

Jasper Municipal Council Legislative Committee Meeting

August 29, 2023, 10:30am

Jasper Library and Cultural Centre - Quorum Room

AGENDA

- 1. Call to order Councillor Hall to Chair
- 2. Additions or deletions for August 29, 2023 agenda
- 3. Approval of August 29, 2023 agenda
- 4. AB Munis Resolutions Instructions

attachment

- 5. Procedure Bylaw #190
 - 5.1 Procedure Bylaw Review

attachment

6. Legislative Committee Motion Action List

attachment

- 7. Next meeting
- 8. Adjournment

Jasper Municipal Council Legislative Committee members and a limited number of staff are in Council chambers in the Quorum Room of the Jasper Library and Cultural Centre for meetings. Members of the public can attend meetings in person and are invited to view agendas and meeting minutes on the Municipality's website at https://www.jasper-alberta.ca/.

From: Rachel de Vos (she/her)

Cc: Nadine Conklin; Darren Reedy (he/him)

Subject: Instructions for Resolution Movers at ABmunis' Convention

Date: Thursday, August 17, 2023 5:26:29 PM

Hello administrators from municipalities who have moved a resolution,

Thank you for sponsoring a resolution that will be voted on at this year's Convention. We are reaching out to provide instructions on what your municipality needs to do in preparation for the Resolutions Session. We will be following our Resolutions Policy, which outlines the process for the Resolutions Session at Convention in sections 32 to 57. Please let me know if the spokesperson from your municipality will be attending convention virtually.

When will resolutions be considered?

The Resolutions Session is scheduled to take place on **Thursday**, **September 28**, **from about 2:30 pm to 4:30 pm**. The resolutions will be considered in the order in which they appear in the Resolutions Book (a version with updates on withdrawn and emerging resolutions will be released next Friday). Alberta Municipalities Board member, Andrew Knack will serve as the Resolutions Chair with support of a parliamentarian.

A note regarding moving and seconding

As per changes made to our Resolutions Policy a few years ago, resolutions do <u>not</u> need to be moved and seconded from the floor as they are endorsed by councils of the moving and seconding municipalities before they are submitted.

Also, a spokesperson from the moving municipality will be given two minutes to speak after the Chair introduces the resolution. No dedicated time is set aside for the seconder to speak. They are, of course, welcome to speak in favour of the resolution if there is debate.

Resolutions Process

Resolutions Review Process	Preparation by Moving Municipality	
Speaking to the Resolution		
The Resolutions Chair will introduce each resolution by stating its number, title, mover, seconder and the active clause. The Chair will then ask an elected official from the mover to speak to the resolution. The maximum speaking time is two minutes, after which the microphone will be turned off.	Please ensure that your elected official is prepared to speak to the resolution for no more than two minutes and is ready at the microphone. Note that the microphones set up in the middle of the room will be labelled with microphones 1 and 3 for those speaking in favour of a resolution, and 2 and 4 for those speaking against a resolution. This will make it easier for the Resolutions Chair to identify speakers and moderate between those speaking for and against resolutions.	
Debating the Resolution		
The Chair will then open the floor for debate, by calling for a speaker in opposition, seeking clarification or proposing an amendment.	Please ensure that your spokesperson, or another elected official, is prepared to respond to questions, or opposing comments if necessary.	
As outlined in the Resolutions Policy, elected representatives of Regular members can speak to resolutions. In addition, upon a motion from the floor, or at the discretion of the Resolution Chair,		

a representative of an Associate Member, which are municipal districts and counties, may also speak to a resolution. If no one rises to speak for or against a resolution, the question will be called immediately. Otherwise, speakers will come to the microphones in the middle of the room and will have two minutes to speak.	
Closing Debate	
When there are no more opposing speakers, the Chair will declare the end of debate. The elected official from the sponsor will be allowed one minute to close the debate.	Please ensure that your elected official stays near the microphone to make a one-minute closing statement. They may choose to decline to make a statement but should be available to make this clear.
Voting	
When debate is completed, the Chair will ask for a vote on the active clause of the resolution. Voting will be completed through Simply Voting.	
The results of the vote will be displayed on the screen in terms of the percentage of those who voted in favor and those who voted in opposition to the active clause of the resolution. The total votes received will also be displayed.	

Thank you for your municipality's participation in our resolutions process and please let us know if you have any questions.

Thank you,

Rachel de Vos (she/her) | Chief Policy and Advocacy Officer

D: 780.409.4313 | C: 780.915.9118 | E: Rachel@abmunis.ca 300, 8616 51 Ave NW Edmonton, AB T6E 6E6

Toll Free: 310-MUNI | 877-421-6644 | www.abmunis.ca



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee, you should not disseminate, distribute or copy this email.

We respectfully acknowledge that we live, work, and play on the traditional and ancestral territories of many Indigenous, First Nations, Métis, and Inuit peoples. We acknowledge that what we call Alberta is the traditional and ancestral territory of many peoples, presently subject to Treaties 4, 6, 7, 8 and 10 and Six Regions of the Métis Nation of Alberta.

REQUEST FOR DECISION

Subject: Procedure Bylaw Review

From: Bill Given, Chief Administrative Officer

Prepared by: Christine Nadon, Director of Protective and Legislative Services

Date: August 29, 2023

Recommendation:

• That Legislative Committee review the Procedure Bylaw structure; and provide direction to Administration on the preferred order of items for the new bylaw draft; and

• That Legislative Committee review the Citation; Definitions; Application and Interpretation; and Severability sections of the new draft bylaw.

Background:

Administration has terminated the contract with a consultant to review and update the Procedure Bylaw due to lengthy delays. The Legislative Services Coordinator has been working on consolidating the existing draft (partially completed by the consultant). Work on a Boards and Committee Bylaw is taking place concurrently, so both bylaws can be brought forward to Council for review and approval at the same time when the review process is complete.

Discussion:

Upon review of the first partial draft, Administration is recommending a review of the Procedure Bylaw structure to improve its flow of information and make it easier to consult as a reference document. The table attached to this report (Procedure Bylaws – Structures Review) presents structures from other bylaws referenced by the Legislative Committee during this review process. The Municipality of Jasper structure presented in this document is the one proposed by the latest consultant, and is not reflective of the current Procedure Bylaw structure. The main challenge with the current bylaw (#190) is that core information on the conduct of business is presented in a schedule. While the new structure proposed by the consultant (presented in both attachments to this report) is an improvement over the previous bylaw, it is still rather difficult to follow and reference. Administration will bring a new, proposed order of items for review and consideration at the Legislative Committee on August 29, 2023 to support the discussion.

Legislative Committee input on bylaw structure, Part I sections of the bylaw, and general guidance and expectations around the review process, will help Administration progress with next steps on the review of the Procedure Bylaw.

Strategic Relevance:

- Organizational Excellence
 - o Ensure residents receive quality service that provides strong value for the dollar.

Attachments:

- Procedures Bylaws Structure Review
- Draft Procedure Bylaw Part I



Municipality of Jasper	City of GP	City of St. Albert	Town of Banff	Strathcona County
PART 1 INTERPRETATION CITATION DEFINITIONS APPLICATION AND INTERPRETATION SEVERABILITY	SHORT TITLE PART 1 - DEFINITIONS PART 2 - APPLICATION AND INTERPRETATION Suspension of Rules Non-Suspendable Rules	Short Title Definitions Application and Interpretation	Citation Definitions Applicability Authority Suspension of rules	PART I – DEFINITIONS AND INTERPRETATION Definitions Interpretation
PART 2 COUNCIL PROCEDURE ORGANIZATION OF COUNCIL & COMMITTEES Organizational Meeting Inaugural Meeting Special Meetings Quorum Meetings by Electronic Means	COUNCIL	Council Meetings Organizational Meetings Inaugural Meetings Regularly scheduled council meetings and standing of the whole meetings Meetings prior to a general election Notice of regularly scheduled council meetings Special meetings Notice of special meeting Committee of the whole meetings Meetings By Electronic Means Commencement of Meetings Quorum No Quorum Lost Quorum Attendance by Administration	Meetings Annual Organizational Meetings Regular Council Meetings Special Council Meetings Committee Meetings Closed Meetings Meeting Through Electronic Means Additions or Changes to Scheduled Meetings	PART II – GENERAL MEETING MATTERS Inaugural Meeting Organizational Meeting Campaign Period Meeting Notices Meeting Changes Meeting in Public Closed Session Quorum Electronic Meetings Agenda Structure Adoption of the Agenda Meeting Business Consent Agenda Minutes Robert's Rules of Order
DUTIES OF OFFICIALS Duties of the Mayor		Duties of the Chair		PART III – ROLE OF THE CHAIR AND MEETING CONDUCT

Duties of the Deputy Mayor & Acting Mayor Duties of the Chief Administrative Officer		Deputy Mayor		Role of the Chair Participation by the Chair Leaving the Chair Procedural Rulings Challenge to the Chair's Ruling Conduct Point of Order Point of Privilege Addressing Points of Order and Privilege Calling a Councillor to Order Naming a Councillor Expelling a Person from a Meeting
PUBLIC PARTICIPATION	PART 5 - BYLAWS	Agenda	Meeting Procedures	PART IV – RULES OF
Public Meetings	Bylaw Readings	Preparation of the Agenda	Methods of Giving Notice	DEBATE AND LIMITS TO
Letters and Communications	Amendments to a Bylaw	Adding Urgent Matters to an	Agendas	SPEAKING
Appearing at Council Meetings	Authorization of Three Readings at	Agenda	Urgent Business	Rules of debate
	One Meeting	Consent Agenda	Notice of Motions	Limits on speaking
COUNCIL MEETINGS	Bylaws as a Corporate Record	Requests from the Public	Quorum	Pecuniary interest
Conduct of Business	No Readings or Failure of a	Agenda Delivery	Commencement of Meeting	
Regular Meetings	Reading	,	Order of Business at Meetings	PART V - MOTIONS
Closed Session Meetings	Consolidation of Bylaws	Order of Business	Flow of Agenda Items	Main motions
Notice of Meetings				Withdrawing a motion
Cancellation of Meetings	PART 6 - AGENDAS & MINUTES	Order of Process for Agenda	Motions	Dividing the question
	Agenda Submission Deadlines	Items Involving a Motion	Main Motions	Amendments
COMMITEE OF THE WHOLE	Provision of Agendas	licins involving a woulding	Amending Motions	Friendly amendment
Committee of the Whole	Confirming the Agenda	Conduct of Council Members	Motions Arising Out of Main	Motion to refer
	Order/Changes to a Published	Conduct of Council Members	Motions	Motion to postpone to a
PECUNIARY INTEREST	Agenda	Bus sale of Conduct	Debate on Motions	certain time
Pecuniary Interest	Addition of Urgent Business to an	Breach of Conduct	Adopted and Defeated Motions	Motion to postpone
	Agenda		Bylaw Readings	indefinitely
PART 3 CONDUCT OF	Additions to Special Meeting	Council Member Speaking	Pecuniary Interest	Motion to recess
BUSINESS	Agendas	Time Limit	-	

RECORDS OF COUNCIL

Agenda

Closed Session Agenda

Minutes

Confirmation of minutes

Presentations / Delegations /

Recognitions

DEBATE

Rules Governing Debate

Information requests

ORDER IN COUNCIL CHAMBERS

Order in Council Chambers – The Public

Order in Council Chambers – Council

MOTIONS IN MEETINGS

Motions

Amendments to motions

Motions to refer

Splitting a motion

Tabling motions

Postponing motions

Notice of motion

Adjourning the meeting

BYLAWS

Bylaws

Public Hearings

Protocols of Agenda Items
Preparation of Minutes
Adoption/Corrections of Minutes

PART 7 - ROLES AND CONDUCT

The Mayor

Challenging the Ruling of the Mayor

The Deputy Mayor

The Chair

Enforcement of Rules

The Members

Members of the Public

PART 8 - PECUNIARY OR CONFLICT OF INTEREST

PART 9 - MOTIONS

Main Motions

Friendly Amendment

Questions During Debate Secondary Motions

Notice of Motion

Reconsideration of Motions

PART 10 - VOTING

Voting Procedure Voting Results

Division of a Motion

PART 11 - STANDING COMMITTEES/COUNCIL COMMITTEES

Member Appointments
Committee Rules of Procedure

Conduct of Public

Parliamentary Inquiry

Point of Order

Question of Privilege

Appeals of Rulings of the Chair

Motions

Review and Reconciliation of Prior Council Decisions

Rescinding a Motion at Same Meeting

Notice of Motion to Rescind

Recess and Adjournment of Meetings

Closed Meetings

Notices of Motion

Votes of Council

Bylaws

Amendments to Bylaws

Voting

Public Hearing Procedures

Public Input on Approved Agenda Items

Correspondence

Invited Presentations and Delegations

Invited Presentations Delegations

Roles and Conduct at Meetings

Role of the Presiding Officer Calling a Member to Order Conduct of Public

Meeting Records

Committees

Severability

Repeal

Enactment

Motion to call the previous question

Motion to suspend the rules

Motion to reconsider Motion to rescind Motion to amend

something previously

adopted

Motion to renew Objection to the

consideration of a question Motion to adjourn

PART VI – PUBLIC HEARINGS

Holding a public hearing Non-Statutory public hearings

Application of other rules Registering to speak

Time limit for speakers Panels

Panels

Written submissions
Displaying materials at a
public hearing

Advertising one's position

PART VII –
INFORMATION
REQUESTS AND
NOTICES OF MOTION

Information requests Limits to information requests

PART 12 - REPEAL AND COMING	Defeated Bylaws	Responses to information
INTO FORCE	Bylaws Signed	requests Notice of motion
SCHEDULE "A" ORDERS OF THE	Dylaws Olgited	Notice of motion
DAY	Public Hearings	requirements No debate of discussion
SCHEDULE "B" STANDING	Council Member	Councillor not present
COMMITTEES		Motion without notice
SCHEDULE "C" PARTICIPATING	Information Requests	Informal announcements
FROM REMOTE LOCATIONS	Minutes	PART VIII – BYLAWS
SCHEDINE "D" SECONDARY	Militates	Passing a bylaw
SCHEDULE "D" SECONDARY MOTIONS	Transitional and General	Bylaw readings Bylaw Abandoned
	Repeal	Bylaw consolidations
	Repeal	Certified copy
	Effective Date	PART IX – VOTING
	Schodule At Agende Blenning	Voting procedures
	Schedule A: Agenda Planning Process	Vote binding Recording the vote in the
		minutes
	Schedule B: Subsidiary	Tied vote
	Motions	PART X – REPEAL AND
	Schedule C: Privileged	EFFECTIVE DATE
	Motions	Repeal Effective Date
	Schedule D: Incidental	Effective Date
	Motions	SCHEDULE A
		Agenda structure
	Schedule E: Public Hearings Registration to Speak Written	
	Submissions Verbal	
	Submissions Voting on Matters	
	Related to a Public Hearing	

Order of Process for Public Hearing Adjournment of a Public Hearing Limits on Receiving Information
Appendix E.1: Public Hearing Guide and Rules of Order
Schedule F: Public Presentations
Time Limit Registration Process – Items on
Agenda Registration Process – Items
not on Agenda Presentation Materials

MUNICIPALITY OF JASPER BYLAW #XXX

BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO ESTABLISH PROCEDURES FOR COUNCIL AND COMMITTEE MEETINGS. PROVIDE FOR THE REGULATION OF THE PROCEEDINGS OF COUNCIL AND THE COMMITTEES THEREOF.

PART 1 – INTERPRETATION

- 1.0 CITATION
- 2.0 DEFINITIONS
- 3.0 APPLICATION AND INTERPRETATION
- 4.0 SEVERABILITY

PART 2 - COUNCIL PROCEDURE

ORGANIZATION OF COUNCIL & COMMITTEES

- 5.0 Organizational Meeting
- 6.0 Inaugural Meeting
- 7.0 Special Meetings
- 8.0 Quorum
- 9.0 Meetings by Electronic Means

DUTIES OF OFFICIALS

- 10.0 Duties of the Mayor
- 11.0 Duties of the Deputy Mayor & Acting Mayor
- 12.0 Duties of the Chief Administrative Officer

PUBLIC PARTICIPATION

- 13.0 Public Meetings
- 14.0 Letters and Communications
- 15.0 Appearing at Council Meetings

COUNCIL MEETINGS

- 16.0 Conduct of Business
- 17.0 Regular Meetings
- 18.0 Closed Session Meetings
- 19.0 Notice of Meetings
- 20.0 Cancellation of Meetings

COMMITEE OF THE WHOLE

21.0 Committee of the Whole

PECUNIARY INTEREST

22.0 Pecuniary Interest

PART 3 – CONDUCT OF BUSINESS

RECORDS OF COUNCIL

- 23.0 Agenda
- 24.0 Closed Session Agenda
- 25.0 Minutes
- 26.0 Confirmation of minutes
- 27.0 Presentations / Delegations / Recognitions

DEBATE

- 28.0 RULES GOVERNING DEBATE
- 29.0 INFORMATION REQUESTS

ORDER IN COUNCIL CHAMBERS

- 30.0 ORDER IN COUNCIL CHAMBERS THE PUBLIC
- 31.0 ORDER IN COUNCIL CHAMBERS COUNCIL

MOTIONS IN MEETINGS

- 32.0 MOTIONS
- 33.0 AMENDMENTS TO MOTIONS
- 34.0 MOTIONS TO REFER
- 35.0 SPLITTING A MOTION
- 36.0 TABLING MOTIONS
- 37.0 POSTPONING MOTIONS
- 38.0 NOTICE OF MOTION
- 39.0 ADJOURNING THE MEETING

BYLAWS

- 40.0 BYLAWS
- 41.0 PUBLIC HEARINGS

PURPOSE

WHEREAS pursuant to Section 145 of the *Municipal Government Act*, RSA 2000, cM-26, Council may pass a bylaw to establish procedures to be followed by council, council committees and other bodies established by the council.

AND WHEREAS the *Municipal Government Act* governs the conduct of Council, Councillors, Council committees; municipal organization and administration; public participation; and the powers of a municipality;

NOW THEREFORE BE IT RESOLVED that the Council of the Specialized Municipality of Jasper, in the Province of Alberta, duly assembled, enacts:

1. CITATION

- 1.1. This Bylaw may be cited as the "Procedure Bylaw".
- 1.2. Municipality of Jasper bylaw #190, the "Procedure Bylaw" is hereby repealed.

2. **DEFINITIONS**

- 2.1. "Act" means the *Municipal Government Act*, RSA 2000, cM-26, as amended, or any statute enacted in its place.
- 2.2. "Acting Mayor" means the Councillor appointed by Council to act as Mayor in the absence or incapacity of the Mayor and Deputy Mayor.
- 2.3. "Adjourn" used in relation to any meeting, except a public hearing, means to terminate the meeting.
- 2.4. "Administration" means the employees of the Municipality of Jasper.
- 2.5. "Agenda" means the list of items and order of business for any Meeting of Council or Committee.
- 2.6. "Chair" means the Mayor, Deputy Mayor, or other person who has authority to preside over a meeting.
- 2.7. "Chief Administrative Officer" or "CAO" means the person appointed by Council to the position of Chief Administrative Officer, or designate.
- 2.8. "Committee of the Whole" means a Committee comprised of all Council which conducts itself as a Committee of Council.
- 2.9. "Council" means the duly elected Council of the Specialized Municipality of Jasper.
- 2.10. "Council Committee" means a Committee, Board, or other body, established by Council under the Act that is carrying out a power, duty or function delegated to it by Council, but excluding Committee of the Whole.
- 2.11. "Councillor" means a member of Council duly elected, excluding the Chief Elected Official.
- 2.12. "Deputy Mayor" means the Councillor appointed by Council to act as Mayor in the absence or incapacity of the Mayor.
- 2.13. "Freedom of Information and Protection of Privacy Act" (FOIP Act) means the Freedom of Information and Protection of Privacy Act, RSA 2000, cF-25, as amended, or any statute enacted in its place.
- 2.14. "Closed Session (or Closed Meeting?)" means a Meeting or portion of a Meeting at which only Council and any other persons specified by Council may attend.
- 2.15. "Mayor" means the Chief Elected Official of the Municipality of Jasper, or designate.

- 2.16. "Member" means an elected Member of Council, or a Member of a Council Committee duly appointed by Council to that Committee.
- 2.17. "Municipality" means the Specialized Municipality of Jasper in Jasper National Park in the province of Alberta.
- 2.18. "Point of order" means a demand by a Councillor that the Mayor enforce the rules of procedure.
- 2.19. "Point of privilege" refers to the rights and privileges of Members or of Council as a whole, or the propriety of the conduct of individual Members and includes, but is not limited to, the following:
 - a) the comfort of Members;
 - b) the conduct of Members; and
 - the conduct of Administration or members of the public in attendance at the Meeting.
- 2.20. "Public Hearing" means a Meeting or portion of a Meeting that Council is required to hold under the *Act* or another enactment for the primary purpose of hearing submissions.
- 2.21. "Reconsider" means to bring forward for consideration of Council a motion that has already been brought before, and voted upon by Council, earlier in that same meeting.
- 2.22. "Refer" means to send a motion made but not voted upon or agenda item to a Council committee or the administration for investigation and report.
- 2.23. "Quorum" means the number of Members to be present at a Meeting to legally conduct business at the Meeting.

3. APPLICATION AND INTERPRETATION

- 3.1. This bylaw shall apply to all Meetings of Council, Council Committees, and Committee of the Whole.
 - OR delete Council Committee from section 3.1 and add the following:
- 3.2. Council may make this Bylaw applicable to other Council Committees completely or in part.
- 3.3. To the extent that a matter or definition is not dealt with within the Act or this Bylaw, Council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.4. The precedence of rules governing the procedures of Council is:
 - a) the Act;
 - b) other federal or provincial legislation;
 - c) this Bylaw; and
 - d) the current edition of Robert's Rules of Order Newly Revised.

Suspension of Rules

3.5. With the exception of the procedures respecting Public Hearings, Council may temporarily waive or vary all or part of the provisions of this Bylaw for a Meeting or a portion of a Meeting, if the Council Members present vote unanimously to do so.

Non-Suspendable Rules

3.6. Provisions of this Bylaw which contain a reference in square brackets, for example: [M.G.A. s.120], originate in the *Municipal Government Act* or other governing legislation and these provisions may not be altered or suspended.

4. **SEVERABILITY**

4.1. If any section in this bylaw is found by a court of competent jurisdiction to be invalid, it shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.



LEGISLATIVE COMMITTEE MOTION ACTION LIST

SHORT TITLE	REQUESTED (DATE)	RESPONSIBLE (WHO)	COUNCIL MOTION (DESCRIPTION)	TARGET (DATE)	STATUS
Procedure Bylaw	November 1, 2022	Director of Protective & Legislative	That Committee direct Administration to draft a revision to Bylaw #190, using the Banff, Grande Prairie, and Strathcona County examples as a model and present at a future legislative committee meeting.	August 29, 2023	
Procedure Bylaw	December 6, 2022	Director of Protective & Legislative	That the Legislative Committee direct Administration to draft the appropriate amendments to the Procedure Bylaw to incorporate electronic meetings requirements as per the Municipal Government Act.	August 29, 2023	Draft obtained from contractor, in-house edits now taking place
Mission Statement Policy and Respect & Dignity Policy	July 18, 2023	Director of Protective & Legislative	That Legislative Committee direct Administration to advance the revised Mission Statement Policy and the revised Respect and Dignity Policy to the next Committee of the Whole meeting.	August 8, 2023	Recommended to be removed; Approved at August 15 th Regular Meeting
Jasper Municipal Leasehold Assets Society	August 8, 2023	x	That Committee refer to the Legislative Committee a request to consider the possibility of dissolution of the Jasper Municipal Leasehold Assets Society including the legal, political, and financial implications of such dissolution.	х	Motion from COTW