

TOWN OF OLDS BYLAW 2019-06

A BYLAW OF THE TOWN OF OLDS IN THE PROVINCE OF ALBERTA, REGARDING THE PROCEDURE AND CONDUCT OF COUNCIL and COUNCIL COMMITTEES and OTHER BODIES ESTABLISHED BY COUNCIL.

WHEREAS: a council may pass bylaws in relation to the procedure and conduct of Council, council committees and other bodies established by the Council, the conduct of Council and the conduct of members of council committees and other bodies established by Council;

AND WHEREAS: to provide a standard, familiar format for council meetings and to make it clear for members of council, staff, the media and the public to understand the decision making process;

NOW THEREFORE: Council of the Town of Olds, in the Province of Alberta, hereby enacts as follows:

TITLE:

This Bylaw may be cited as the "Procedure Bylaw Amendment".

GENERAL:

Bylaw 2014-18, Procedural Bylaw is hereby amended as follows:

Delete the following section:

MEETINGS – In-Camera:

1. When it would be unfair to the people involved to have an issue discussed in public, Council can meet in-camera to discuss the matter. Resolutions or bylaws cannot be passed while in-camera. Any decision must be made at a meeting open to the public.

2. Councillors are to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public.

Add replace with the following section:

MEETINGS – CLOSED:

1. All meeting of Council and Council Committees must be held in public, though a portion of a meeting may be closed to the public.

{MGA, s 197}

2. Councils and Council Committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act*.

{MGA, s197(2)}

3. Before holding a *closed meeting*, Council or a Council Committee must adopt a motion in a public meeting, and the motion must include:

- a. A listing of the specific section(s) under Part 1, Division 2 *Exceptions to Disclosure of the FOIP Act*, which provides the legislative authority to discuss the matters in a *closed meeting*;
Section 16 Disclosure harmful to business interests of a third party
Section 17 Disclosure harmful to personal privacy
Section 18 Disclosure harmful to individual or public safety
Section 19 Confidential evaluations
Section 20 Disclosure harmful to law enforcement
Section 21 Disclosure harmful to intergovernmental relations
Section 22 Cabinet and Treasury Board confidences
Section 23 Local public body confidences
Section 24 Advice from officials
Section 25 Disclosure harmful to economic and other interests of a public body
Section 26 Testing procedures, tests and audits
Section 27 Privileged information
Section 28 Disclosure harmful to the conservation of heritage sites, etc.
Section 29 Information that is or will be available to the public
 - b. the time of day motion is being made; and
 - c. the attendees who will remain in the *closed meeting*;
 - d. a resolution to return to the open meeting.
4. No bylaw or motion will be passed at a *closed meeting*. If an item being considered at a *closed meeting* requires a decision by Council, after returning to the open Council meeting, Council may pass a resolution embodying its decision.
 5. Council or a Council Committee must call a ten (10) Minute meeting recess to allow return of the public. Council will advise the public the time the public meeting will reconvene by way of the Town's website/social media.
 6. There is no requirement to take notes or minutes during closed sessions. If notes have been prepared, they may be requested as part of a FOIP request. The municipality has the discretion to refuse to disclose these notes under section 23 of the FOIP Act, local public body confidences.

This Bylaw comes into force on the date it is passed.

Read for a first time on the 25th day of March, 2019.

Read a second time on the 25th day of March, 2019.

Presented for unanimous consent for third reading this 25th day of March, 2019.

Read a third and final time on the 25th day of March, 2019.



Michael Muzychka, Mayor

Michael Merritt, Chief Administrative Officer

Signed by the Mayor and Chief Administrative Officer this 28th day of March, 2019.