

**AMENDED BYLAW NO. 2021-03****A BYLAW TO ESTABLISH RULES AND PROCEDURES FOR CONDUCTING ORDERLY COUNCIL MEETINGS  
FOR IMPROVEMENT DISTRICT NO. 9.**

**WHEREAS**, it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings and to establish Council Committees;

**AND WHEREAS**, in accordance with Section 145 of the Municipal Government Act, Council may pass bylaws in relation to the procedure and conduct of Council, Council Committees and other bodies established by Council;

**NOW THEREFORE**, under the authority of the Municipal Government Act, the Council of Improvement District No. 9, in the Province of Alberta, enacts as follows:

1. Citation
  - a. This Bylaw may be known as the "Procedural Bylaw".
2. Definitions
  - a. In this Bylaw, unless the context otherwise requires:
    - i. "Chief Administrative Officer" (CAO) means the Chief Administrative Officer for Improvement District No. 9, within the meaning of the Municipal Government Act
    - ii. "Council" means the Advisory Board for Improvement District No. 9, consisting of five (5) Councillors including the Chair, each of whom has the title "Councillor"
    - iii. "Councillor" means a Councillor of Council duly appointed and continuing to hold office
    - iv. "ID9" means the Improvement District 9 of Banff National Park.
    - v. "Municipal Government Act" (MGA) means the Municipal Government Act, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto.

**ORGANIZATION OF COUNCIL AND ESTABLISHMENT OF COMMITTEES**

3. Presiding at Council
  - a. The Chair, when present, presides as Chair over all meetings of Council.
  - b. If the Chair is absent from a meeting of Council, the Vice Chair shall preside.
4. Committee Establishment
  - a. By this Bylaw, Council establishes the following committees:
    - i. Truth & Reconciliation Committee
      1. Council must appoint the Members of the Truth & Reconciliation Committee annually at its Organizational meeting.
      2. Membership in the Truth & Reconciliation Committee is as follows:
        - a. 5 Councillors, 1 Member at Large (when applicable)
      3. The Chair is elected at first meeting after appointment of Members.
    - ii. ID9 Stakeholder Advisory Committee
      1. Council must appoint the Members of the Advisory Committee annually at its Organizational meeting.
      2. Membership in the Advisory Committee is as follows:
        - a. 6 Ratepayer Representatives, 3 Agency Representatives, and 3 Councillors

3. The Chair is elected at first meeting after appointment of Members.

## **COUNCIL MEETINGS**

5. Scheduling of Meetings
  - a. Council and Council Committee Meeting Scheduling by Council Calendar
    - i. Annually at the Organizational Meeting of Council, Council will adopt a schedule of meetings for the subsequent year (a Council Calendar).
    - ii. All Councillors must be present at the meeting when a Council Calendar is adopted.
    - iii. Notice for meetings scheduled in a Council Calendar which has been adopted by Council need not be given.
  - b. Additions or Changes to Meetings Scheduled on the Council Calendar
    - i. Council and Council Committee meeting dates and changes thereto, must be determined with input from the CAO, to minimize conflict between meetings and to ensure proper notification of the public.
    - ii. Council and Council Committees may cancel or revise their respective meetings, or schedule additional meeting dates or times as required, by a vote of the body, in consultation with the CAO. The CAO must provide notice of the changes or additions.
    - iii. A scheduled meeting may be cancelled by the Chair in consultation with the CAO, if the deadline for agenda submissions has passed, and there is no time-sensitive business to bring to that meeting.
    - iv. The Chair may call a special meeting at any time in accordance with the Municipal Government Act.
6. Location of Meetings
  - a. Meetings of Council should be determined at the Organizational Meeting of Council.
  - b. Council may by resolution change the location of a Council meeting, with consideration to the following:
    - i. the location should not be outside the municipal limits; and
    - ii. the location must have public access, free from admission charge.
7. Providing Notice of Meetings
  - a. Except for meetings scheduled on the adopted Council Calendar, the CAO must notify Councillors and the public as soon as possible, and no less than 24 hours in advance, when meetings are scheduled, re-scheduled, postponed, or canceled. Notice is deemed to be given by notifying Councillors and updating The ID's website.

## **ROLES & RESPONSIBILITIES**

8. The Chair
  - a. Role of the Chair
    - i. The Chair must:
      1. maintain order and decorum in a manner which promotes fairness and forward progress;
      2. keep a sequence of speakers and recognize Councillors, Administration, advisors or citizens to speak at the appropriate segments of the agenda;
      3. make rulings on Points of Order or Questions of Privilege;
      4. ensure that Councillors understand the motion before them;
      5. subsequently call the vote;
      6. perform such other leadership functions as may be required for the efficient and effective conduct of the meeting; and
      7. at a Closed Meeting, ensure that only the matters that are approved to be discussed at the Closed Meeting are discussed.
  - b. Rights of the Chair
    - i. The Chair:

1. when present at a meeting, must vote only once on all items, unless required or permitted to abstain from voting.
  2. is not required to vacate the Chair in order to join in the debate so long as the Chair participates on the same basis as all other Councillors; and
  3. must vacate the chair in order to make a motion, and must remain out of the chair until the item, including any associated bylaw readings, has been concluded.
- c. Enforcement of Rules by the Chair
- i. The Chair must enforce the rules of this Bylaw. When the Chair interrupts a Councillor in order to enforce the rules, the Councillor must stop speaking and wait for the Chair to explain the reason for the interruption, and to cite the rule which has been breached.
  - ii. After being called to order, a Councillor may appeal the ruling of the Chair.
  - iii. If the Chair's ruling is upheld, and a Councillor persists in breaching the rules of this Bylaw, the Chair may call for a recess or, in extreme cases, invite a motion that the individual be removed either:
    1. for the balance of the meeting;
    2. until a time stated in the motion; or
    3. until the Councillor makes an apology acceptable to the meeting for the unruly behavior.
  - iv. If the motion to remove a Councillor passes, the Chair must direct the Councillor to leave, and may request enforcement if required.
9. Councillors and Council Committees
- a. Conduct of Councillors
- i. In order to ensure a respectful meeting environment, Councillors must abide by all applicable administrative and Council policies related to conduct.
  - ii. Councillors must keep their comments relevant to the issue at hand.
  - iii. Questions by Councillors to other Councillors, to Administration or to Councillors of the public, must be directed through the Chair. Councillors must abide by the Chair's directions and rulings, except when a Chair's ruling is appealed and reversed.
- b. Participation by Councillors
- i. A Councillor who wishes to speak or make a motion at a meeting shall do so only after being recognized by the Chair. Recognition must ordinarily be on a first-come-first served basis.
  - ii. A Councillor must not interrupt another person who was duly recognized to speak, except on a Point of Order (pointing to a violation of a specific rule) or a Question of Privilege (pointing to an issue that affects the comfort of Councillors, such as noises, uncomfortable room temperature, and other distractions).
  - iii. When the voting process commences, Councillors must cease any distractions from the question until the vote is taken and declared.
- c. Enforcement of Rules by Councillors
- i. All Councillors have the responsibility for ensuring that the rules of this Bylaw are adhered to. A Councillor may raise a Point of Order upon noticing a breach of Council's rules, but this must not be done frivolously or when the breach of the rules is minor and causes no discernible harm to the proper transaction of business.
10. Remote Participation
- a. A Councillor may participate in Council or Council Committee meetings remotely, as permitted by the MGA.
11. Members of the Public
- a. Conduct of Members of the Public
- i. In order to ensure a safe and respectful meeting environment, those seated in the public gallery or participating remotely at Council meetings must:
    1. not spontaneously applaud, display signs, or engage in any behavior which may be disruptive, disrespectful or intimidating to others.
- b. Participation by Members of the Public
- i. When making a submission to Council or to a Council Committee, a member of the public must:

1. speak only when called by the Chair;
  2. abide by the rules of conduct as outlined and abide by the Chair's direction regarding participation;
  3. limit their comments to the matter contained in the report and the recommendations being discussed;
  4. address Council for a maximum of five minutes per person, representative or group, unless the Chair allows a group to make their presentations one after the other without interruption; and
  5. not engage in argument with Council.
- c. Individuals may, with the consent of the Chair, provide presentation material, to be included in the Corporate Record for the meeting. Noting Council's expectation of respectful meeting proceedings, Council may move to exclude from the Corporate Record any written submission deemed to be offensive, whether or not the submission is deemed to be of legal concern.
  - d. The Chair may order that a member of the public, who disturbs or acts improperly at a meeting by words or actions, be expelled.
12. Administration
- a. Participation
    - i. The CAO (or their designate) must attend all meetings of Council and Council Committees, and is the parliamentary advisor for meetings of Council and Council Committees for the purpose of providing procedural, policy and administrative advice to the Chair.
    - ii. The CAO must:
      1. inform the Chair when Council's or a Council Committee's discussion goes beyond the subject matter of the report or item before it; and
      2. maintain any confidential items, reports or documents.

## **AGENDAS & ORDER OF BUSINESS**

13. Agendas
- a. Agenda Setting
    - i. The items on the agenda for a meeting of Council must be set by the CAO 7 calendar days prior to the meeting, unless the meeting was called with less notice than one week. In those cases, the agenda must be set as soon as possible after the notice of meeting is issued.
    - ii. For Regular meetings of Council excluding Public Hearing meetings, the Chair may defer Officer of Council reports, Administration reports and Committee reports until the next meeting. If Council has directed by resolution that a report is to be provided to Council by a specific date, the Chair must not defer such a report beyond the specified deferral date.
    - iii. If a report is to be deferred in accordance with subsection (2), the CAO must be notified by the Chair in writing of the deferral no later than 24 hours after the deadline for setting the agenda.
    - iv. Items placed on Council and Council Committee agendas must ordinarily follow the Order of Business as listed below.
  - b. Agenda Submission Deadlines
    - i. Submissions from Members of Council, Administration, Council Committees and Officers of Council for inclusion in a Council or Council Committee agenda must be submitted to the CAO no later than 12:00 p.m. (noon), two weeks before the meeting. Submissions received after the deadline may be placed on the next agenda of the respective body for which the submission deadline has not passed. Submissions must contain enough information to the CAO is able to prepare an Issue Brief. The individual submitting the request, must be available for follow up in the days following the submission deadline.
    - ii. When the date for receipt of submissions falls on a statutory holiday, the date for receipt shall be the next business day.
  - c. Communications from Public
    - i. Written submissions from the public in response to advertised public hearing matters must be received no later than 12:00 p.m. (noon), two weeks before the meeting. Submissions must be

in a form which can be reproduced in the written record of the meeting and may be transmitted to the CAO in accordance with methods listed in the advertisement for the public hearing. No written submissions from the public shall be accepted by the CAO after the deadline but should a member of the public attend a public hearing to make a verbal presentation, a written submission may be accepted into the Corporate Record, with the permission of the Chair.

- ii. Public hearing submissions and other communications from members of the public must:
  1. clearly set out the matter at issue or the request;
  2. use respectful language; and
  3. contain the requestor's name and a method of contact.
    - a. A public hearing submission or communication received by the CAO which does not meet these conditions may be withheld and the requestor notified, if notification is possible.
- d. Provision of Agendas
  - i. The CAO must provide copies of Council and Council Committee agendas for each meeting as follows:
    1. delivered electronically to Members and senior Administration as soon as possible after the deadline for submissions to the meeting.
    2. published on The ID's website for the general public and media, at least 24 hours prior to the start of the meeting.
  - ii. The CAO is authorized to distribute confidential agenda materials to Members and senior Administration as appropriate. The CAO must determine when a limited distribution is appropriate for select confidential items, such as for personnel matters, provided the limited distribution does not exclude Members.

#### 14. Order of Business

- a. Standard Order of Business for Council and Council Committees
  - i. Council – Regular meetings
    1. Call to order;
    2. Adoption of agenda;
    3. Adoption of minutes;
    4. Financial Reports
    5. Delegations
    6. Business & Discussion Items
    7. CAO & Committee Reports/Roundtable
    8. Correspondence & Reports
    9. Closed Session Items
    10. Review of Upcoming Meetings
    11. Adjournment.

#### 15. Quorum

- a. Call to Order With Quorum
  - i. At the time set for the start of the meeting, if a quorum is present, the Chair must call the meeting to order.
- b. Meeting Does Not Achieve Quorum
  - i. If a Council or Council Committee meeting does not achieve a quorum 15 minutes after the time set for the start of the meeting, the CAO must record the names of the Councillors present and the meeting shall be adjourned. If the Chair deems that an emergency circumstance could prevent quorum from being achieved within 15 minutes after the time set for the start of the meeting, the Chair may, in consultation with the CAO, recess the meeting to the call of the Chair.
- c. Loss of Quorum During a Meeting
  - i. A Council or Council Committee meeting in progress loses quorum and is deemed to be adjourned when:
    1. following a recess, a quorum is not assembled within 5 minutes following the stated end of such recess; or

2. while in session, the number of Members is reduced to less than the number required for quorum.
  - d. Unfinished Business
    - i. Unfinished Business which was not concluded when a meeting did not achieve quorum, or when quorum was lost, is forwarded as follows:
      1. to the next appropriate meeting of Council or Council Committee, as determined by the CAO;
      2. to a Special meeting of the body, called to dispose of the Unfinished Business.
16. Pecuniary Interest
- a. A Member who has a pecuniary interest in a matter before Council or a Council Committee must:
    - i. disclose the general nature of the pecuniary interest; and
    - ii. leave the meeting before debate if required and return after the vote is declared.
17. Approving the Agenda Order/Changes to a Published Agenda
- a. Once a Council or a Council Committee agenda is set or otherwise published, it is the property of the voting body. Changes or deletions from the published agenda may only be considered at the meeting.
  - b. The agenda and any amendments to it must be confirmed by a majority vote at the start of meetings of Council and Council Committees.
18. Addition of Urgent Business to an Agenda
- a. A Member may make a motion to add urgent business to a Council or Council Committee meeting agenda.
  - b. Adding a matter as urgent business to a published agenda, without notice to the public, must be kept to a minimum, noting Council's preference to be as transparent and as accountable as possible.
  - c. A matter proposed to be added as urgent business must be provided to the Chair in advance of the meeting, in order for the Chair to confirm with Administration whether the item calls for immediate and urgent consideration.
  - d. The Chair must provide a recommendation to Council or the Council Committee on whether the matter is urgent or not, prior to voting on the motion to add the matter as urgent business.
19. Flow of Agenda Items
- a. The flow of each Council and Council Committee agenda item is ordinarily:
    - i. Administration introduction of the item, if required;
    - ii. submissions from the public, if applicable;
    - iii. questions of clarification from Members to Administration.
    - iv. a motion being put on the floor;
    - v. debate (once per Member);
    - vi. mover responds to questions raised in debate; and
    - vii. vote.
20. Closed Meetings
- a. All meetings of Council and Council Committees must be held in public, though a portion of a meeting may be closed to the public.
  - b. The only matters to be considered in Closed Meetings are matters pertaining to one of the exceptions to disclosure applicable acts.
  - c. Before holding a Closed Meeting, Council or a Council Committee must, in a meeting held in public, adopt a motion to go into a Closed Meeting, and the motion must include:
    - i. the title of each item to be discussed; and
    - ii. the listing of specific section(s) under Part 1, Division 2 of the FOIP Act which provides the legislative authority to discuss the item(s) in a Closed Meeting.
  - d. The following persons may attend a Closed Meeting of Council or of a Council Committee unless Council or the Council Committee directs otherwise:
    - i. members of Administration, as deemed necessary by the CAO; and
    - ii. Council.
  - e. Council or a Council Committee, prior to going into a Closed Meeting, may by resolution authorize persons, other than members of Administration and Council, to attend specific items that will be

discussed at the Closed Meeting. The names of the proposed participants must be recorded in the Minutes.

- f. Council or a Council Committee when holding a Closed Meeting may at any time direct that a person, other than a Councillor, leave the Closed Meeting.
- g. For all confidential items, Administration must recommend a date by which the item should be reviewed for consideration of public release.
- h. Where Council has directed that a confidential item be reviewed by a specific date, Council may subsequently change that date and such a change does not require a reconsideration.
- i. The rules of Council and Council Committees apply to closed meetings.
- j. Council or a Council Committee must not vote in a Closed Meeting except on a resolution to recess or to revert to a meeting held in public.

## **BYLAWS**

### 21. Bylaws

- a. Bylaw Readings
  - i. A bylaw is passed after it receives three readings and is signed.
  - ii. Before first reading, Council may debate the substance of the proposed bylaw
  - iii. After first reading and before second reading is given, Council may propose and consider amendments to the bylaw.
  - iv. When all amendments have been accepted or rejected, a vote on second reading of the bylaw as amended must be called.
- b. Authorization for Three Readings at One Meeting
  - i. A proposed bylaw must not be given more than two readings at the same meeting, except with the unanimous vote of all Council Members present at the meeting.
  - ii. If a vote on authorization for third reading is not adopted unanimously, the CAO must place the proposed bylaw on the agenda of the next Council meeting for which the submission deadline has not passed, for third reading.
- c. No Readings or Failure of a Reading
  - i. If a reading of a proposed bylaw fails, the previous readings, if any, are rescinded
  - ii. If a proposed bylaw does not receive third reading within two years from the date of the first reading, the previous readings are rescinded and the proposed bylaw is deemed to have been abandoned.
  - iii. If a proposed bylaw has not received any readings within two years from the date that it is first presented to Council, the proposed bylaw is deemed to have been abandoned.
  - iv. The defeat of a proposed bylaw will not preclude the introduction of another proposed bylaw with similar terms and effect.

## **MOTIONS**

### 22. Motions in Meetings

- a. All efforts must be made to ensure that recommendations and proposed resolutions which come before Council or Council Committees are concise, unambiguous and do not compete with previously adopted direction.
- b. The input of Administration must always be incorporated into motions, so as to ensure that any legal, financial and operational impacts are professionally addressed.
- c. The mover cannot withdraw a motion except by general consent or by majority vote.
- d. Upon consultation with the CAO, the Chair may rule that a motion is out of order if it violates the MGA, this Procedure Bylaw, or any other applicable legislation, rules or policies.
  - i. When ruling that the motion is out of order, the Chair must cite the provision that would be violated by the motion.
- e. When the Chair believes there has been sufficient debate, the Chair may seek to close debate on a motion.

### 23. Friendly Amendment

- a. The Councillor making a motion, after debate on a main motion has begun, may, with general consent, make minor changes to the wording or agree to a minor change proposed by another Councillor.
24. Debate on Motions
- a. No Councillor may debate twice on a motion, however the Councillor who moved the main motion may respond to questions raised during debate after all other Councillors have been given an opportunity to speak.
  - b. Questions During Debate
    - i. While Administration should provide their best professional judgment on issues, Councillors may not engage in debate with or ask argumentative questions of Administration.
25. Voting
- a. Requirements to Vote
    - i. Every Councillor present at a meeting of Council or a Council Committee must vote on every matter put to a vote, unless the Councillor declares a Pecuniary Interest, or has abstained from voting on a matter due to absence from the public hearing
  - b. Voting Style
    - i. Voting at Council and Council Committee meetings shall be captured by the raising of hands.
    - ii. A vote is not final until the Chair announces the result of the vote.
  - c. Vote Result
    - i. A motion shall be declared lost when it:
      - 1. does not receive the required number of votes; or
      - 2. receives a tie vote.
  - d. Changing a Vote
    - i. Should a Councillor request to change their vote, and the requested change does not alter the vote result, the request may be granted by general consent or by a majority vote, whether the requestor voted for or against the motion. If the requested change would alter the vote result, the Councillor may move to reconsider the original vote.
  - e. Division of a Recommendation
    - i. A Councillor may request or the Chair may direct that a recommendation be divided and called separately, but only if the divided parts can stand on their own.

## **SPECIAL PROCEDURES**

26. Council's Organizational Meeting
- a. The business of Council's annual Organizational meeting is limited to:
    - i. administering the oath of office and the introduction of Members at the first Organizational meeting following an Appointment;
    - ii. appointment of elected officials, public Members and Administration Members to Committees; and
    - iii. other business as directed by this Bylaw, Council or the CAO.
  - b. The Organizational meeting will take place before the October Regular Meeting, unless it is an Appointment year, at which time the Organizational meeting will take place at the Council Meeting following the Appointments.
27. Oath of Office
- a. At the organizational meeting following Appointments, the CAO must:
    - i. take the Chair;
    - ii. call the meeting to order; and
    - iii. preside over the meeting until the oath as prescribed by the Oaths of Office Act, has been administered to the Councillors.
  - b. After Council has taken the oath, they will vote on the Chair & Vice Chair appointments and those roles will take their new oaths.
  - c. After this Oath, the Chair will assume the Chair

## RECORDS OF COUNCIL & COMMITTEES

### 28. Agendas

- a. Council and Council Committee agendas and all bylaws and other materials published as a part of an agenda are retained by the CAO in the permanent Corporate Record.

### 29. Minutes

- a. The minutes of a Council or a Council Committee meeting, once adopted, must be signed by the Chair and by the CAO.
- b. The CAO must maintain custody of the minutes of every Council and Council Committee meeting, and distribute a copy to each Member in a subsequent agenda for confirmation.
- c. The minutes of every Council and Council Committee meeting must record:
  - i. the decisions of Council and Council Committees;
  - ii. the names of the Members who voted for and against a motion;
  - iii. the name and general nature of a Pecuniary Interest declared by a Member (as defined in section 170 of the MGA);
  - iv. the name, titles and a summary of the presentation of any and all delegations;
  - v. the distribution of additional material received at Council and Council Committee meetings, to form part of the Corporate Record;
  - vi. the sections of the FOIP Act that apply to an item being discussed in a closed meeting and, if the decision of the Members is for the report to remain confidential, then the minutes must record a date when the report will be reviewed for potential release as public.
- d. Corrections to Minutes
  - i. A Member may make a motion that the minutes be amended to correct an inaccuracy or omission. The Member must notify the CAO of the proposed correction as soon as is possible prior to the meeting at which they are confirmed, to allow the CAO:
    1. to review the inaccuracy or omission; and
    2. to prepare a revision to be distributed at the meeting if required.
  - ii. Typographical errors should also be reported to the CAO in advance of the meeting, but do not require a motion to amend.
  - iii. Only minor changes may be made to correct errors in grammar, spelling, and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change must be allowed which would alter or affect, in a material way, the actual decision made by Council.

### 30. Bylaws as a Corporate Record

- a. Following Third Reading of a Bylaw
  - i. A bylaw, having received third reading, must be signed by the Chair, and the CAO.

Bylaw 2015-03 is hereby rescinded.

This bylaw shall take effect upon approval of the Minister of Alberta Municipal Affairs.

READ A FIRST TIME this 14th day of December 2021.

READ A SECOND TIME this 14th day of December 2021.

READ A THIRD TIME AND PASSED this 11<sup>th</sup> day of January, 2022.

AMENDED A FIRST TIME this 19<sup>th</sup> day of May, 2026.

AMENDED A SECOND TIME this 16<sup>th</sup> day of June, 2026.

AMENDED A THIRD TIME AND PASSED this 16<sup>th</sup> day of June, 2026.

  
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Chairperson

  
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Chief Administrative Officer