five (5) minutes following the end of a recess; or
- (2) at a Meeting, the number of Members is reduced to less than the number required for Quorum.

UNFINISHED BUSINESS

90. Unfinished Business remaining at the time of the adjournment due to loss of Quorum shall be considered at the next Meeting or at a Special Meeting called for that purpose.

COMMUNICATIONS

91. (1) When a person wishes to have a letter or other communication considered by Council or a Committee, it shall be addressed to the City Clerk, and shall:
- (a) be printed, typewritten or legibly written;
 - (b) clearly set out the matter at issue and the request;
 - (c) be signed with the name of the writer; and
 - (d) contain the mailing address of the writer.
- (2) On receipt of a communication, the City Clerk may:
- (a) include it on the Agenda of the next Regular Meeting, in full or in summary form; or
 - (b) refer it to Administration for a report to the appropriate SPC; or
 - (c) refer it to the Administration for reply.
- (3) Once considered, no communication, on substantively the same matter, can be considered for at least six (6) months except subject to the provisions of Section 117.
(B/L 19M2003, 2003 April 8)
(B/L 59M2003, 2003 December 9)
92. Except for reports from a Member attending a Meeting or investigating a matter for Council, Members shall not present matters for consideration by submitting communications for inclusion in the Agenda, but shall do so by written Administrative Inquiry or by Notice of Motion.

PERSONS WISHING TO ADDRESS COUNCIL

93. If a person(s) wishes to address Council on a matter on an Agenda, for which a hearing is not required by statute, that person(s) should notify the City Clerk in writing and state the reason for the request to speak. The City Clerk shall forward the request to APAC for consideration.
(B/L 19M2003, 2003 April 8)
94. APAC may:
- (1) refer the matter to a Committee;
 - (2) recommend that Council hear from the person(s); or
 - (3) refuse to hear from the person(s) and refer the matter to the Administration for reply.
(B/L 19M2003, 2003 April 8)

95. Notwithstanding Section 93 and 94:
- (1) Council may allow a person(s) to address a matter that is on the Agenda;
 - (2) Council may, on a Two-Thirds (10) Vote of Members, allow a person(s) to address a matter that was not on the Agenda but only if the item has been added to the Agenda as Urgent Business; and
 - (3) No person shall address Council for more than five (5) minutes, exclusive of the time required to answer questions, unless and to the extent allowed by a motion approved by Council.
96. (1) A Committee must hear a person(s) referred to it by Council or APAC.
- (2) A Committee may hear from a person(s) making a direct request to be heard by that Committee.

(B/L 19M2003, 2003 April 8)
(B/L 38M2004, 2004 May 17)

ADMINISTRATIVE INQUIRIES

97. (1) A Member making an Administrative Inquiry for answer at a subsequent Regular Business Meeting shall put the Administrative Inquiry in writing and, prior to or during the Regular Business Meeting, hand it to the City Clerk who may read it aloud.
- (2) Unless an Administrative Inquiry specifies that the Member wishes the answer to appear on a subsequent Council Agenda, the Administration shall give the answer directly to the Member.
98. When the Administrative Inquiry involves a written answer for a future Regular Business Meeting and the cost to The City, which would be incurred by reason of:
- (1) time of City employees which must be taken from performance of their regular duties or overtime which must be worked;
 - (2) the need to hire additional employees; or
 - (3) the necessity of obtaining and paying for the information from other than City employees;
- is likely to be more than \$1,000.00 and no appropriation has been made for such expenditure in the budget, the Administration shall report the anticipated cost to Council before undertaking the Administrative Inquiry. When the Administration has reported, Council may:
- (1) direct that the administration proceed with the investigation necessary to answer the Administrative Inquiry; and
 - (2) provide for the payment of the costs.
99. An Administrative Inquiry is not debatable until the reply has been made or presented at a Regular Business Meeting.

100. A Member who requested an Administrative Inquiry may, at a Regular Business Meeting of Council where the Administrative Inquiry was made, instruct the Administration to abandon the Inquiry.

DIVISION THREE

Motions in Meetings

GENERAL PROVISIONS ON MOTIONS

101. (1) A motion shall not be considered until it has been seconded except at Committee.
- (2) A motion in excess of fifteen (15) words must be submitted in writing to Council and the City Clerk.
- (3) The City Clerk shall, if requested, read the motion aloud for clarification, after it has been seconded.
- (4) After a motion has been moved and seconded, prior to a vote, it is the property of Council or Committee and may only be withdrawn by the mover with the unanimous consent of the Members present.
- (5) When a motion has been made and seconded and is being considered, no Member may make another motion except to:
- (a) amend the motion;
 - (b) amend the amendment to the motion;
 - (c) refer the main motion for consideration;
 - (d) table the main motion; or
 - (e) move a motion which has Privilege, that is:
 - (i) a motion to recess,
 - (ii) a motion to adjourn,
 - (iii) a motion to set the time for adjournment,
 - (iv) a motion to extend the time of the Meeting, or
 - (v) a Point of Privilege.
- (6) A recommendation in a report does not constitute a motion until it is moved and seconded.
102. Except as provided elsewhere in this Bylaw, a Member, after a motion has been made and seconded, may with the unanimous consent of Council:
- (1) on Member's initiative, while speaking on the motion; or

- (2) when requested by another Member speaking on the motion;

make minor changes to the motion wording or agree to a minor change proposed by another Member to a maximum of three (3) words, if the change does not alter the intention of the motion.

MOTION TO ADJOURN

103. A Motion to Adjourn is a motion to bring a Meeting to an end.

104. (1) 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) Members are in Committee of the Whole; or
 - (e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- (2) A motion to adjourn shall be put without comment, debate or amendment.

AMENDMENTS TO MOTIONS

105. (1) No amendments shall be made to the following motions:
- (a) to refer;
 - (b) to table, except as to time;
 - (c) to adjourn; or
 - (d) for the first and third readings of a bylaw or authorization for third reading.
- (2) A Member may not move an amendment which:
- (a) does not relate to the subject matter of the main motion; or
 - (b) is contrary to the main motion.
- (3) At a given time, only one amendment to the main motion and only one amendment to that amendment shall be allowed.
- (4) A Member, who moved or seconded a motion, may not move or second an amendment to it.
- (5) The main motion shall not be debated, until all amendments to it have been put.
- (6) Amendments shall be put in the reverse order to which they have been moved.

- (7) When all amendments have been put and voted on, the main motion shall be put incorporating all amendments adopted.

MOTION ARISING

106. A Motion Arising must:
 - (1) be directly related to and arise from an item which has just been considered; and
 - (2) be made before another item is in front of the Meeting.

DEBATE ON MOTIONS

107. Except as provided elsewhere in this Bylaw, the following motions are debatable:
 - (1) a motion for adoption, refusal, or further consideration of a report;
 - (2) a motion arising;
 - (3) a motion for amendment to an amendable motion;
 - (4) a motion for second reading of a bylaw;
 - (5) a motion for appointment or dismissal of a Committee;
 - (6) a motion to go into Committee of the Whole;
 - (7) a motion to file; and
 - (8) other motions made upon routine proceedings and required for:
 - (a) the observance of proprieties,
 - (b) the maintenance of authority,
 - (c) the appointment or conduct of Officers of Council,
 - (d) the management of business,
 - (e) the arrangement of proceedings,
 - (f) the correctness of records, or
 - (g) the fixing of the days and times of Meetings.
108. Members, who have been recognized to speak, may not be interrupted by other Members except:
 - (1) when a Member has risen to speak and there is no motion;
 - (2) when a Member has exceeded the time limit to speak;
 - (3) when a Member has a Point of Privilege;

- (4) when a Member has a Point of Order; or
 - (5) when a Member has a Challenge to the Mayor.
109. No Member may speak twice on a motion, except under the following circumstances:
- (1) A Member who feels misquoted or misunderstood may, after receiving permission from the Mayor, explain without debate a material part of the speech but not introduce a new matter;
 - (2) A Member who moved the main motion, may close debate after other Members have been given an opportunity to speak; and
 - (3) Before the debate is closed and the vote called, a Member may, request that the motion be read aloud or ask a question which;
 - (a) relates directly to the debate,
 - (b) contains no argument, and
 - (c) introduces no new material on the motion.
110. Unless a vote extends the time, no Member shall speak, including asking questions and debate but excluding responses, longer than:
- (1) five (5) minutes on a main motion; or
 - (2) three (3) minutes on an amendment; or
 - (3) three (3) minutes for closing debate on a main motion or on an amendment.
111. (1) When a Member has closed debate, the Mayor shall call for a vote on the motion.
- (2) When the vote has been called for on the motion, no Member shall debate further on the motion or speak, except to request that the motion be read aloud.

MOTION TO FILE

112. A Motion to File or Receive for Information is made to acknowledge an item, report or recommendation and have it placed in the record for reference. No additional action is taken.

MOTION TO LIMIT DEBATE

113. A Member may make a motion to Limit Debate subject to the following conditions:
- (1) the motion takes Precedence, but does not have Privilege, over other motions except a Motion to Table or a motion with Privilege;
 - (2) applies only to the next or a series of like debatable motions;
 - (3) Subject to subsection 49(2), all Notices of Motion received by the City Clerk shall be added to the Agenda of the next Regular Business Meeting;

- (4) the motion is amendable but not debatable;
- (5) can be tabled but only with the main motion;
- (6) requires a Two-Thirds (10) Vote of Members; and
- (7) can be reconsidered before the limited debate period ends but only for that portion of the debate that remains.

(B/L 59M2003, 2003 December 9)

NOTICES OF MOTION

114. (1) A Member, wishing to introduce a new matter for consideration, shall submit the motion in writing to the City Clerk.
- (2) On a Two-Thirds (10) Vote, the requirement for Notice contained in subsection (1) may be waived. However, the matter would then be considered as Urgent Business.
- (3) Subject to subsection 49(2), all Notices of Motion received by the City Clerk shall be added to the Agenda of the next Regular Business Meeting.
- (4) REPEALED BY B/L 59M2003, 2003 DECEMBER 9.
- (5) REPEALED BY B/L 59M2003, 2003 DECEMBER 9.

(B/L 19M2003, 2003 April 8)

(B/L 59M2003, 2003 December 9)

MOTION TO MOVE IN CAMERA

115. (1) A Member may make a motion to Move In Camera which must:
 - (a) be in accordance to the Freedom of Information and Protection of Privacy Act, and
 - (b) include the reason for the In Camera Meeting.
- (2) When Council meets In Camera, it is a Meeting of the Committee of the Whole.

MOTIONS OUT OF ORDER

116. (1) It is the duty of the Mayor to determine what motions or amendments to motions are in order, subject to challenge by a Member, and decline to put a motion deemed to be out of order.
- (2) The Mayor shall advise the Meeting that a motion is out of order and cite the applicable rule or authority without further comment.
- (3) The Mayor may refuse to accept a motion to refer, that has the effect of defeating the motion to which it refers, e.g. time constraints.
- (4) The following motions are out of order:

- (a) a motion, similar to a motion voted on in the previous six (6) months, without reconsidering the original motion;
 - (b) a motion contrary to law or a previous motion;
 - (c) a motion similar to an item which has been tabled;
 - (d) a motion to reconsider a motion to reconsider;
 - (e) a motion referring an item to a Committee, if the final report of the Committee is complete; and
 - (f) a motion which is out of scope of Council business.
- (5) Once a motion has been voted on, a similar motion may not be made for six (6) months without first reconsidering the original motion.
- (6) If a motion is contrary to the procedures and privileges, the Mayor may refuse to accept it and must cite the rule or authority applicable without other comment.
- (7) A motion containing several distinct recommendations is not out of order for that reason alone.

RECONSIDERING AND RESCINDING A MOTION

117. (1) A Member wishing to reconsider, alter or rescind a motion already passed, or an action taken at a previous Meeting and when the matter does not appear on the Agenda, shall bring the matter forward by a Notice of Motion, through APAC, which shall:
- (a) be considered at a Regular Meeting preceding the Meeting at which reconsideration of the matter is requested;
 - (b) specify the Meeting proposed to bring the matter to; and
 - (c) indicate, in the substantive portion of the motion, the action which is proposed be taken on the matter.
- (2) Notwithstanding subsection (1), if Notice of Motion was not given, the requirement for Notice contained in this Section may be waived on a Two-Thirds (10) Vote.
- (3) Notwithstanding the other provisions of this Section, no motion made or action taken shall be reconsidered unless:
- (a) it is a motion made or an action taken at the same Meeting; or
 - (b) it is a motion made or an action taken at a Meeting held six (6) months or more before its reconsideration; or
 - (c) approval for reconsideration of a motion made or an action taken less than six (6) months earlier is given by a Two-Thirds (10) Vote prior to reconsideration.

- (4) Only a Member, who voted with the prevailing side, may move to reconsider an item at the same Meeting unless the motion to reconsider occurs immediately after the vote and before another item is before the Members.
- (5) The following motions cannot be reconsidered:
 - (a) a motion which created a contractual liability or obligation, shall not be reconsidered, altered, varied, revoked, rescinded or replaced except to the extent that it does not attempt to avoid or interfere with the liability or obligation;
 - (b) a motion to adjourn;
 - (c) a motion to close nominations;
 - (d) a request for division of a question;
 - (e) a point of order, a point of privilege or a point of information;
 - (f) a motion to recess;
 - (g) a motion to suspend the Procedure Bylaw;
 - (h) a motion to lift from the table;
 - (i) a motion to bring forward; and
 - (j) a motion to adopt the agenda.
- (6) A motion to reconsider or rescind is debatable only when the motion being reconsidered is debatable.

(B/L 19M2003, 2003 April 8)

REFERRAL MOTIONS

118. A referral motion is made without amendment or debate.
119. A Member moving a referral motion shall include in the motion:
 - (1) the terms on which the motion is being referred;
 - (2) the time when the matter is to be returned; and
 - (3) whatever explanation is necessary as to the purpose of the motion.
120. When a referral motion is made, only the Member making the motion may ask the Mayor questions relative to those matters provided in Section 119 or debate the motion.

TABLING MOTIONS

121. A Member moving a motion to table shall include in the tabling motion:
 - (1) the time at the present Meeting or the date of a future Meeting to which the matter is to be tabled; or

- (2) a provision that the matter is to be tabled sine die.
122. A motion to table is only debatable as to time by the Members except the mover of the motion may debate.
123. A matter tabled to a set date shall not be considered before that date, except on a Two-Thirds (10) Vote.
124. A motion to table takes Precedence over other motions related to the item being tabled. All motions which have been moved and seconded and are related to the tabled motion, are tabled along with the main motion.

MOTION TO TABLE SINE DIE

125. (1) A motion to table sine die is only debatable as to time.
- (2) A motion tabled sine die may be brought back after:
- (a) more than one (1) year from the date of the tabling;
 - (b) a General Election; or
 - (c) on a Two-Thirds (10) Vote.

LIFT FROM THE TABLE MOTION

126. A tabled item is brought back with all of the motions related to it, exactly as it was when laid on the table.
127. An item tabled to a set date is added to the Agenda at that date without the requirement to lift from the table.
128. An item tabled without a set date to return or tabled to a time must be lifted from the table before discussion. A motion to lift from the table:
- (1) may be made provided no other motion is on the floor;
 - (2) is not debatable or amendable;
 - (3) if defeated, may only be made again after other business has intervened; and
 - (4) may be made at a Regular Meeting, but not at a Special Meeting, unless prior notice was given.
129. If a tabled motion is not lifted prior to a General Election or within one (1) year of tabling, whichever period is the longest unless tabled sine die, it may not be lifted from the table, but may be made as a new motion.

URGENT BUSINESS

130. A Member may move to discuss a matter of urgent public importance without prior notice. A motion to bring Urgent Business before a Meeting is subject to the following conditions:

- (1) the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;
- (2) the Mayor has determined the matter is urgent, prior to the start of the Meeting at which the motion is made;
- (3) the motion must not involve discussion of a matter which has been discussed previously in the same Meeting, excepting questions raised in Question Period;
- (4) the matter must not be one which should receive written notice;
- (5) the motion must not raise a Point of Privilege; and
- (6) the motion must be adopted by a Two-Thirds (10) Vote.

131. When a Member has made a motion to waive notice for Urgent Business, the Mayor shall rule upon the admissibility of the matter.

VOTING ON MOTIONS

132. (1) It is only necessary for each Member to vote separately on a roll call or recorded vote. In every other case, the decision may be expressed by a voice vote.
- (2) A Member shall not vote on a motion if absent from the Meeting when:
- (a) the vote is called;
 - (b) the City Clerk has begun to poll the Members, if a roll call is being taken; or
 - (c) the decision is made to take a recorded vote.
- (3) No Member shall change a vote on a motion unless:
- (a) there is unanimous consent of the Members present; and
 - (b) the request is made at the same meeting as the original vote.
- (4) When this or another Bylaw, Regulation or Act requires greater than a simple majority to pass a motion, the motion may not be rescinded or amended by less than the majority required to pass.

133. A motion shall be declared lost when it:

- (1) does not receive the required number of votes; or
- (2) receives a tie vote.

134. Each Member present must vote on every division of every motion.

135. (1) The City Clerk shall call the roll when more than two (2) Members oppose a motion.
- (2) A Member may request a roll call or a recorded vote.
- (3) For a recorded vote, each Member shall on a printed form:

- (a) sign the form; and
 - (b) indicate whether for or against the motion.
- (4) The City Clerk shall collect the forms and shall read the name of each Member and the vote.
- (5) A Member may, at any time, request the Mayor to call for a recorded vote or roll call vote when another matter remaining on the Agenda is considered.
136. When a motion contains two (2) or more recommendations, a Member may request or the Mayor may order, prior to the vote being called, that each proposition shall be voted on separately.

MOTION TO WAIVE NOTICE

137. (1) A motion to Waive Notice is presented to request the waiver of the requirements of providing written notice.
- (2) A motion to Waive Notice requires a Two-Thirds (10) Vote.

DIVISION FOUR

Special Procedures and Procedural Exemptions at Meetings

COMMITTEE OF THE WHOLE

138. (1) The proceedings of the Committee of the Whole shall be reported to Council when it reconvenes.
- (2) A Member may, at any time, move that the Committee of the Whole rise and report. This motion is not debatable.
- (3) A Member may, at any time, move that the Committee of the Whole rise without reporting. This motion is debatable and takes Precedence over other motions.
- (4) When Council, sitting as Committee of the Whole, resolves to rise without reporting, the Mayor shall reconvene the Meeting and proceed with the next item of business on the Agenda.
- (5) When the Committee of the Whole deems it necessary to suspend its Meeting before the matter referred to it is decided, but desires to continue debate at a later time, the Committee may move that they rise and table the matter until such time as Council determines.
- (6) Except in accordance with Section 40, no bylaw or resolution shall be passed at an In Camera Meeting of Committee of the Whole.

ORGANIZATIONAL MEETING

139. The City Clerk shall place, in one or more newspapers published in the city, an advertisement inviting applications for Committee citizen vacancies which will be required to be filled that year.
140. The business of the Organizational Meeting shall be limited to:
- (1) administering the oath of office and the introduction of Members at the first organizational Meeting following a General Election;
 - (2) appointing of Members to Committees;
 - (3) other business as directed by this Bylaw; and
 - (4) other business required by the Municipal Government Act, or which Council or the City Clerk may direct.
141. (1) Council shall select a pro-tem nominating Committee of four (4) Aldermen who shall, report with recommendations for Aldermen to be appointed to each of the SPCs.
- (2) After the pro-tem nominating Committee reports and, having regard to the preferences expressed by the Aldermen and to the best interests of The City, Council shall name the Aldermen to sit on each SPC ensuring that each Alderman sits on two (2) SPCs.
- (3) When the Aldermen have been named to the SPCs, each Committee shall withdraw, in turn, and, with the City Clerk acting as temporary Chair, choose, by secret ballot, one of its Members as Chair, and one as Vice-Chair.
142. (1) When the Organizational Meeting is held in the year of a general municipal election, or if an election has been held for the office of the Mayor, the City Clerk shall:
- (a) take the Chair;
 - (b) call the Meeting to order; and
 - (c) preside over the Meeting until the oath as prescribed by the Oaths of Office Act, RSA 2000, Chapter O-1, has been administered to the Mayor.
- (2) After the Mayor has taken the oath and assumed the Chair, the Members, who have been elected, shall take the oath as prescribed by the Oaths of Office Act.
- (4) Members of Council hold office from the beginning of the Organizational Meeting following the General Election to immediately before the beginning of the Organizational Meeting following the next General Election, in accordance with the Local Authorities Election Act.

COMMITTEES

143. The business of Committees shall be conducted in accordance with the rules governing the procedures of Council except for the following:
- (1) no motion shall be required to be seconded;

- (2) Members shall not be required to stand when speaking;
 - (3) there is no limit to the number of times a Member may ask questions for clarification, however a Member may only debate a motion once.
 - (4) a Committee decision shall be that of the majority of the Members voting;
 - (5) a Committee Meeting may commence five (5) minutes later than the time set for the start of the Meeting when required to form a Quorum of its Members;
 - (6) recorded votes are not permitted, however, roll calls are permitted;
 - (7) subsections (4) to (6) do not apply to Committee of the Whole; and
 - (8) no audio recording is made of Committee Meetings.
144. No action of a Committee shall be binding on The City, unless:
- (1) the power to take such action is expressly conferred on the Committee by legislation, bylaw or resolution; or
 - (2) Council has adopted the report of the Committee.
145. (1) When a Committee which reports directly to Council has tabled, referred, filed or otherwise determined not to send a report on its Agenda to Council, a Member may:
- (a) if present at the Meeting, verbally; or
 - (b) if not present at the Meeting, by written notice to the City Clerk delivered within twenty-four (24) hours of the adjournment of the Committee Meeting;
- request that the report be forwarded to Council. The Committee decision not to forward shall then be submitted as the Recommendation to Council.
- (2) Notwithstanding the requirements of subsection (1), in the case of a SPC, the request by a Member, to forward to Council an item on its Agenda, must be given no later than 2:00 p.m. on the Friday prior to the Regular Meeting.
 - (3) A SPC shall not forward an item on its Agenda to Council without a recommendation.

DIVISION FIVE

Public Hearings

146. (1) Members of the public or a representative may address Council on a planning matter or other matter directed by Council to be considered at a Public Hearing, or a SPC on an agenda item subject to:
- (a) a five (5) minute time limit;
 - (b) the manner for receiving representations; and

- (c) the process of presentation of oral submissions as may have been established by Council.
- (2) Individuals addressing a Meeting must state their name and who they represent, if anyone, and provide the City Clerk with the correct spelling of their name.
- 147. (1) Members shall not ask questions of the Administration until all representatives have been heard, except under subsection (2)(a).
- (2) The order of business for each item of a public hearing shall be:
 - (a) presentations from the Administration and questions of clarification;
 - (b) Public Hearing presentations by:
 - (i) those speaking in favour,
 - (ii) those speaking against, and
 - (iii) follow up questions from Members;
 - (c) questions of the Administration from Members; and
 - (d) motions.
- 148. (1) Members, who are absent for the whole of the statutory public hearing, are not entitled to vote on the matter.
- (2) Members who are absent for a portion of a non-statutory public hearing, including any presentation by Administration, are not entitled to vote on the matter and must leave the Meeting before vote is taken.
- (3) If the number of Members present is less than Quorum, after those Members referred to in subsections (1) or (2) leave, the Meeting is deemed adjourned.
(B/L 38M2004, 2004 May 17)

DIVISION SIX

Bylaws

- 149. (1) When a Committee approves the subject matter of a proposed bylaw, it shall refer the matter to the City Solicitor with instructions for the preparation of the bylaw.
- (2) When a bylaw is presented to Council for passage, the City Clerk shall publish the number and title of the bylaw in the Agenda and shall copy the bylaw in full and forward it with the Agenda.
- 150. Every bylaw shall have three (3) readings. Only the title or identifying number must be read at each reading.
- 151. A bylaw shall be introduced for first reading by a motion that the bylaw be read a first time. The following applies at first reading:

- (1) Council shall vote on the motion for first reading of a bylaw without amendment or debate; and
 - (2) After first reading, a Member may ask a question concerning the bylaw.
152. A bylaw shall be introduced for second reading by a motion that the bylaw be read a second time. The following applies at second reading:
- (1) Council may debate the substance of the bylaw;
 - (2) Council may propose and consider amendments to the bylaw; and
 - (3) a Member may request all or a portion of the bylaw to be read.
153. (1) The City Clerk shall be responsible for keeping a record of amendments to a bylaw passed by Council.
- (2) A proposed amendment shall be put to a vote and, if carried, shall be considered as having been read a first time and incorporated in the bylaw.
 - (3) When all amendments have been accepted or rejected, a vote on second reading of the bylaw, as amended, shall be called.
154. (1) A bylaw shall not be given more than two (2) readings at one (1) Meeting, unless the Members present unanimously agree to a motion authorizing third reading.
- (2) A bylaw shall be introduced for third reading by a motion that the bylaw be read a third time. Council shall vote on the motion without amendment or debate.
155. (1) If a reading of a proposed bylaw fails:
- (a) previous readings are rescinded; and
 - (b) first reading of the proposed bylaw may not be dealt with again, except in accordance with Section 117.
- (2) Subject to the Land Use Bylaw, failure of a reading of a proposed bylaw will not preclude the introduction of another proposed bylaw with similar terms and effect.
156. In accordance with the Municipal Government Act, if a bylaw:
- (1) does not receive third reading within two (2) years from the date of the first reading, the readings are deemed to have been rescinded; and
 - (3) is defeated on third reading the previous readings are deemed to have been rescinded.
157. (1) A bylaw shall be signed by the Mayor or by the Member presiding at the Meeting at which the bylaw was given third reading, and by the City Clerk or designate present at that Meeting, and shall be impressed with the corporate seal of The City.
- (2) Notwithstanding subsection (1) and in accordance with the Municipal Government Act, the Mayor may authorize that a facsimile of The Mayor's signature may be used, if unavailable, due to absence, to sign a bylaw after the Meeting. The City Clerk shall retain a record of each authorization.

158. The City Clerk is designated to consolidate one (1) or more bylaws as deemed convenient and in doing so, must:

- (1) incorporate all amendments to the bylaw into one (1) bylaw; and
- (2) omit a provision that has been repealed or that has expired.

PART SIX
AMENDMENTS AND ENFORCEMENT

159. Bylaw 53M94 as amended is repealed.

160. This Bylaw is effective the day it is signed.

READ A FIRST TIME THIS 27th DAY OF JANUARY, 2003.

READ A SECOND TIME, AS AMENDED, THIS 17th DAY OF MARCH, 2003.

READ A THIRD TIME, AS AMENDED, THIS 17th DAY OF MARCH, 2003.

(Sgd) C. Burrows
DEPUTY MAYOR

(Sgd) D. Garner
CITY CLERK

UNCERTIFIED COPY

APPENDIX ONE - ORDER OF BUSINESS AT MEETINGS

(Amended by Bylaws 19M2003, 39M2003, 38M2004)

1. Subject to the other provisions of this Bylaw, the order of business for a Meeting shall be the order of the items contained in the Agenda.
2. The normal order of business for the Regular Business Meeting shall be as follows:
 - (1) Opening Prayer;
 - (2) Presentation(s)/Recognition(s);
 - (3) Question Period;
 - (4) Confirmation of Agenda;
 - (a) Addition of Urgent Business;
 - (5) Confirmation of Minutes;
 - (6) Tabled Report(s);
 - (7) Items from Administration and Committees;
 - (a) Borrowing Bylaw(s)
 - (b) Executive Reports;
 - (i) Tenders,
 - (ii) Miscellaneous, and
 - (iii) Planning Matters;
 - (c) SPC and Special Committee reports, for Meetings held at least 10 days prior, in the following agenda order:
 - (i) items passed by unanimous vote; and
 - (ii) other items; and
 - (d) Other Committee reports,
 - (8) Items Directly to Council;
 - (a) Notice(s) of Motion,
 - (b) Nominations, and
 - (c) Miscellaneous Business;
 - (9) Bylaw(s) Tabulation;

- (10) Urgent Business; and
 - (11) Administrative Inquiries.
3. The normal order of business for the Regular Public Hearing shall be as follows:
- (1) Opening Prayer;
 - (2) Confirmation of Agenda;
 - (a) Addition of Urgent Business;
 - (3) Tabled report(s) (including additional related reports);
 - (4) Street and Lane Closures, (which are not part of a Land use item);
 - (5) Dispositions of Public Reserve Land(s), (which are not part of a Land Use item);
 - (6) Land Use;
 - (7) Executive Reports, (which are not part of a Land Use item);
 - (8) Calgary Planning Commission Report(s), (which are not part of a Land Use item);
 - (9) Bylaw(s) Tabulation; and
 - (10) Urgent Business.