

**TOWN OF OYEN
BY-LAW NUMBER # 933-25**

**A BY-LAW FOR CONDUCTING MEETINGS, INCLUDING PUBLIC HEARINGS BY
ELECTRONIC MEANS**

WHEREAS, section 587 of the Municipal Government Act, RSA 2000, C M-26 permits the Minister to do by order anything in respect of an improvement district that a council of a municipality may do under this or another enactment;

AND WHEREAS, section 199 (5) of the Municipal Government Act permits the Minister to make regulations authorizing and respecting the use of electronic, telephonic or other communications methods to conduct meetings of a council or council committee;

AND WHEREAS, pursuant to section 199 of the Municipal Government Act, a council must provide for public hearings under Part 17 to be conducted by electronic means;

AND WHEREAS, pursuant to section 199 (3) of the Municipal Government Act, a council must specify the type or types of electronic means by which meetings are authorized to be held, required the identity of each councillor attending the meeting to be confirmed;

AND WHEREAS, pursuant to section 199 (3) (c) of the Municipal Government Act, a council must provide a method by which members of the public may access the meeting and make submissions, and must make information required in respect of the meeting be made public available before and during the meeting, and must give public notice of the meeting and the method by which the public may access the meeting and relevant information;

AND WHEREAS, section 216.4(3) of the Municipal Government Act permits a council to establish procedures for public hearing;

NOW, THEREFORE, the Town of Oyen, duly assembled, enacts as follows:

SHORT TITLE

1. This Bylaw may be referred to as the Meetings by Electronic Means Bylaw.

DEFINITIONS

2. "Chair" means the person authorized to preside over a meeting
3. "Council Member" means an individual member of Town of Oyen Council
4. "Council" means the six Councillors and 1 Mayor elected by the Town of Oyen residents.
5. "Mayor" means the person who has the authority to preside over a public hearing.
6. "Closed to the Public" means in the absence of the public.
7. "Closed Session" refers to a portion of a Public Hearing meeting that has been closed to the public as outlined in section 197 of the Municipal Government Act;
8. "Electronic Means" means an electronic or telephonic communication method that enables all persons attending a meeting to hear and communicate with each other during the course of the meeting;
9. "Member" means a person who has been appointed to a Town of Oyen board or committee

10. “Minutes” are the official record of proceedings of a Council, Committee, Special Meeting, or Public Hearing recorded in the English language without note or comment.
11. “Non-Statutory Public Hearing” means the portion of a Council meeting where members of the public are invited to make submissions to the Council, beyond when it is required by the Municipal Government Act or any other enactment.
12. “Public Hearing” is a meeting of the Council, which is convened to hear representations from members of the public, pursuant to the Municipal Government Act;
13. “Public Notification” means the formal announcement to the public that sets forth the details of a matter related to a public hearing in a method which is in accordance with the Municipal Government Act;

ELECTRONIC PARTICIPATION IN MEETINGS

14. Councillors are expected to participate in meetings in-person unless there is a clear need to participate electronically. Members may participate in an in-person meeting electronically in accordance with this bylaw.
15. Any Member, except for the member presiding over the meeting, may participate in a meeting electronically for personal or family reasons so long as they participate in a location that is free of distractions, secure, and appropriate for participation in the meeting.
 - (1) The Chair cannot electronically preside over in-person meetings and must vacate the position for that meeting if they wish to participate electronically.
16. The Mayor has the authority to end a councillor's electronic participation in a meeting if, in their determination, it is disruptive to the meeting or the location of the member is not secure or appropriate.
17. Councillors must notify the Mayor and Chief Administrative Officer as soon as they are aware of their need to participate in a meeting electronically.
18. Councillors participating in a meeting electronically must have their cameras activated and be visible to the other members of the meeting to be considered present, unless otherwise permitted by the Mayor. Unless otherwise permitted by the Chair, members will be considered absent from the meeting if their cameras are not activated or if they are not visible during the meeting

PROCEDURES OF PUBLIC HEARINGS

19. Public Hearings will be held in accordance with the Municipal Government Act.
20. Public Notification and advertising for Public Hearings will be done in accordance with the Municipal Government Act.
21. The ability to attend a Public Hearing using Electronic Means will be made available to members of the public, Council Members, and Town staff.
22. The specific Electronic Means available to attend the Public Hearing will be included in Public Notification and advertising materials.
23. Individuals who wish to attend the Public Hearing via Electronic Means will be required to pre-register by submitting their contact information and any

presentation materials in a manner outlined in the Public Notification and advertising materials related to the Public Hearing.

24. All participants must identify themselves by name and address.
25. Council will make a reasonable attempt to re-connect any individuals participating in a Public Hearing using Electronic Means; but reserves the right to proceed with the Public Hearing at the Mayor's discretion.
26. During the Public Hearing meeting, all individuals will be requested to mute their microphones until they are granted the opportunity to speak by the Mayor.
27. Any member of the public can participate in a Public Hearing by providing a written submission and by attending the Public Hearing to make verbal submissions which do not duplicate the content of a written submission.
28. Individuals speaking may be asked to state their name and their relevance to the Public Hearing at hand for inclusion in the Minutes. Any individuals speaking on behalf of another person or a group are required to disclose this information at the beginning of their presentation.
30. Persons addressing Council are invited to use power point, slides, maps, videos and written submissions; these materials shall become the property of the Town Council as exhibits to the Public Hearing.
31. The Mayor may exclude submissions from agenda materials if such a submission is deemed to constitute hate speech as defined by the Criminal Code; promotes discrimination against a person or class of person or is likely to expose a person or class of persons to hatred or contempt, in accordance with the Alberta Human Rights Act, RSA 2000, c.A-25.5; or is deemed to be defamatory.
32. Applicants will be given up to ten (10) minutes for their presentation.
33. To hear from all Members of the public, each speaker will be given one (1) opportunity to speak for up to five (5) minutes, not including the time to respond to questions from Council Members. All those who had an opportunity to speak may be given a second opportunity to speak should time permit and at the discretion of the Mayor.
34. Subsequent comments are to present new information and are not permitted to be repetitive of a previous submission.
35. Council Members must be present for a Public Hearing, either in-person or virtually using approved electronic means, in its entirety, in order to be entitled to vote on the matter.
36. The Mayor must close a Public Hearing before a vote may be held concerning the Item.
37. Once a Public Hearing has been closed, no additional information can be presented to Council for consideration related to the matter related to the Public Hearing.
38. Commentary concerning Public Hearings will be contained within the Minutes of the Public Hearing.
39. Minutes of the Public Hearing will be posted on the Town website.

This bylaw shall come into force upon final reading.

Read a first time on the 15th day of April, 2025

Read a second time on the 15th day of April 2025

Read a third time on the 15th day of April 2025.



MAYOR



CAO