



Organizational Meeting  
Council Chambers  
October 7, 2024 at 6:00 p.m.

1. **Call to Order**
2. **Adoption of Agenda**
3. **Assignment of Seating**
  - 3.1 RFD Assignment of Seating Pg. 1
4. **Deputy Mayor Appointment**
  - 4.1 RFD Appointment of Deputy Mayor Pg. 3
5. **Council Committee Appointments**
  - 5.1 RFD Mayor's Statement Pg. 5
  - 5.2 RFD Council Committee and Boards Appointment – 2024-2025 Pg. 6
6. **Schedule of Meetings**
  - 6.1 RFD Schedule of 2025 Regular Meetings (*calendar*) Pg. 11
  - 6.2 RFD Change to Commencement Time for Regular Council Meetings Pg. 13
7. **Review of Council Bylaws**
  - 7.1 RFD Review of Council Procedural Bylaw Pg. 15
  - 7.2 RFD Review of Council Code of Conduct Bylaw Pg. 33
8. **Adjournment**



**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Assignment of Seating</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>3.1</b>

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**BACKGROUND/PROPOSAL:**

Council's seating arrangement is reviewed each year at the annual organizational meeting.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES**

See attached Schedule "A"

**ALIGNMENT WITH STRATEGIC PLAN**

Aligns with Council's Strategic Plan under Priority 5, Sustainable & Responsible Governance

**MOTION:**

That the Town of Sundre Council seating arrangement remain the same as decided at the 2023 Organizational meeting.

**Alternative:**

That the Town of Sundre Council re-arrange the seating of Council members as follows (*as viewed from the public gallery*): Councillor \_\_\_\_\_, Councillor \_\_\_\_\_, Councillor \_\_\_\_\_, Mayor Warnock, Councillor \_\_\_\_\_, Councillor \_\_\_\_\_, Councillor \_\_\_\_\_.

Date Reviewed: October 02, 2024

CAO: Amida Neban

# SCHEDULE "A"

3.1a

CURRENT COUNCIL SEATING ARRANGEMENT (viewed from public gallery) October 2023 - October 2024

<i>Councillor Anderson</i>	<i>Councillor Petersen</i>	<i>Councillor Dalke</i>	<i>Mayor Warnock</i>	<i>Councillor Marr</i>	<i>Councillor Isaac</i>	<i>Councillor Vardas</i>
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**COUNCIL SEATING ARRANGEMENT (viewed from public gallery) October 2024 - October 2025**

<i>Councillor _____</i>	<i>Councillor _____</i>	<i>Councillor _____</i>	<i>Mayor Warnock</i>	<i>Councillor _____</i>	<i>Councillor _____</i>	<i>Councillor _____</i>
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**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Deputy Mayor Appointment</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>4.1</b>

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**BACKGROUND/PROPOSAL:**

The following resolution was made with regards to the Deputy Mayor schedule at the October 2, 2023 Organizational Meeting:

*Res. 253-02-10-23*      **MOVED** by Councillor Isaac that the Town of Sundre Council appoint Jaime Marr as the Deputy Mayor for the months of November 1, 2023 to June 30, 2024 and that Council appoint Owen Petersen as the Deputy Mayor from July 1, 2024 to February 28, 2025. **CARRIED**

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:**

Verbal Discussion.

**ALIGNMENT WITH STRATEGIC PLAN**

Aligns with Council's Strategic Plan Pillar 5 Sustainable & Responsible Governance

**ADMINISTRATION RECOMMENDATION:**

That Council appoint Councillor \_\_\_\_\_ as the Deputy Mayor for the months of March 1, 2025 to October 19, 2025 (election day).

**MOTION:**

That the Town of Sundre Council appoint Councillor \_\_\_\_\_ as the Deputy Mayor for the months of March 1, 2025 to October 19, 2025.

Date Reviewed: October <u>02</u> , 2024	CAO: <u>Linda Nelson</u>
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**DEPUTY MAYOR ROTATION: 2021 - PRESENT**

<u>COUNCIL DATE</u>	<u>COUNCILLOR</u>	<u>TERM</u>
October 25, 2021	Todd Dalke	November 2021 - June 2022
	Chris Vardas	July 2022 - February 2023
November 1, 2022	Paul Isaac	March 2023 - October 2023
October 2, 2023	Jaime Marr	November 2023 - June 2024
	Owen Petersen	July 2024 - February 2025
October 7, 2024		March 1, 2025 - October 2025



**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Mayor's Statement</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>5.1</b>

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**BACKGROUND/PROPOSAL:**

Mayor Warnock will address Council regarding the Role of Council as prescribed by the *Municipal Government Act. RSA 2000, c M-26*.

**DISCUSSION:**

Verbal Report

**ALIGNMENT WITH STRATEGIC PLAN**

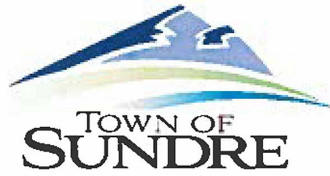
This Item aligns with Council's Strategic Plan Pillar 5, Sustainable and Responsible Governance.

**MOTION:**

That the Town of Sundre accept Mayor Warnock's report regarding the Role of Council as prescribed by the *Municipal Government Act. RSA 2000, c M-26*, as information.

Date Reviewed: October 3, 2024

CAO: Jinda Nelson



**REQUEST FOR DECISION**

**COUNCIL DATE**                                      **October 7, 2024**  
**SUBJECT**    **Council Appointments**  
**ORIGINATING DEPARTMENT**                **Legislative Services**  
**AGENDA ITEM**                                      **5.2**

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**BACKGROUND/PROPOSAL:**

Council members are appointed to Committees, Boards and Commissions annually at the Organizational meeting in October.

Committees, Boards and Commissions have been separated into 3 categories as noted in the attached information.

Category One is the Committees of Council.

Category Two is Boards, Commissions or Partnerships with other Agencies.

Category Three is Organizations requesting Council Participation. Participation on these is at the discretion of Council.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:**

See attached.

**ALIGNMENT WITH STRATEGIC PLAN**

This aligns with Council's Strategic Plan Pillar 5 Sustainable & Responsible Governance

**MOTIONS:**

That Council appoint members of Council to the Committees identified on the Chart attached as Schedule "A".

**ATTACHMENTS:**

- 7.1a\_Report to Council
- 7.1b\_2024-2025 Appointment List
- 7.1c\_Schedule "A" - Motions

Date Reviewed: October 02, 2024

CAO: David Nelson



## REPORT TO COUNCIL

**COUNCIL DATE:** October 7, 2025  
**SUBJECT:** COMMITTEE/BOARD/COMMISSION APPOINTMENTS  
**REPORT WRITER:** CHIEF ADMINISTRATIVE OFFICER  
**AGENDA ITEM:** 5.2a

### **BACKGROUND/PROPOSAL:**

Councillors are appointed to Committees, Boards and Commissions for a one (1) year term annually at the Organizational Meeting.

### **DISCUSSION**

Committees have been separated into three categories for clarity. Each category has distinct requirements, which should be taken into consideration when deciding on Council participation. The following committees are specific to the Mayor:

- Central Alberta Mayors Meeting
- RCMP Liaison

### **Committees of Council**

Committees of Council are committees created by the municipality, and the committee must be established by Bylaw. The Bylaw sets out the terms of reference, which must describe at the very least the purpose of the committee, composition of the committee, duties and powers of the committee, roles and responsibilities, term, and frequency of meetings. Council may delegate some of its powers to its committees. Any powers delegated must be outlined in the Bylaw establishing the committee. Many council responsibilities, such as passing bylaws or adopting the budget, cannot be delegated. A Committee of Council may be required by legislation, (such as the emergency management committee). The committee may or may not have representation by Council. Terms are for one year, and Council appointments should be on an annual basis to give each Councillor an opportunity to participate. The municipality is required to advertise the committee meeting dates/times, provide administrative support and record and keep minutes for the committee. The committee is bound by the Council Procedural Bylaw, and the Council Code of Conduct and Ethics Bylaw. These committees do not require alternate members.

Current Committees of Council are:

- Bylaw & Policy Review Committee
- Grant Review Committee
- Sundre Emergency Advisory Committee
- Sundre Wellness Advocacy Committee
- Sundre Strategic Advisory Committee
- Sundre Hospital Steering Committee (ad hoc)

### **Boards, Commissions, or Partnerships with other Agencies/Municipalities**

Boards or Commissions where municipalities are involved are independent bodies, consisting of members where some or all may be appointed by Municipal Councils.

A Board or Commission is established through legislation that specifically addresses how the leadership structure is to be organized. The majority of appointments are open to the general public, but it should be noted that the enabling legislation sometimes requires certain positions to be filled by public servants or representatives of a particular professional body. Members are appointed for a term coinciding with that of the appointing Councils, except unless otherwise dictated by legislation or there is a desire or requirement for staggered terms. Commissions or boards may request the same Councillor appointment for consistency, or where a transition may be complicated.



In the context of the Town of Sundre, Other Agencies are identified as independent bodies consisting of members where some or all are appointed by the Council, where the Municipality may contribute substantial financial contributions to the organization. Typically, this requires all parties to enter into a formal agreement.

This category also includes Committees where the Town is in a partnership arrangement with another municipality, where its members are appointed by Council, and may include Councillors and/or staff, or the public at large. These committees may or may not require alternate members.

Current Boards, Commissions, or Partnerships with other Agencies/Municipalities are:

- FCSS (Greenwood Neighbourhood Place)
- Sundre Municipal Library Board
- Assessment Review Boards (No Council Representation)
- Intermunicipal Subdivision & Development Review Board (No Council Representation)
- Intermunicipal Collaboration Committee
- Mountain View Seniors Housing
- Mountain View Regional Waste Commission
- Intermunicipal Planning Commission

#### **Organizations Requesting Council Participation**

Independent agencies or organizations may request Council participation/representation on their committees or boards. Representation on these committees is not mandatory, nor is there a legislated requirement for council to represent the municipality. Council does not have authority over the terms of reference, mandate, roles and responsibilities, etc. Council representation on these committees is usually at the request of the agency/organization. Committee appointments are at Council's discretion and should be reviewed for participation at the organizational meeting annually. Council representation on these committees or boards is essential if the municipality contributes substantial financial support to the organization. Alternate member appointments are at Council's discretion.

- Current Organizations Requesting Council Participation are:
- Sundre & district Aquatic Society (Financial contribution is substantial)
- Central Alberta Economic Partnership
- Citizens on Patrol
- Sundre Search & Rescue (No Council Representation)
- Sundre Hospital Future Advisory Committee
- Red Deer River Municipal Users Group
- Red Deer River Watershed Alliance
- Sundre & District Chamber of Commerce
- Sundre & District Historical Society
- Sundre Forest Products/West Fraser
- Sundre Petroleum Operators Group (No Council Representation)
- Parkland Regional Library Board

#### **ALIGNMENT WITH STRATEGIC PLAN**

Council participation on Committee, Boards, Commissions aligns with the following Strategic Plan Pillars: Community Development, Community Wellness, Environmental Stewardship, and Sustainable & Responsible Governance.

#### **MOTION:**

That Council appoint members of Council to the Committees identified on the Chart attached as Schedule "A"

Linda Nelson, CLGM, CTAJ, EMR  
Chief Administrative Officer

## 2024-2025 Council Appointments

5.2b

### Committees of Council

Committees of Council	Oct. 2023 to Oct. 2024	Oct. 2024 to Oct. 2025	Meetings / Time Commitment
	CURRENT APPOINTMENTS	Member(s)	
Bylaw & Policy Review Committee	<i>All Members of Council</i>	All Members of Council	As required
Grant Review Committee	<i>Mayor Warnock, Councillors: Anderson, Petersen and Marr</i>	<b>Mayor and 3 Councillors _____,</b> _____	As required (Intake dates are January 31, May 31 and September 30 <sup>th</sup> )
Sundre Emergency Advisory Committee	<i>All Members of Council</i>	All Members of Council	As required
Sundre Wellness Advocacy Committee	<i>Mayor Warnock (Chair) Councillor Petersen</i>	Mayor Warnock <b>1 Town of Sundre Councillor</b> _____ MVC Reeve and Councillor 2 members of the Sundre Hospital Futures Committee (non-voting)	Normally meet during regular business hours on a weekday, Sundre Council Chambers on such dates as determined at the discretion of the committee
Sundre Strategic Advisory Committee	<i>All Members of Council</i>	All Members of Council	Spring and Fall
Sundre Hospital Steering Committee (ad hoc)	<i>Mayor Warnock (Chair) Councillor Vardas</i>	Mayor Warnock <b>1. Town of Sundre Councillor</b> _____ Town of Sundre CAO MVC Reeve & CAO 1 Member, Hospital Futures 2 local Physicians P3 Capital Partners Inc.	Normally meet during regular business hours on a weekday, Sundre Council Chambers on such dates as determined at the discretion of the committee

### Boards, Commissions, or Partnerships with other Agencies

Boards/Commissions /Partnerships	Oct. 2023 to Oct. 2024	Oct. 2024 to Oct. 2025	Meetings / Time Commitment
	CURRENT APPOINTMENTS	Member & Alternate	
FCSS (Greenwood Neighbourhood Place)	<i>Councillor Petersen</i>  <i>Alternate: Councillor Dalke</i>	<b>Councillor</b> _____  <b>Alternate Councillor</b> _____	In 2023, 3 <sup>rd</sup> Wednesday every month, approx. 2 hours (remainder of 2022, subject to change in Nov/Dec for strategic planning & Christmas)
Sundre Municipal Library Board	<i>Councillor Marr</i>	<b>Councillor</b> _____ No alternate per <i>Library Act</i>	1 meeting per month, Daytime, approx. 1 – 3 hours
Assessment Review Board	<i>(No Council Representation)</i>	<i>(No Council Representation)</i>	
Intermunicipal Subdivision & Development Appeal Board	<i>(No Council Representation)</i>	<i>(No Council Representation)</i>	
Intermunicipal Collaboration Committee	<i>Mayor Warnock Councillor Petersen; Councillor Vardas</i>	Mayor Warnock, <b>2 Councillors</b> _____ & _____	As required
Mountain View Seniors' Housing	<i>Mayor Warnock</i>	Mayor Warnock	1 monthly meeting (except August), Afternoon 1:00 p.m., approx. 1 – 3 hours, ASHA Conference – 3 days in April; possible daytime subcommittee meetings as required.

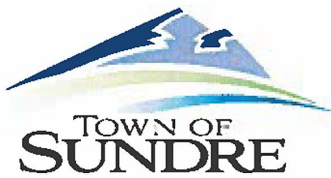
<b>Boards/Commissions /Partnerships</b>	<b>Oct. 2023 to Oct. 2024 CURRENT APPOINTMENTS</b>	<b>Oct. 2024 to Oct. 2025 Member &amp; Alternative</b>	<b>Meetings / Time Commitment</b>
Mountain View Regional Waste Management Committee	<i>Mayor Warnock</i>  <i>Alternate: Councillor Vardas</i>	Mayor Warnock  <b>Alternate Councillor _____</b>	5 – 6 meetings per year, approx. 3-4 hrs. daytime (usually mornings); possible subcommittee meeting as required, approx. 1- 2 hours daytime.
Intermunicipal Planning Commission	<i>Mayor Warnock and Councillor Dalke</i>	Mayor Warnock, and  <b>1 Councillor _____</b>	As required, normally daytime, notification from MVC.

### **Organizations Requesting Council Participation**

<b>Organizations</b>	<b>Oct. 2023 to Oct. 2024 CURRENT APPOINTMENTS</b>	<b>Oct. 2024 to Oct. 2025 Member &amp; Alternative</b>	<b>Meetings / Time Commitment</b>
Sundre & District Aquatic Society	<i>Councillor Marr</i> <i>Alternate: Councillor Dalke</i>	<b>Councillor _____</b>  <b>Alternate Councillor _____</b>	Every 2 <sup>nd</sup> month, evenings 2 – 3 hours
Central Alberta Economic Partnership (Liaison between Council & CAEP)	<i>Councillor Vardas</i>	<b>Councillor _____</b>	June AGM & Fall General Meeting
Citizens on Patrol	<i>Councillor Dalke</i>	<b>Councillor _____</b>	3 <sup>rd</sup> Thursday per month at 7 p.m. for approx. 1 – 1 ½ hrs., yearly AGM in October
Sundre Hospital Futures Advisory Committee	<i>Councillor Vardas</i>	<b>Councillor _____</b>	3 <sup>rd</sup> Tuesday every month at E-SIM Lab Classroom (Firehall Building) 7 p.m. and, Yearly fund raiser - Gala
Red Deer River Municipal Users Group	<i>Mayor Warnock</i>  <i>Alternate: Councillor Dalke</i>	Mayor Warnock  <b>Alternate: Councillor _____</b>	1 per month (usually Thursday of the 3 <sup>rd</sup> week), 5 – 6 hours afternoon
Red Deer River Watershed Alliance	<i>Mayor Warnock</i>	Mayor Warnock	Every 2 <sup>nd</sup> month, 9 am – Noon; Via Zoom. (Next meeting Nov 18)
Sundre & District Chamber of Commerce	<i>Mayor Warnock and Councillor Isaac</i>	Mayor Warnock and <b>Councillor _____</b>  <b>Alternate Councillor _____</b>	2 <sup>nd</sup> Wednesday per month, 7:00 p.m. at VIC
Sundre & District Historical Society	<i>Councillor Dalke</i>	<b>Councillor _____</b>  <b>Alternate Councillor _____</b>	3 <sup>rd</sup> Tuesday per month at 7:00 p.m. at Museum
Sundre Forest Products/West Fraser	<i>Councillor Isaac</i>	<b>Councillor _____</b>	Bi-monthly, 2 -3 hrs. evenings, alternating between RMH and Sundre
Parkland Regional Library Board	<i>Councillor Dalke</i>	<b>Councillor _____</b>	Four (4) Board meetings annually, with Virtual option to attend

#### **APPOINTMENT OF PUBLIC MEMBERS TO COMMITTEES OR BOARDS**

**Intermunicipal Subdivision & Development Appeal Board (regional):** Mr. Mike Beukeboom and Ms. Shelley Kohut (2 year term ending in October 2026)



**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Schedule of Council Meetings</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>6.1</b>

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**BACKGROUND/PROPOSAL:**

Council approves the meeting calendar for the following year at the annual Organization meeting held in October.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:**

See attached.

**ALIGNMENT WITH STRATEGIC PLAN**

Aligns with Council’s Strategic Plan Pillar 5 Sustainable & Responsible Governance

**MOTION:**

That the Town of Sundre Council approve the 2025 Meeting Calendar as presented.

**ALTERNATIVES:**

That the Town of Sundre Council approve the 2025 Meeting Calendar amended as follows:

Amend date for: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

Amend date for: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

Amend date for: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

Amend date for: \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_

**ATTACHMENTS:**

Schedule “A” 2025 Council Meeting Calendar

Date Reviewed: October <u>02</u> , 2024    CAO: <u>Linda Nelson</u>
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# DRAFT -Town of Sundre Meeting Calendar 2025

January						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
S	M	T	W	TH	F	S
						1
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23	24	25	26	27	28	

March						
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23	24	25	26	27	28	29
30	31					

April						
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20	21	22	23	24	25	26
27	28	29	30			

May						
S	M	T	W	TH	F	S
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June						
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Regular Council Meeting
OCT. 7 Organizational Meeting
Holidays
Council Hiatus
ABMuni's Convention Calgary Nov. 12-14
RMA Edmonton, Nov. 17 -20
New Year's Day - Jan 1
Family Day - Feb 17
Good Friday - April 18
Easter Monday - April 21
Victoria Day - May 19
Canada Day - July 1
Council Hiatus - July 1 - Aug 31
Heritage Day - Aug 4
Labour Day - Sept 1
NDT&R - Sept 30
Thanksgiving - Oct 13
Remembrance Day - Nov 11 (Tuesday)
Christmas Eve December 24 (1/2 day)
Christmas Break, December 25 - January 1
Spring Workshop, April 12-13
Fall Workshop October 31, Nov. 1 & 2
FCM - Ottawa, May 29 - June 1
<b>ELECTION DAY - OCT. 20</b>
<b>Mandatory Council Orientation Oct. 25 &amp; 26</b>

July						
S	M	T	W	TH	F	S
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27	28	29	30	31		

August						
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10	11	12	13	14	15	16
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24	25	26	27	28	29	30
31						

March 10 - Q4 (2024) Financial Reporting
June 9 - Q1 (2025) Financial Reporting
Sept. 8 - Q2 (2025) Financial Reporting
Nov. 24 - Q3 (2025) Financial Reporting
Nov. 24 - Budget Deliberation
Dec. 8 - Budget Decision

September						
S	M	T	W	TH	F	S
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28	29	30				

October						
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26	27	28	29	30	31	

November						
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23	24	25	26	27	28	29
30						

December						
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10



**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Change to Commencement Time for Regular Council Meetings</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>6.2</b>

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**BACKGROUND/PROPOSAL:**

Traditionally, Regular Meetings of Council as set out in the Council Calendar commence at 6:00 p.m.

Council has indicated that a commencement time discussion occur at the 2024 Organizational Meeting to consider any proposed change to the commencement time.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:**

Verbal report by CAO.

**ALIGNMENT WITH STRATEGIC PLAN**

Aligns with Council's Strategic Plan Pillar 5 Sustainable & Responsible Governance

**MOTION:**

That the time for Regular Council Meetings begin at 6:00 p.m.

**ALTERNATIVE:**

That the time for Regular Council Meetings begin at 4:00 p.m., starting on December 2, 2024.

Attachment: 5.2a\_Regional Council Meeting Commencement Times

Date Reviewed: October 3, 2024

CAO: Linda Nelson

**REGIONAL COUNCIL MEETING COMMENCEMENT TIMES**

<b>TOWN OR CITY</b>	<b>COUNCIL MEETING COMMENCEMENT TIME</b>
Town of Olds	1:00 p.m.
Town of Didsbury	6:00 p.m.
Town of Carstairs	7:00 p.m.
Town of Three Hills	5:30 p.m.
Mountain View County	9:00 a.m.
Town of Rocky Mountain House	9:00 a.m.
Town of Innisfail	3:00 p.m.
City of Red Deer	10:30 a.m. (with break for lunch)
City of Airdrie	1:00 p.m.



**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Bylaw 2022-06 Council Procedural Bylaw</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>8.1</b>

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**BACKGROUND/PROPOSAL:**

Procedural Bylaw 2022-06 is being brought to Council for a brief review of the current procedures for Council and Council Committee meetings.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:**

Discussion to take place during the Organizational Meeting.

**ALIGNMENT WITH STRATEGIC PLAN**

Strategic Plan Pillar 5, Sustainable & Responsible Governance

**ADMINISTRATION RECOMMENDATIONS:**

That Council accept the brief review of Council Procedural Bylaw 2022-06 as information.

**MOTION:**

That the Town of Sundre Council accept the brief review of Council Procedural Bylaw 2022-06 as information.

Attachment:  
Bylaw 2022-06

Date Reviewed: October 02, 2024

CAO: Linda Nelson



**TOWN OF SUNDRE  
BYLAW NO. 2022-06**

**BEING A BYLAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA TO PROVIDE GUIDELINES TO REGULATE THE PROCEEDINGS AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS**

**WHEREAS**, pursuant to the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended or replaced from time to time, the Council of the Town of Sundre may pass a bylaw respecting the procedures to be followed by Council;

**AND WHEREAS**, Council of the Town of Sundre deems it necessary to pass a bylaw establishing a procedures bylaw;

**NOW THEREFORE COUNCIL OF THE TOWN OF SUNDRE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:**

1.0 This bylaw shall be known as and may be cited as the "Council Procedural Bylaw".

2.0 **DEFINITIONS**

In this bylaw, unless the context otherwise requires:

- 2.1 **'ACT'** means the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, as amended, and can be referred to as the *MGA*.
- 2.2 **'AGENDA'** means the list and order of business items for any meeting of Council, or Committees.
- 2.3 **'BYLAW'** means a bylaw of the Town.
- 2.4 **'CAO'** means the Chief Administrative Officer within the meaning of the *Municipal Government Act*.
- 2.5 **'CHAIRPERSON'** means the Member of a Committee elected by the Members, or appointed by Council, to preside at all meetings of the Committee.
- 2.6 **'CLOSED MEETING OF COUNCIL'** 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.
- 2.7 **'COUNCIL'** means the Mayor and Councillors of the Town of Sundre.
- 2.8 **'COUNCIL COMMITTEE'** means a committee, board or other body established by council under the *Municipal Government Act*; but does not include an Assessment Review Board established under Section 454 or a Subdivision and Development Appeal Board established under Section 627.
- 2.9 **'COUNCIL MEETING'** means (a) where used in reference to a council, means a meeting under Section 193, or 194 of the *Municipal Government Act*, or (b) where used in reference to a council committee, means a meeting under Section 195 of the *Municipal Government Act*.
- 2.10 **'DELEGATION'** means a person or group of persons wishing to appear before the Council to address a specific matter.
- 2.11 **'DEPUTY MAYOR'** means the Member of Council appointed pursuant to this bylaw to act as Mayor in the absence or incapacity of the Mayor.

- 2.12 **'ELECTRONIC OR OTHER COMMUNICATION FACILITIES'** means that members of Council may attend a Council or Committee meeting through electronic communications. This can include using a telephone with the use of the speaker; via personal computer, or other means of technology advances.
- 2.13 **'EX-OFFICIO'** means membership by virtue of one's office.
- 2.14 **'MAYOR'** means the Member of Council duly elected Chief Elected Official and continuing to hold office, and is the presiding officer at all meetings of Council.
- 2.15 **'MEMBER'** means a Member of Council duly elected and continuing to hold office.
- 2.16 **'NOTICE OF MOTION'** means by which a Member of Council brings a matter forward for reconsideration or to alter or rescind a motion already passed at a previous meeting.
- 2.17 **'POINT OF INFORMATION'** means a request or statement directed to the Presiding Officer, or through the Chairperson to another Member or to Administration, for or about information relevant to the business at hand, but not related to a Point of Order or Point of Privilege.
- 2.18 **'POINT OF ORDER'** means the raising of a question by a Member with the view of calling attention to any departure from this bylaw or the customary proceedings in debate or in the conduct of Council's business.
- 2.19 **"POINT OF PRIVILEGE"** means an urgent motion made at a meeting which seeks an immediate ruling on an alleged violation of the rights or privileges of members as a whole, or in regards to a negative personal remark.
- 2.20 **'PRESIDING OFFICER'** means the Mayor, or in the absence of the Mayor, the Deputy Mayor, or in the absence of the Deputy Mayor, any other Member of Council chosen to preside at the meeting.
- 2.21 **'PUBLIC HEARING'** means a meeting of Council convened to hear matters pursuant to the Act.
- 2.22 **'QUORUM'** means a majority of Members of Council as prescribed in the Act.
- 2.23 **'SPECIAL COUNCIL MEETING'** means a meeting called by the Mayor or a majority of Council pursuant to the Act.
- 2.24 **'TOWN'** means the Corporation or the Town of Sundre.

### 3.0 **APPLICATION**

- 3.1 This bylaw applies to all meetings of Council.
- 3.2 The precedence of the rules governing the procedure of Council is:
  - (a) the *Municipal Government Act*,
  - (b) other provincial legislation,
  - (c) this Bylaw,
  - (d) Bourinot's Rules of Order.
- 3.3 The Deputy Mayor shall chair council meeting when the Mayor is absent or is unable to act as Mayor and shall have all of the responsibilities of the Mayor under this Bylaw.

- 3.4 In the absence of the Mayor and Deputy Mayor, the next Councillor scheduled to be Deputy Mayor shall have all of the responsibilities of the Mayor under this Bylaw.
- 3.5 Direction to administration by Council shall be by Council as a whole directing the CAO only.
- 3.6 A resignation of a Councillor must be in writing and given to the CAO; the CAO shall report the resignation at the first Council meeting after receiving the resignation.

#### 4.0 **DEPUTY MAYOR**

- 4.1 Council shall appoint a Deputy Mayor at the annual organizational meeting to each month of the calendar year to act as Mayor in the absence or incapacity of the Mayor.
- 4.2 Council can by resolution make changes to the Deputy Mayor schedule.

#### 5.0 **ORGANIZATIONAL MEETING**

- 5.1 Council shall hold an Organizational Meeting annually, not later than two weeks after the third Monday in October.
- 5.2 The Mayor and each Councillor shall take the prescribed Oath of Office as the first order of business at the first Organizational Meeting following the date of the general election.
- 5.3 Until the Mayor has taken the Oath of Office, the CAO shall chair the Organizational Meeting.
- 5.4 The CAO shall set the time and place for the Organizational Meeting. The business of the meeting being limited to:
  - (a) Oath of Office,
  - (b) Assignment of Seating,
  - (c) Deputy Mayor Appointment,
  - (d) Signing Authority,
  - (e) Schedule of Meetings, and
  - (f) Council Committee Appointments
- 5.5 Appointments to the Deputy Mayor position shall be for a total of 8 (eight) months per Council member, rotation to be determined at the first Organizational meeting of each term of Council. If a member chooses to forfeit, another member may be assigned by vote of Council.
- 5.6 Appointments of Council Members to Committees shall be for a term of one (1) year. Councillors may be appointed to the same committee at the annual organizational meeting.

#### 6.0 **REGULAR MEETINGS OF COUNCIL**

- 6.1 Council shall hold no less than two (2) Regular Council meetings per month.
- 6.2 Regular Meetings of Council shall be held in the Town of Sundre Council Chambers at the municipal office unless notice is given in accordance with the Act that the Regular Meeting will be held elsewhere in the community.

- 6.3 Regular Meetings of Council shall be held every second Monday. Where the Monday falls on a Statutory Holiday, the meeting shall be held on the Tuesday following the Statutory Holiday Monday.
- 6.4 Regular Meetings of Council shall commence at 6:00 pm.
- 6.5 In accordance with the *Municipal Government Act*, all Regular Council meetings will be advertised.
- 6.6 A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of the pecuniary interest, abstain from discussing the matter or voting on the matter, and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.

**7.0 SPECIAL COUNCIL MEETINGS**

- 7.1 Special Council Meetings may be called by the Mayor or a majority of Council, and notice of such Special Meetings shall be given in accordance with the provisions of the Act.
- 7.2 The Chief Elected Official:
  - (a) may call a special council meeting whenever the official considers it appropriate to do so, and;
  - (b) must call a special council meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the councillors.

A special council meeting called under subsection 194(1)(b) of the *MGA* must be held within 14 days after the date that the chief elected official receives the request.

The chief elected official may call a special council meeting by giving at least 24 hours' notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time, and place at which it is to be held.

A special council meeting may be held with less than 24 hours' notice to all councillors and without notice to the public if at least 2/3 of the whole council agrees to this in writing before the beginning of the meeting.

No matter other than that stated in the notice calling the special council meeting may be transacted at the meeting unless the whole council is present at the meeting, and the council agrees to deal with the matter in question.

**8.0 PUBLIC HEARINGS**

All Public Hearings shall be convened as follows:

- 8.1 "Adjourn" used in relation to a Public Hearing, means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting.
- 8.2 "Close" used in relation to a Public Hearing, means to terminate the Public Hearing.
- 8.3 At the commencement of a Public Hearing, the Chairperson shall:
  - 8.3.1 state the matter to be considered at the hearing;
  - 8.3.2 inform those present of the procedure, which shall be followed in hearing the respective submissions;

- 8.3.3 ask the Chief Administrative Officer if the Public Hearing has been advertised in accordance with the Act;
  - 8.3.4 request that administrative staff present a report on the issue at hand;
  - 8.3.5 request that the Development Authority provide their position on the proposed bylaw; and
  - 8.3.6 allow the applicant, and/or their representative(s), up to twenty (20) minutes to present their position, exclusive of the time required to answer questions put to the applicant by a Council member, unless granted a time extension by Council.
- 8.4 Any person or group who claims to be affected by the subject matter of the Public Hearing shall be afforded an opportunity to speak in the following order:
- 8.4.1 the Chairperson will call on each person who is in favour of the proposal before Council and has filed a submission in writing;
  - 8.4.2 the Chairperson will call on each person who is in favour of the proposal but has failed to make a written submission, and has indicated to the CAO prior to commencement of the hearing that he or she wishes to make an oral presentation;
  - 8.4.3 the Chairperson will call on each person who is opposed to the proposal before Council and has filed a submission in writing;
  - 8.4.4 the Chairperson will call on each person who is opposed to the proposal and has failed to make a written submission and has indicated to the CAO prior to the commencement of the hearing that he or she wishes to make an oral presentation.
- 8.5 If a person is unable to attend a Public Hearing, that person may authorize an individual to speak on his or her behalf. The authorization must:
- 8.5.1 be in legible writing;
  - 8.5.2 name the individual authorized to speak;
  - 8.5.3 indicate the proposed bylaw to be spoken to; and
  - 8.5.4 be signed by the person giving the authorization.
- 8.6 The authorized speaker must state the name of the person that the speaker represents and provide written authorization to the Chief Administrative Officer.
- 8.7 No person representing an individual shall address Council for more than five (5) minutes, exclusive of the time required to answer questions put to him/her by a Council Member, unless granted a time extension by the majority of Council.
- 8.8 No person representing a group shall address Council for more than five (5) minutes, exclusive of the time required to answer questions put to him or her by a Council Member, unless granted a time extension by the majority of Council.
- 8.9 The Chairperson will allow staff to make closing comments.

- 8.10 If there is more than one Public Hearing on the Agenda, the Chairperson shall adjourn or close one Public Hearing before opening another Public Hearing.
- 8.11 A Public Hearing may be adjourned if Council requires further information in order to make an informed decision on the bylaw. If a Public Hearing is adjourned, Council shall not receive any additional submissions in relation to the subject matter unless it re-opens the Public Hearing.
- 8.12 If a Public Hearing is closed, Council shall not receive any additional submissions from the public in relation to the subject matter, until it has voted on the subject matter of the Public Hearing.

9.0 **CLOSED MEETING OF COUNCIL (In Camera)**

- 9.1 The Act permits Council or Committee to close all or part of the meeting to the public if a matter to be discussed is, of a class prescribed or otherwise described in the regulations.
- 9.2 When a “Closed Meeting” is held, no Motion or Bylaw may be passed except a Motion to revert to a meeting held in public.
- 9.3 For the purposes of the Act, a meeting or part of a meeting is considered to be closed to the public if:
  - 9.3.1 any members if the public are not permitted to attend the entire meeting or part of the meeting,
  - 9.3.2 the council, committee or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct, or
  - 9.3.3 the council, committee or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.
- 9.4 Before closing all or any part of a meeting to the public, a council or council committee must by Motion approve:
  - 9.4.1 the part of the meeting that is to be closed, and
  - 9.4.2 the basis on which, under an exception to disclosure in Division 2 or Part 1 of the *Freedom of Information and Protection of Privacy Act* or under the regulations, the part of the meeting is to be closed.
- 9.5 After the closed meeting discussions are completed, any members of the public, who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.
- 9.6 A Subdivision Authority, Development Authority or Subdivision and Development Appeal Board established under Part 17 of the Act may deliberate and make its decision in a meeting closed to the public.
- 9.7 Where a council or council committee closes all of part of a meeting to the public, the council or council committee may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend.

9.8 Members participating in the meeting through Electronic or other Communication Facility are not permitted to participate in Closed Meetings of Council.

9.9 Participation of Councillors to attend a Closed Meeting of Council (In-Camera) by Electronic means.

Notwithstanding 9.8, in an Emergency Situation a Councillor may participate electronically in a Closed Meeting of Council (In Camera) under the following conditions:

- a) Notification to the Chief Administrative Officer (CAO) in advance of the scheduled meeting;
- b) All printed material to be provided for the Closed Meeting of Council will be “watermarked” with the Councillors name, made available for pick-up at the Town Office, and must be returned to the CAO within 24 hours of the adjournment of the scheduled meeting;
- c) Each Councillor receiving any printed material must confirm in writing to the Chief Administrative Officer that the printed material was not duplicated in any way (photocopied, scanned, photographed or other);
- d) Confirmation from each Council member at the start of the meeting, that they are attending the Closed Meeting in isolation and that no other person is in attendance or may hear the proceedings of the meeting.

10.0 **AGENDA**

10.1 The Agenda shall list the items and order of business for the meeting,

10.2 The CAO shall prepare the Agenda and shall ensure copies of the Agenda are available no later than 4:30 p.m. on the Friday prior to the Monday Council meeting, however, normal practice shall be to ensure copies are available on the Thursday prior to the Monday Council meeting.

10.3 Copies of the Agenda shall be provided to the following:

- (a) members of Council,
- (b) representatives of the local news media,
- (c) all staff who are entitled to receive copies, and
- (d) published on the Town website.

10.4 All submissions for the Agenda of all Regular Meetings of Council shall be received by the CAO no later than noon on the Wednesday prior to the Monday on which the meeting is to be held.

10.5 Council Members shall present matters for consideration on the Agenda by submitting a Written notice to the CAO no later than noon on the Wednesday prior to the Monday on which the meeting is to be held. The written notice shall describe the matter to be brought forward and include the proposed motion.

- 10.6 Council Members wishing to make an "Inquiry for Answer" at a Regular Meeting shall submit a written notice to the CAO no later than noon on the Wednesday prior to the Monday on which the meeting is to be held.
- 10.7 The subject matter of an inquiry is not debatable until the reply to the inquiry has been made or presented to Council.
- 10.8 No item shall be added to the agenda at the Regular Meeting unless it is of an urgent nature, and the item shall be:
  - (a) accompanied by a brief explanation from the staff member or Member of Council indicating the reasons for, and the degree of urgency of the item in accordance with section 25;
  - (b) provided to the CAO prior to the commencement of the meeting; and
  - (c) approved by a majority vote of Council.

**11.0 COMMUNICATIONS**

- 11.1 A person wishing to have any matter considered by Council, a letter or other communication shall be addressed to the CAO, and/or Mayor and Council, and the letter or communication shall:
  - (a) be printed, typewritten or legibly written,
  - (b) clearly set out the matter at issue and the request made of Council,
  - (c) be signed by the writer, and include the printed name and address of the writer,
  - (d) be submitted to the CAO no later than noon on the Wednesday prior to the Monday on which the meeting is to be held. The CAO will have the discretion to bring forward items submitted late that may be of an emergent nature.
- 11.2 On receipt of a communication for Council the CAO, may:
  - (a) include it as an item on the Agenda for the next Regular Meeting of Council, in full or in summary form, as deemed appropriate, or
  - (b) refer the matter to a staff member for response prior to providing the communication or letter to Council, or
  - (c) place a copy of the communication in each members' mailbox.

**12.0 DELEGATIONS**

- 12.1 A member wishing to appear before Council, individually or as a group, must make a written submission to the CAO to arrive no later than Noon (12:00 p.m.) on the Wednesday immediately prior to the Council meeting.
- 12.2 Delegations are scheduled at the discretion of the CAO, subject to:
  - (a) the volume of material on any given agenda;
  - (b) the number of requests for a specific meeting date and urgency of request; or
  - (c) subject matter.
- 12.3 The written submission will indicate the following information:



- (a) complete name of the presenter(s) and contact information (ie. mailing address, e-mail, telephone/fax number) and organization they are representing (if applicable);
  - (b) nature and purpose of the delegation and the material to be covered/presented; and
  - (c) any PowerPoint presentation or other material to be used or presented at the meeting.
- 12.4 Presentations will be directed to the Chair and will be limited to fifteen (15) minutes. Council may extend the time limits as necessary.
- 12.5 Information presented by the delegation will be restricted to the topic noted in the written submission and recorded on the meeting agenda.
- 12.6 Subsequent deputations from the same individual/group concerning a topic on which they have previously presented or spoken will not be permitted unless there is significant new information to be brought forward.
- 12.7 Delegations will not be heard regarding matters involving current or pending litigation, insurance claims, matters beyond the jurisdiction of Council, or Municipal Freedom of Information and Protection of Privacy issues.
- 12.8 Delegations will not be permitted to speak regarding topics that will be the subject of an upcoming public meeting pursuant to the *Municipal Government Act*, unless exceptional circumstances apply which have been reviewed and approved by Council. Persons wishing to speak about such matters are requested to present their concerns and opinions at the scheduled public meeting where their comments can be considered along with all other submissions.

13.0 **ORDER OF BUSINESS AT MEETINGS**

- 13.1 The normal order of business for the regular meeting of Council shall be as follows:
- (a) Call to Order,
  - (b) Public Hearing (If Required),
  - (c) Agenda - Amendments and Adoption,
  - (d) Adoption of Previous Minutes,
  - (e) Delegations
  - (f) Bylaws,
  - (g) Old Business,
  - (h) New Business,
  - (i) Administration,
  - (k) MAP
  - (l) Council Committee Reports (Second meeting of each month)
  - (m) Correspondence
  - (n) Closed Meeting (If Required),
  - (o) Adjournment
- 13.2 When a change in the order of business is desired, Council may do so by resolution but shall not delete any portion of the business that has been set out in the Council Agenda without the approval of the majority of Council.

14.0 **QUORUM**

- 14.1 When a quorum is present at the time set for commencement of a Council meeting, the Presiding Officer shall call the meeting to order.
- 14.2 If there is a quorum present at the time set for commencement of a meeting, but the Mayor, and Deputy Mayor are absent, the CAO shall call the meeting to order and shall call for a Presiding Officer to be chosen by resolution.
- 14.3 If a quorum is not constituted within fifteen minutes from the time set for commencement of a Council meeting, the CAO shall record the names of all the Members present and adjourn the meeting.
- 14.4 If a Council meeting is adjourned for:
  - (a) failure to constitute a quorum, or
  - (b) due to loss of quorum as a result of a Member leaving the meeting; the Agenda delivered for that Council meeting shall be considered at the next Regular Meeting of Council unless a Special Meeting is conducted to complete such business.
- 14.5 Pursuant to the *Municipal Government Act*, Councillors are to attend and participate in Council meetings, Council Committee meetings, and any other workshop or meeting determined by Council.
- 14.6 If a Councillor is unable to attend a Council meeting, Council Committee meetings, and any other workshop or meeting determined by Council, notice of the absence shall be given to the CAO prior to the meeting commencing.

## 15.0 **ADJOURNMENT**

- 15.1 A Council meeting shall adjourn no later than 11:00 p.m., unless a two-thirds majority of Members present agree to an extension of the meeting beyond 11:00 p.m. by resolution.
- 15.2 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, or
  - (d) a previous motion to adjourn has been defeated and no other intervening proceedings have taken place.
- 15.3 A motion to adjourn shall be put without comment or debate.

## 16.0 **CANCELLATION OF MEETINGS**

- 16.1 Council meetings may be cancelled:
  - (a) by a majority of Council at a previous meeting, or
  - (b) with the written consent of a majority, provided twenty-four (24) hours' notice is provided to Council and the public; or
  - (c) with the written notice or oral consent of two thirds 2/3 of Council if 24 hours' notice is not provided to the public.
- 16.2 Special Council meetings may be cancelled:

- (a) by the Mayor if twenty-four (24) hours written notice is provided to Council and the public
- (b) by the Mayor with the written notice or oral consent of two thirds 2/3 of Council if 24 hours' notice is not provided to the public

**17.0 MINUTES OF COUNCIL**

- 17.1 The chief administrative officer shall ensure that:
  - 17.1.1 minutes of each council meeting:
    - (a) are recorded in the English language without note or comment,
    - (b) include the names of the Councillors present at the council meeting,
    - (c) are given to council for adoption at a subsequent council meeting, and
    - (d) are recorded in the manner and to the extent required under section 230(6) of the *Municipal Government Act* when a public hearing is held.
- 17.2 The Presiding Officer shall present the Minutes to Council with a request for a motion to confirm the Minutes.
- 17.3 Any Member may make a motion requesting that the Minutes be amended to correct any inaccuracy or omission.
- 17.4 Minor changes may be made to the Minutes 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. No change shall be allowed which would alter the actual decision made by Council.
- 17.5 No Member may introduce any 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 CAO.
- 17.6 If a Member wishes to challenge the accuracy of the minutes of a previous meeting, the Member must make the challenge known to the CAO before Council has officially confirmed the Minutes.

**18.0 CONTROLS AND CONDUCT OF COUNCIL MEETINGS**

- 18.1 Council shall hold its meetings openly and no person shall be excluded, except as prescribed in the Act.
- 18.2 Except as specifically provided elsewhere in this Bylaw, every substantive motion shall be debatable by Council.
- 18.3 A motion may be withdrawn at any time before voting, subject to there being no objection from any members of Council.
- 18.4 When a motion has been made and is being considered, no Member may make any other motion except to:
  - (a) amend the motion,
  - (b) refer the main motion to some other group for consideration,
  - (c) postpone the main motion to a specified meeting date, or
  - (d) recess the Meeting.

- 18.5 Except as specifically provided elsewhere in this Bylaw, after a motion has been made, a Member may with the consent of Council, change the wording of the motion or agree to a change proposed by another Member if the change does not alter the intention of the motion, and the motion is changed at the same meeting.
- 18.6 The following motions shall not be debatable by Council:
- (a) Adjournment
  - (b) Request for Recess
  - (c) Point of Order
  - (d) The subject matter of a Referral Motion
  - (e) The subject matter of a Motion to Table the Matter to Another Meeting
- 18.7 Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately.
- 18.8 A motion shall be worded in a concise, unambiguous and complete form appropriate to its purpose.
- 18.9 Members of the public gallery during a Council meeting:
- (a) shall not address Council unless included on the agenda as a delegation, unless authorized by the Chair,
  - (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.
- 18.10 The Presiding Officer may, in accordance with the *Act*, expel and exclude any person who creates a disturbance or acts improperly at which point the Council meeting shall be recessed. The meeting shall be reconvened at the discretion of the chair.
- 18.11 When a Member wishes to speak at a Council meeting, they shall obtain the approval of the Presiding Officer before doing so.
- 18.12 When a Member 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, and
  - (c) not carry on a private conversation.
- 18.13 When a Member is addressing Council the Member shall:
- (a) not speak disrespectfully of other Members,
  - (b) not shout, raise his/her voice or use offensive language, and
  - (c) not reflect on any vote of Council 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.
- 18.14 When a Member wishes to leave the Council Chambers while a Meeting of Council is in progress, they shall notify the Chair, and shall rise, and the time of leaving and returning shall be recorded in the minutes.
- 18.15 No member shall, subject to the *Act*, leave the Council Chamber after a question is put to a vote until the vote is taken.

18.16 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.

18.17 The Presiding Officer shall accept the vote of the majority of the Members present, and the names of the Members voting shall be recorded in the Minutes.

19.0 **POINT OF INFORMATION, ORDER, AND PROCEDURE**

19.1 When any Point of Order, Point of Information or Point of Procedure arises, it shall be immediately taken into consideration by the Presiding Officer.

19.2 When a Point of Information is raised, the Presiding Officer shall answer the question or direct the question to the CAO or the Council.

19.3 When the Presiding Officer is called upon to decide a Point of Order or to answer a Point of Procedure, the point shall be stated without unnecessary comment, and the Presiding Officer shall state the rule or authority applicable in the case.

19.4 When the Presiding Officer is of the opinion that any motion is contrary to the rules of Council, they shall advise the Members immediately and quote the rule or authority applicable and no argument or comment shall be permitted.

20.0 **DEBATE ON MOTIONS**

20.1 Prior to requesting that a motion be made, the Presiding Officer shall have an opportunity to ask a question, or questions, to clarify any item being presented to Council.

20.2 The Presiding Officer shall ask the mover of the motion to speak first.

20.3 The Presiding Officer shall ask for those in favor of the motion to speak.

20.4 The Presiding Officer shall ask for those opposed to the motion to speak.

20.5 The Presiding Officer shall have opportunity to speak to the motion once all members have had opportunity to speak.

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

20.7 When the motion has been declared, no Member shall debate further on the motion or speak, except to request that the motion be read aloud.

21.0 **POSTPONING AND REFERRING MOTIONS**

21.1 A motion to postpone any matter shall include in the motion:

- (a) a specific time to which the matter is postponed, or
- (b) provision that the matter is to be postponed indefinitely.

21.2 A motion to postpone a matter is amendable and debatable.

21.3 Any matter that has been postponed to a particular date, or indefinitely, shall not be considered by Council before the date set, except on a majority vote of the Members present.

- 21.4 When dealing with subject matters where a Committee has been appointed for that purpose, or the CAO would normally deal with such matters, Council may, without amendment or debate, refer the question to the appropriate body.
- 21.5 A Member who is moving a referral motion shall be required to include in the motion:
- (a) the terms on which the motion is being referred,
  - (b) the time when the matter is to be returned, and
  - (c) whatever explanation is necessary as to the purpose of the motion.

**22.0 VOTING ON MOTIONS**

- 22.1 When this Bylaw requires that a motion be made, a Bylaw be passed, or any other action be taken by a vote of a simple majority of Council 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.
- 22.2 A motion shall be declared lost when it:
- (a) does not receive the required number of votes; or
  - (b) receives an equal division of votes,
- 22.3 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 shall record the abstention and reasons in the minutes.
- 22.4 The CAO shall record the names of those who vote against a motion in the Minutes.
- 22.5 A Member shall not vote on a matter if they are absent from the Council Chambers when the vote is called.
- 22.6 No Member shall change his or her vote on a motion without the unanimous consent of the other Members present.
- 22.7 When this Bylaw or any other Bylaws, regulations or other enactments require a majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required.
- 22.8 It is only necessary for each Member to vote separately on a recorded vote. In every other case, the decision of Council may be expressed by a show of hands.

**23.0 NOTICE OF MOTION TO RECONSIDER, ALTER, OR RESCIND A MOTION**

- 23.1 A member wishing to reconsider, alter or rescind a motion already passed, or an action taken at a previous meeting that does not appear on the agenda, shall bring the matter forward by notice of motion. The Notice of Motion shall:
- (a) be considered at the regular council meeting preceding the meeting at which the reconsideration of the matter is being requested;
  - (b) specify the meeting proposed to bring the matter for reconsideration;
  - (c) indicate, in the substantive portion of the motion, the action which is proposed to be taken on the matter.

- 23.3 Notwithstanding the other provisions of this section, no motion made, or action taken may be reconsidered unless:
  - (a) it is a motion made or an action taken at a meeting held six months or more before its reconsideration; or
  - (b) approval for reconsideration of a motion made or an action taken less than six (6) months earlier is given by two thirds (2/3) vote of Council prior to reconsideration;
- 23.4 A Member of the prevailing side may move to reconsider a matter considered at the same meeting if a majority of the Members vote for reconsideration.
- 23.5 Where Council has passed a motion which creates a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the original liability or obligation.
- 23.6 All votes on motions to reconsider or rescind shall be recorded.

24.0 **BYLAWS**

- 24.1 When a Bylaw is presented to Council for enactment, the CAO shall publish the number and title of the Bylaw in the Agenda.
- 24.2 The CAO shall copy the Bylaw in full and forward it with the Agenda.
- 24.3 Every Bylaw shall have three distinct and separate readings. Only the title and identifying number must be read at each reading.
- 24.4 A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
- 24.5 Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
- 24.6 A Bylaw shall be introduced for second reading by a motion that it be read a second time.
- 24.7 After a Member has made a motion for second reading of a Bylaw, Council may:
  - (a) debate the substance of the Bylaw, and
  - (b) propose and consider amendments to the Bylaw.
- 24.8 A Bylaw shall not be given more than two readings at one Meeting unless the Members present unanimously agree that the Bylaw may be presented to Council for third reading.
- 24.9 When Council unanimously agrees that a Bylaw may be presented for third reading:
  - (a) a motion for third reading of the Bylaw shall be made,
  - (b) Council shall vote on the motion without amendment or debate,
  - (c) the third reading requires no greater majority of affirmative votes than if it had received third reading at a subsequent Meeting.
- 24.10 A Bylaw shall be passed when a majority of the Members voting on third reading vote in favor, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.
- 24.11 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.

25.0 **URGENT BUSINESS**

25.1 A motion to bring a matter before Council as urgent business is business which meets the following criteria:

- (a) the matter proposed for discussion must relate to a genuine emergency, and call for immediate and urgent consideration,
- (b) the matter shall not involve discussion of an item that has been discussed previously in the same meeting, and
- (c) the matter shall not be one which should be dealt with by giving written notice,

26.0 **RECESS**

26.1 Any Councillor may move that Council recess for a specific period.

26.2 A motion to recess must not be used to interrupt a speaker.

26.3 After the recess, business will be resumed at the point when it was interrupted.

27.0 **ATTENDANCE OF MEETINGS THROUGH ELECTRONIC OR OTHER COMMUNICATION FACILITIES**

27.1 Pursuant to the *Municipal Government Act* a meeting of Council or Committee may be conducted by means of electronic or other communication facilities if:

- (a) Notice is given to the public of the meeting, including the way in which it is to be conducted;
- (b) The facilities enable the public to watch and/or listen to the meeting at the place specified in the notice and the CAO is in attendance at that place; and
- (c) The facilities enable all the meeting's participants to watch and/or hear each other.

This Bylaw shall come into full force and effect upon third and final reading.

28. **REPEAL**

Town of Sundre Bylaw No 2019-01 and amendments thereto are hereby repealed

READ A FIRST TIME this 13<sup>th</sup> day of June 2022, Motion No. 179-13-06-22

READ A SECOND TIME this 13<sup>th</sup> day of June 2022, Motion No. 180-13-06-22

GIVEN UNANIMOUS CONSENT FOR THIRD AND FINAL READING this 13<sup>th</sup> day of June 2022, Motion No. 181-13-06-22



READ A THIRD AND FINAL TIME this 13th day of June 2022, Motion No. 182-13-06-22

Handwritten signature of Richard Warnock in black ink, written over a horizontal line.

Mayor, Richard Warnock

Handwritten signature of Linda Nelson in blue ink, written over a horizontal line.

Chief Administrative Officer, Linda Nelson



**REQUEST FOR DECISION**

<b>COUNCIL DATE</b>	<b>October 7, 2024</b>
<b>SUBJECT</b>	<b>Bylaw 2020-07 Council Code of Conduct</b>
<b>ORIGINATING DEPARTMENT</b>	<b>Legislative Services</b>
<b>AGENDA ITEM</b>	<b>8.2</b>

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**BACKGROUND/PROPOSAL:**

The Council Code of Conduct Bylaw 2020-07 is being brought to Council in accordance with section 1.0 Guiding Principles of the Bylaw which state:

- 1.1 Council should review this Code of Conduct annually at the Organizational Meeting, to ensure that the Bylaw is current and remains relevant to the day to day conduct of Council and individual Councillors.
- 1.2 Councillors are expected to review this Code of Conduct formally and informally, and their adherence thereto on a regular and ongoing basis.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:**

See attached.

**ALIGNMENT WITH STRATEGIC PLAN**

Strategic Plan Pillar 5, Sustainable & Responsible Governance

**ADMINISTRATION RECOMMENDATIONS:**

That Council accept the review of Council Code of Conduct Bylaw 2020-07 as information.

**MOTION:**

That the Town of Sundre Council accept the review of Council Code of Conduct Bylaw 2020-07 as information.

Attachment: Bylaw 2020-07

Date Reviewed: October 02, 2024

CAO: Amela Nelson



8.2a

**TOWN OF SUNDRE**  
**BYLAW NO. 2020-07**

**BEING A BYLAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL**

**WHEREAS** section 146.1(1) of the *Municipal Government Act* provides that a council must, by bylaw, establish a code of conduct governing the conduct of councillors;

**AND WHEREAS** the *Code of Conduct for Elected Officials Regulation* provides that a code of conduct must contain certain provisions;

**AND WHEREAS** section 153(e.1) of the *Municipal Government Act* provides that councillors have a duty to adhere to the code of conduct established by the council;

**AND WHEREAS** the public is entitled to expect the highest standards of conduct from the members that it elects to council for the Town of Sundre;

**AND WHEREAS** the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government;

**AND WHEREAS** a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councillors;

**NOW THEREFORE** the Council of the Town of Sundre, in the Province of Alberta, duly assembled, enacts as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Short Title**

1.1. This Bylaw may be referred to as the “Council Code of Conduct Bylaw”.

**2. Definitions**

2.1. In this Bylaw, words have the meanings set out in the Act, except that:

- (a) “Act” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, and associated regulations, as amended;

- (b) "Administration" means the administrative and operational arm of the Town of Sundre, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the Chief Administrative Officer;
- (c) "Chief Administrative Officer" means the chief administrative officer of the Town of Sundre, or their delegate;
- (d) "Council" means the duly elected council of the Town of Sundre;
- (e) "Councillor" means a member of Council and includes the Mayor;
- (f) "FOIP Act" means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, and associated regulations, as amended;
- (g) "Investigator" means Council or the individual or body appointed or retained by the Town to investigate and report on formal complaints made pursuant to this Bylaw; and
- (h) "Town" means the municipal corporation of the Town of Sundre.

### **3. Purpose**

- 3.1. The purpose of this Bylaw is to establish standards for the ethical conduct of Councillors relating to their roles and obligations as representatives of the Town and a procedure for the investigation and enforcement of those standards.

## **PART II – STANDARDS OF ETHICAL CONDUCT**

### **4. Representing the Municipality**

- 4.1. Councillors shall:
  - (a) act honestly and, in good faith, serve the welfare and interests of the Town as a whole;
  - (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
  - (c) conduct themselves in a professional manner with decorum and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and
  - (d) conduct themselves in a manner that promotes public confidence.
- 4.2. No Councillor shall electronically record any proceedings of Council or any committee of Council or any other body to which the Councillor is appointed by Council, without the express prior permission of the applicable body.

## **5. Communicating on Behalf of the Municipality**

- 5.1. A Councillor must not imply or claim to speak on behalf of Council unless authorized to do so.
- 5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
- 5.3. A Councillor who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position. Unless the communication is of a routine nature or is a matter of such urgency that an immediate response is required, all correspondence on behalf of Council must be reviewed and supported by Council prior to being issued.
- 5.4. No Councillor shall make a statement when they know that statement is false.
- 5.5. No Councillor shall make a statement with the intent to mislead Council or members of the public.

## **6. Use of Social Media**

- 6.1. As public figures and representatives of the Town, Councillors must exercise sound judgment and be prudent in what material they post on social media. As with any other communications, Councillors are accountable for content and confidentiality. Councillors should exercise caution when engaging in debate or making comments on contentious matters, as feelings and emotions can become enflamed very quickly.
- 6.2. Councillors shall not attempt to disguise or mislead as to their identity or status as an elected representative of the Town when using social media.
- 6.3. Councillors shall not use social media to publish anything that is dishonest, untrue, unsubstantiated, offensive, disrespectful, constitutes harassment or is misleading in any way.

## **7. Respecting the Decision Making Process**

- 7.1. Decision making authority lies with Council, and not with any individual Councillor. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. No Councillor shall, attempt to bind the Town or give direction to any employee in Administration, agent, contractor, consultant or other service provider or prospective vendor to the Town, and must not, with or without Council authorization, exercise a power or function or perform a duty that has been delegated to the Chief Administrative Officer.
- 7.2. Councillors shall conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

7.3. Councillors shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

## **8. Adherence to Policies, Procedures and Bylaws**

8.1. Councillors shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.

8.2. Councillors shall respect the Town as an institution, its bylaws, policies and procedures and shall encourage public respect for the Town, its bylaws, policies and procedures.

8.3. A Councillor must not encourage disobedience of any bylaw, policy or procedure of the Town in responding to a member of the public, as this undermines public confidence in the Town and in the rule of law.

## **9. Respectful Interactions with Councillors, Staff, the Public and Others**

9.1. Without limiting the ability of a Councillor to hold a position on an issue and respectfully express their opinion, Councillors shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.

9.2. Councillors shall treat one another, employees of the Town, and members of the public with courtesy, dignity and respect and without abuse, harassment, bullying or intimidation. Councillors have a duty to ensure that their work environment is free from discrimination and harassment and are governed by the *Alberta Human Rights Act* and the *Occupational Health and Safety Act*.

9.3. No Councillor shall use indecent, abusive, or insulting words or expressions toward another Councillor, any employee of the Town or any member of the public.

9.4. No Councillor shall speak or act in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

9.5. Councillors shall respect the fact that employees in Administration work for the Town as a body corporate and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Councillor or group of Councillors.

9.6. Councillors must not:

(a) involve themselves in matters of Administration, which fall within the jurisdiction of the Chief Administrative Officer;

(b) attempt to obtain information about the operation or administration of the Town from any employee other than the Chief Administrative Officer;

(c) discuss Town business with any employee of the Town, other than the Chief Administrative Officer, outside of a duly constituted Council or Council committee

meeting, subject to any procedures authorized by the Chief Administrative Officer regarding the interaction of Councillors and staff in Administration;

- (d) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Town with the intent of interfering in the employee's duties; or
- (e) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Town.

## **10. Confidential Information**

10.1. Councillors must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.

10.2. In the course of their duties, Councillors may also become privy to confidential information received outside of a closed session meeting. Councillors must not:

- (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council;
- (b) access or attempt to gain access to confidential information in the custody or control of the Town unless it is necessary for the performance of the Councillor's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
- (c) use confidential information for personal benefit or for the benefit of any other individual or organization.

10.3. Confidential information includes information in the possession of, or received in confidence by, the Town that the Town is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under the FOIP Act or any other legislation, or any other information that pertains to the business of the Town, and is generally considered to be of a confidential nature, including but not limited to information concerning:

- (a) the security of the property of the Town;
- (b) a proposed or pending acquisition or disposition of land or other property;
- (c) a tender that has or will be issued but has not been awarded;
- (d) contract negotiations;
- (e) employment and labour relations;
- (f) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
- (g) law enforcement matters;

- (h) litigation or potential litigation, including matters before administrative tribunals; and
- (i) advice that is subject to solicitor-client privilege.

10.4. To respect the confidentiality of closed session meetings, if Councillors make notes during a closed session meeting, they shall provide the notes to Administration for secure destruction and shall return all confidential documents to Administration at the conclusion of the closed session meeting.

## **11. Conflicts of Interest**

- 11.1. Councillors have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act, and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 11.2. Councillors are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.
- 11.3. Councillors shall approach decision-making with an open mind that is capable of persuasion.
- 11.4. No Councillor shall initiate, endorse, support or otherwise participate in any proceeding being brought against Council or the Town.
- 11.5. It is the individual responsibility of each Councillor to seek independent legal advice, at the Councillor's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest.

## **12. Improper Use of Influence**

- 12.1. No Councillor shall use the influence of the Councillor's office for any purpose other than for the exercise of the Councillor's official duties.
- 12.2. No Councillor shall act as an agent for any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
- 12.3. Councillors shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Town.
- 12.4. Councillors shall refrain from using their positions to obtain employment with the Town for themselves, family members or close associates. Councillors are ineligible to apply or be considered for any position with the Town while they hold their elected position and for one year after leaving office.

## **13. Use of Municipal Assets and Services**

- 13.1. Councillors shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Councillor, subject to the following limited exceptions:
  - (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Councillor for personal use upon



the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges; and

- (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Town to a Councillor, may be used by the Councillor for personal use, subject to the terms and conditions described below.

13.2. Electronic communication devices provided to Councillors by the Town are the property of the Town, and shall, at all times, be treated as the Town's property. Councillors are hereby notified that they are to have no expectation of privacy in the use of these devices and further that:

- (a) all emails or messages sent or received on Town devices are subject to the FOIP Act;
- (b) all files stored on Town devices, all use of internal email and all use of the Internet through the Town's firewall may be inspected, traced or logged by the Town;
- (c) in the event of a complaint pursuant to this Bylaw, the Investigator may require that any or all of the electronic communication devices provided by the Town to Councillors may be confiscated and inspected as part of the investigation including downloading information which is considered relevant to the investigation. All email messages or Internet connections may be retrieved.

13.3. No Councillor shall use any Town property, equipment, services or supplies, including email, Internet services, or any other electronic communication device, if the use could be offensive or inappropriate.

13.4. Upon ceasing to hold office, a Councillor shall immediately deliver to the Town any money, book, paper, thing or other property of the Town that is in the Councillor's possession or under the Councillor's control including, without restriction, any record created or obtained by virtue of the Councillor's office other than a personal record or constituency record as those terms are used in the FOIP Act.

#### **14. Orientation and Other Training Attendance**

14.1. Every Councillor must attend the orientation training offered by the Town within 90 days after the Councillor takes the oath of office.

14.2. Unless excused by Council, every Councillor must attend any other training organized at the direction of Council for the benefit of Councillors throughout the Council term.

#### **15. Remuneration and Expenses**

15.1. Councillors are stewards of public resources and shall avoid waste, abuse and extravagance in the use of public resources.

15.2. Councillors shall be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

## 16. Gifts and Hospitality

- 16.1. Councillors shall not accept gifts, hospitality or other benefits that would be or reasonably appear to be, to influence, directly or indirectly, Councillors' performance of their duties as Councillors, or otherwise to go beyond the necessary and appropriate public functions involved. For these purposes, a gift or benefit provided with the Councillor's knowledge to a member of the Councillor's family that is connected directly or indirectly to the performance of the Councillor's duties is deemed to be a gift to that Councillor.
- 16.2. For further clarity, the following are recognized as acceptable gifts or benefits:
- (a) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the gift or benefit does not exceed \$250.00.
  - (b) a political contribution otherwise reported by law;
  - (c) a suitable memento of a function honouring the Councillor;
  - (d) food, lodging, transportation, event tickets or entertainment provide by provincial, or local governments, by the Federal government or by a foreign government within a foreign county, or by a conference, seminar or event organizer where the Councillor is either speaking or attending in an official capacity on behalf of the Town;
  - (e) food and beverages consumed at banquets, receptions, or similar events, if:
    - i. attendance serves a legitimate purpose;
    - ii. the person extending the invitation, or a representative of the organization is in attendance; and
    - iii. the value is reasonable and the invitations infrequent.
- 16.3. Gifts received by a Councillor on behalf of the Town as a matter of official protocol which have significance or historical value for the Town shall be left with the Town when the Councillor ceases to hold office.
- 16.4. An invitation to attend a function where the invitation is directly or indirectly connected with the Councillor's duties of office is not considered to be a gift but is the fulfillment of an official function or duty. An invitation to attend a charity golf tournament or fund-raising gala, provided the Councillor is not consistently attending such events as a guest of the same individual or corporation, is also part of the responsibilities of holding public office. Likewise, accepting invitations to professional sports events, concerts or dinners may serve a legitimate business purpose.
- 16.5. Any doubts about the propriety of a gift or benefit should be resolved in favour of not accepting it or not keeping it.

## **17. Election Campaigns**

- 17.1. Councillors are required to follow the provisions of the *Local Authorities Election Act* and are accountable under the provisions of that statute. Councillors should not make inquiries of, or rely on, staff in Administration to interpret or provide advice to Councillors regarding the requirements placed on candidates for the office of Councillor. Councillors shall be respectful of the role of the Returning Officer in managing the election process and must not interfere with how the Returning Officer's election duties are carried out.
- 17.2. Councillors shall not use Town resources, including property, equipment, services, supplies and staff time, for any election-related activities, whether local, provincial or federal. Online resources hosted, supplied or funded by the Town, including but not limited to Councillor electronic newsletters, Councillor websites linked through the Town's website and Councillor social media accounts used for communication related to Town business shall not be used for any election campaign or campaign-related activities. No Councillor shall use the Town's logo for campaign purposes.

## **PART III – COMPLAINT PROCESS AND ENFORCEMENT**

### **18. Complaint System**

- 18.1. Any person who has identified or witnessed conduct by a Councillor that the person reasonably believes, in good faith, is in contravention of this Bylaw, may make a complaint. It is recognized that complaints may vary in severity, complexity, and whether they are admitted or denied. As a result, complainants are given the option of an informal or formal complaint process.

### **19. Informal Complaint Process**

- 19.1. An informal complaint is appropriate for quick problem solving where the parties can seek agreement and a shared understanding of how to avoid problems in the future.
- 19.2. Any person who reasonably believes, in good faith, that a Councillor is in contravention of this Bylaw may address the prohibited conduct by:
- (a) advising the Councillor in person that the conduct violates this Bylaw and encouraging the Councillor to stop;
  - (b) requesting the Mayor to assist in informal discussion of the alleged complaint with the Councillor in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, the person may request the assistance of the Deputy Mayor.
- 19.3. Individuals are encouraged to pursue the informal complaint process as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

## 20. Formal Complaint Process

- 20.1. Any person who reasonably believes, in good faith, that a Councillor is in contravention of this Bylaw may file a formal complaint in the following manner:
- (a) formal complaints shall be made in writing and shall be dated and signed by an identifiable individual;
  - (b) all complaints shall be addressed to Council, attention of the Mayor, or, if the Mayor is the subject of, or is implicated in a complaint, to the attention of the Deputy Mayor; and
  - (c) the complaint must set out reasonable and probable grounds for the allegation that the Councillor has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation.
- 20.2. Any Councillor to whom a formal complaint is directed shall be notified of the fact and nature of the complaint.
- 20.3. Upon receipt of a formal complaint under this Bylaw, Council shall meet, in closed session, excluding the Councillor concerned, to conduct a preliminary review of the complaint as follows to determine whether to proceed to investigate, dismiss or decide the complaint:
- (a) If the complaint is not, on its face, a complaint of misconduct under this Bylaw or is covered by other legislation or another complaint procedure, Council shall advise the complainant and the Councillor alleged to have breached this Bylaw that the matter is not within the jurisdiction of Council;
  - (b) If Council is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, Council may choose not to investigate and may dismiss the complaint in a summary manner. In that event, the complainant and the Councillor alleged to have breached this Bylaw shall be notified of Council's decision;
  - (c) If Council is of the opinion that the material facts are not in dispute and the complaint can be decided without further investigation, Council may, after giving the Councillor in question an opportunity to respond to the allegations, proceed to decide the complaint;
  - (d) If Council decides to investigate the complaint, Council shall take such steps as it may consider appropriate, which may include retaining a third party to investigate the complaint, or seeking legal advice, or both.
- 20.4. The Investigator shall take such steps as is considered appropriate to investigate, and may attempt to settle, the complaint. All proceedings of the Investigator regarding the investigation shall be confidential.
- 20.5. If the Investigator is someone other than Council, the Investigator shall, upon conclusion of the investigation, provide Council and the Councillor who is the subject of the complaint, the results of the Investigator's investigation.

- 20.6. A Councillor who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations, within a reasonable time, before Council deliberates and makes any decision or any sanction is imposed.
- 20.7. A Councillor who is the subject of an investigation is entitled to be represented by legal counsel, at the Councillor's sole expense.

## **21. Compliance and Enforcement**

- 21.1. Councillors shall uphold the letter and the spirit and intent of this Bylaw.
- 21.2. Councillors are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 21.3. No Councillor shall:
- (a) retaliate against anyone, including other Councillors, who participate or provide information, in good faith, in a formal complaint investigation under this Bylaw;
  - (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 21.4. Sanctions that may be imposed on a Councillor, by Council, upon a finding that the Councillor has breached this Bylaw may include:
- (a) a letter of reprimand addressed to the Councillor;
  - (b) requesting the Councillor to issue a letter of apology;
  - (c) publication of a letter of reprimand or request for apology and the Councillor's response;
  - (d) requiring the Councillor to attend specified training;
  - (e) suspension or removal of the appointment of a Councillor as the Deputy Mayor or Acting Mayor under section 152 of the Act;
  - (f) suspension or removal of the Mayor's presiding duties under section 154 of the Act;
  - (g) suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
  - (h) reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
  - (i) any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction must not prevent a Councillor from fulfilling the legislated duties of a councillor.
- 21.5. Nothing in this Bylaw requires Council to impose a sanction for any substantiated complaint or contravention.

**PART IV – GENERAL**

**22. Review**

22.1. This Bylaw shall be brought forward for review within 60 days from the beginning of each term of Council, and, thereafter, annually at the Council organizational meeting, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Councillors.

**23. Severability and Effective Date**

23.1. Should any provision of this Bylaw be invalid, then the invalid provision shall be severed, and the remainder of this Bylaw shall remain in effect.

23.2. This Bylaw shall come into force and take effect upon being passed.

23.3. This Bylaw repeals Bylaw #No. 15.17 Council Code of Conduct Bylaw.

READ a First time this 9<sup>th</sup> day of November 2020, Motion 258-04-11-20

READ a Second time this 9<sup>th</sup> day of November 2020, Motion 259-04-11-20

GIVEN Unanimous Consent to Proceed to a Third Reading this 9<sup>th</sup> day of November 2020, Motion 260-04-11-20

READ a Third time this 9<sup>th</sup> day of November 2020, Motion 261-04-11-20

SIGNED AND PASSED this 9<sup>th</sup> day of November 2020.

  
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MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER