

# CITY OF PRINCE ALBERT

# BYLAW NO. 26 OF 2014



## Disclaimer:

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# **OFFICE CONSOLIDATION**

## **PROCEDURE BYLAW**

### **BYLAW NO. 26 OF 2014**

**Including the Following Amendments:**

#### **AMENDMENTS**

Bylaw No. 6 of 2017  
Bylaw No. 11 of 2017  
Bylaw No. 34 of 2018

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# CITY OF PRINCE ALBERT BYLAW NO. 26 OF 2014

A Bylaw of The City of Prince Albert to regulate the proceedings of City Council and Council's Committees

WHEREAS, pursuant to Section 55 of The Cities Act, a Council may pass bylaws in relation to the establishment and functions of Council Committees, and the procedure and conducts of Council and Council Committees;

AND WHEREAS, pursuant to Section 100 of The Cities Act, a Council may delegate its powers or duties to a Council Committee;

AND WHEREAS, The City of Prince Albert desires to establish rules and provisions to regulate the conduct of business in Council meetings and Council Committee meetings and to establish Council Committees;

NOW THEREFORE, THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

## PART I INTERPRETATION

### Short Title

1. This Bylaw may be cited as "The Procedure Bylaw".

### Purpose

2. The purpose of this Bylaw is to establish rules to follow in governing the City and to establish Council Committees.

## Definitions

3. (1) In this Bylaw:
- (a) “Act” means The Cities Act.
  - (b) “Acting Mayor” means the Councillor elected by Council to act as the Mayor if a vacancy arises in that office.
  - (c) “Adjourn” means to suspend proceedings to another time or place.
  - (d) “Administration” means the City Manager or an employee accountable to the City Manager.
  - (e) “Advisory Committee” means a Committee established with a prescribed mandate approved by resolution of Council and are expected to provide periodic reports to Council presenting advice and/or recommendations on matters under consideration.
  - (f) “Agenda Review Working Group” means the City Clerk, City Manager, Mayor, Deputy Mayor and Communications Manager sitting as a group to review and disseminate items referred to City Council to the appropriate body or department for consideration.
  - (g) “Amendment” means an alteration to a main motion by substituting, adding or deleting a word or words without materially altering the basic intent of the motion.
  - (h) “Chair” means a person who has the authority to preside over a meeting.
  - (i) “City” means The City of Prince Albert.
  - (j) “City Manager” means the person appointed as the administrative head of The City of Prince Albert pursuant to Section 84 of The Cities Act;
  - (k) “Clerk” means the person appointed as City Clerk pursuant to Section 85 of The Cities Act.
  - (l) “Committee” means a Committee, Board, Authority or other body duly appointed by Council.

- (m) “Communications” include, but is not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, newspaper/magazine article.
- (n) “Consent Agenda” means a portion of a meeting that lists items of business which are routine in nature and do not require substantial discussion and/or debate.
- (o) “Consent Motion” means a motion to adopt, without debate, the recommendations of several reports within a Consent Agenda.
- (p) “Council” means the Mayor and Councillors of the City elected pursuant to the provisions of The Local Government Election Act
- (q) “Councillor” means the Council member duly elected in the City as a Councillor, in accordance with The Local Government Election Act.
- (r) “Deputy Mayor” means the Councillor who is appointed by Council, pursuant to Section 38 of this Bylaw, to act as Mayor in the absence or incapacity of the Mayor.
- (s) “Inquiry” means a request in writing made by a Council member at a Council meeting for information typically related to an operational matter.
- (t) “Main Committee” means a committee established by Council pursuant to this Bylaw, comprised of all members of Council.
- (u) “Mayor” means the Council member duly elected in the City of Prince Albert as the Mayor in accordance with The Local Government Election Act.
- (v) “Member” means the Mayor, Councillor or an appointed individual to a Committee, Commission or Board of Council.
- (w) “Motion” means a formal proposal placed before a meeting in order that it may be debated to a conclusion.
- (x) “Motion to Receive and File” means a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration, and of having the item,



report, or recommendation placed in the records of the City Clerk for future reference, with no additional action being taken at the present time.

- (y) “Mover” means a person who presents or proposes a motion or amendment.
- (z) “Order of Business” means the list of items comprising the Agenda and the order in which those items appear on the Agenda.
- (aa) “Point of Order” means the raising of a question by a member in a meeting claiming that the procedures of the meeting or of an individual Council member are contrary to the procedural rules or practices.
- (bb) “Point of Privilege” is the raising of a matter by a member:
  - (i) which occurs while the Council is in session, where:
    - (a) the rights, privileges, decorum or dignity of the Council collectively or the rights and privileges of a member individually have been affected,
    - (b) when a member believes that another member has spoken disrespectfully toward them or the Council, or
    - (c) when a member believes their comments have been misunderstood or misinterpreted by another member or members; or
  - (ii) when a member believes that comments made by the member outside the Council Chamber have been misinterpreted or misunderstood by the Community, the public or the news media in order to clarify his or her position.
- (cc) “Point of Procedure” means a question directed to the person presiding at a meeting to obtain information on the rules or procedures bearing on the business at hand.

- (dd) “Public Hearing” means a meeting of Council or that portion of a meeting of Council which is convened to hear matters pursuant to:
  - (i) The Cities Act;
  - (ii) The Planning and Development Act;
  - (iii) any other Act; or
  - (iv) a resolution or bylaw of Council.
- (ee) “Quorum” is, subject to Sections 71 and 119 of The Cities Act:
  - (i) in the case of Council, a majority of the whole Council,
  - (ii) in the case of a Committee, a majority of the members appointed to the Committee.
- (ff) “Recess” means an intermission or break within a meeting that does not end the meeting, and after which proceedings are immediately resumed at the point where they were interrupted;
- (gg) “Resolution” means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted meeting or a Special Meeting of Council or a Committee for debate and decision, and is duly passed.
- (hh) “Secunder” means a person who formally supports a motion or amendment at the time it is proposed;
- (ii) “Special Committee” means a Committee appointed by Council at any time to deal with a specific issue(s) and exist for a length of time required to review the issue(s) and make recommendations to Council.
- (jj) “Special Meeting” means a meeting other than a regular scheduled meeting called pursuant to The Cities Act or the provisions of this Bylaw.
- (kk) “Subcommittee” means a group of people delegated by a Committee, Commission or Board to consider, investigate and report on an aspect of the Committee, Commission or Board’s policy areas.

- (ll) “Two thirds (2/3) Vote” means a condition imposed when a vote is taken on an issue, whereby approval is contingent on not less than two-thirds of the votes of members present cast being in the affirmative.
  - (mm) “Unfinished Business” means business which has been raised at the same, or a previous meeting, and which has not been completed.
  - (nn) “Urgent Business” means a time sensitive matter which requires Council’s immediate and urgent consideration.
  - (oo) “Administrative Groups” means a group established by the City Manager consisting of individuals and/or external agencies, organizations or individuals to obtain expertise and/or advice regarding a particular matter within administration’s Work Plan.
  - (pp) Words importing the male persons include female persons and singular references include plural reference.
  - (qq) “Steering Committee” means a group of people delegated by a Committee, Commission or Board to broadly guide a specific project, study or master plan and exist for a length of time until a report on an aspect of the Committee, Commission or Board’s policy areas is forwarded to City Council for consideration.
- (2) A reference in this Bylaw to an enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment as amended from time to time.

*(11/2017, s.1a)*

#### Application

4. (1) This Bylaw applies to all meetings of Council and Committees.
- (2) Notwithstanding Subsection (1), the following Boards and Committees may establish their own procedures:
- (a) Board of Police Commissioners;

- (b) Board of Revision;
  - (c) Development Appeals Board;
  - (d) Property Maintenance Appeal Board; and,
  - (e) any other Board or Committee as determined by resolution or by Bylaw of Council.
- (3) When any matter relating to proceedings arise which is not covered by a provision of this Bylaw, the matter shall be decided by reference to Bourinot's Rules of Order of Parliamentary Procedure.
- (4) In the event of any conflict between the provisions of this Bylaw and those contained in any of the other authorities set out above, the provision of this Bylaw shall apply.
- (5) Subject to Subsection (3), any ruling of the Mayor or Chair shall prevail, subject, however, to the jurisdiction of Council or the Committee to consider any appeals of those rulings.

## PART II MEETINGS

### First Meeting

5. (1) The first Council meeting shall be held on the Monday immediately following a general election.
- (2) At the first Council meeting:
- (a) the Returning Officer shall provide Council with a copy of the declaration of results with respect to the election; and,
  - (b) every Council member shall take the oath of office pursuant to Section 68 of the Act.

## Regular Meetings

6. (1) Regular meetings of Council shall be held each year starting on the fourth Monday of January commencing at 5:00 p.m. and on each third week thereafter, in the Council Chamber of City Hall.
- (2) In the event of any meeting date falling on New Year's Day, Easter Monday, Victoria Day, Canada Day, the first Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day or any day appointed as a holiday by proclamation of the Governor-General of Canada, the Lieutenant Governor of Saskatchewan, or the Mayor, such meetings shall be held at the same time on the next day that City Hall is scheduled to be open for business.
- (3) Annually the Clerk shall submit a regular schedule of Council meetings to Council for approval as set out in Subsections (1) and (2), or may recommend alternate meeting dates.
- (4) Notwithstanding the foregoing provisions, City Council may, by resolution, dispense with or alter the time of a regular meeting of Council.

## Special Meetings

7. (1) The Clerk shall call a special meeting of Council, whenever requested to do so, in writing, by the Mayor or a majority of the members. Such written request shall include all items of business to be transacted.
- (2) When a special meeting is to be held, the Clerk shall provide written notice of the time, date and place of the meeting to all members and the public at least twenty-four (24) hours' prior to the meeting and, in general terms, of the business to be transacted at the meeting, and the notice may be delivered personally, left at the usual place of business or residence or at the request of the member, sent to the member by facsimile or electronic mail at the address specified by the member.

- (3) Notwithstanding Subsection (2), a special meeting may be held with less than twenty-four (24) hours' notice to members, and without notice to the public, if all members agree to do so, in writing, immediately before the beginning of the special meeting.
- (4) No business, other than stated in the notice, shall be transacted at a special meeting, unless all the members are present, in which case, by unanimous consent, any other business may be transacted.

### Meeting through Electronic Means

8. (1) In an emergency, a Council meeting may be conducted by means of a telephonic, electronic or other communication facility if:
  - (a) notice of the Council meeting is given to the public including the way in which the Council meeting is to be conducted;
  - (b) the facilities enable the public to at least listen to the meeting at a place specified in that notice and the Clerk is in attendance at that place; and,
  - (c) the facilities permit all participants to communicate adequately with each other during the Council meeting.
- (2) Members participating in a Council meeting held by means of a communication facility are deemed to be present at the Council meeting.

### Notice of Meetings

9. (1) Notice of regularly scheduled Council meetings is not required to be given.
- (2) (a) If Council changes the date, time or place of a regularly scheduled meeting, at least twenty-four (24) hours' notice of the change will be given to:
  - (i) any members not present at the meeting at which the change was made; and,
  - (ii) the public.

- (b) A Council meeting held solely for the purpose of long-range or strategic planning may be held without notice to the public.

#### Method of Giving Notice

- 10. (1) Notice of a Council meeting is deemed to have been given to a member if the notice is:
  - (a) delivered personally;
  - (b) left at the usual place of business or residence of the member; or,
  - (c) at the request of the member, sent by ordinary mail, telephone or voice mail, facsimile or electronic mail or similar method at the number or to the address specified by the member.
- (2) Notice of a Council meeting is to be given to the public by posting notice of the meeting at City Hall and on The City's website.

#### Actions in Public

- 11. (1) An act or proceeding of Council is not effective unless it is authorized or adopted by bylaw or a resolution at a duly constituted public meeting of Council.
- (2) Every person has the right to be present at Council meetings that are conducted in public unless the person presiding at the Council meeting expels a person for improper conduct.

#### Incamera Meetings

- 12. (1) Council may close all or any part of its meetings to the public if the matter to be discussed is within one of the exemptions of Part III of The Local Authority Freedom of Information and Protection of Privacy Act.
- (2) No bylaws may be passed at an incamera meeting.

- (3) If Council, while meeting incamera, is of the opinion that a particular item should not be considered incamera, Council shall not consider that item, but shall:
  - (a) direct that it be placed on the public agenda of the next Council meeting; or
  - (b) permit the administration to withdraw the matter.

#### Long Range or Strategic Planning Meetings

13. (1) Council may, at the request of the Mayor, meet for the purposes of long-range or strategic planning and such meetings shall be closed to the public.
- (2) No business may be transacted at a meeting referred to in Subsection (1).
- (3) No minutes or record of proceedings shall be kept with respect to a meeting referred to in Subsection (1).

### PART III COUNCIL MEETING PROCEDURES

#### Agendas

14. (1) The Clerk shall prepare the agenda for all regular and special meetings of Council.
- (2) The agenda shall include the order of business, and all items of business and associated reports, bylaws or documents and shall be set out in accordance with the order of business.
- (3) The Clerk shall ensure that the Council agendas are:
  - (a) delivered to each member, the City Manager and the Directors of the City Departments; and,
  - (b) made available to the John M. Cuelenaere Public Library, the news media, subscribers and to the general public on The City's website,



no later than 4:00 p.m. on the Thursday immediately preceding the meeting.

- (4) If, for any reason, the Clerk is unable to meet the deadline mentioned in Subsection (3), the Clerk shall prepare and distribute the agenda as soon as reasonably possible to allow Council members an opportunity to review the agenda prior to the Council meeting.
- (5) All administrative reports submitted for inclusion in a Council agenda must be received by the Clerk no later than 10:30 a.m. on the Wednesday immediately preceding the Council meeting.
- (6) Every communication from the public must be received by the Clerk at, or before 4:45 p.m. on the Tuesday in the week preceding the meeting of Council, at which it is intended to be presented to Council.
- (7) Only the material which has been received by the Clerk by the time set out in Subsections (5) and (6) shall be considered at the meeting for which the agenda is prepared. Council may, on a majority vote, permit additional material on the agenda provided that such additions pertain to the subject matter on the agenda.

#### Urgent Business

15. (1) The administration may request to add a matter to the agenda of a meeting as urgent business after the agenda has been prepared and distributed by the Clerk.
- (2) In these circumstances, the administration shall submit a report to the Clerk including an explanation of the reasons and degree of urgency of the matter as soon as possible.
- (3) The Clerk shall distribute any requests from the administration to add a matter of urgent business to the agenda to the members as soon as they are available.

- (4) During the confirmation of the agenda, a member may move to add a report, communication or delegation to the agenda if the matter arises from an unforeseeable situation of urgency.
- (5) Council may only consider a matter of urgent business by a majority vote of members present.

#### Order of Business at Meetings

16. (1) The general Order of Business of every regular Council meeting shall be as follows:

- Call to Order
- Prayer
- Approval of Agenda
- Adoption of Minutes
- Notice of Proclamations
- Presentations & Recognitions
- Public Hearings
- Delegations
- Communications
- Reports of Administration & Committees
- Unfinished Business
- Mayor & Councillors Forum
- Inquiries
- Inquiry Responses
- Notice of Motion
- Motions
- Public Forum
- Adjournment

- (2) The business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:
  - (a) otherwise determined upon motion passed by a vote of the majority of the members present to approve the agenda and which vote shall be placed without debate; or,
  - (b) the Mayor determines during the proceedings of Council that for public interest a matter be moved forward to be dealt with promptly.
- (3) The Clerk will distribute a consolidated Order of Business prior to each Council meeting listing all order of business and registered delegations.

#### Commencement of Council Meeting

17. (1) At the hour set for the meeting, or as soon as there shall be a quorum present, the Mayor, or in his absence the Deputy Mayor, shall take the Chair and call the members to order.
- (2) In case neither the Mayor nor the Deputy Mayor is in attendance within five (5) minutes after the hour appointed, and subject to a quorum being present, the immediately previous Deputy Mayor shall call the meeting to order and shall preside over the meeting until the arrival of the Mayor or the Deputy Mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- (3) If a quorum is not present fifteen (15) minutes after the time appointed for the meeting, the Clerk shall record the names of the members present at the expiration of such time and announce that Council shall then stand adjourned until the next meeting, unless a Special Meeting is called in the meantime.
- (4) Subject to Sections 71 and 119 of the Act, or any other statutory provision, if at any meeting the number of members is reduced to less than the number required for a quorum, Council shall stand adjourned.
- (5) Any unfinished business remaining at the time of the adjournment, due to the loss of the quorum, shall be considered at the next regular meeting, or

it shall be placed on the agenda for a Special Meeting called for the purpose.

- (6) Members are encouraged to notify the Clerk when the member is aware that he/she will be absent from any meeting of Council.

#### Quorum

18. (1) A quorum of Council is a majority of members.
- (2) Any Act or proceeding of Council that is adopted at any Council meeting at which a quorum is not present is invalid.

#### Minutes

19. (1) The Clerk shall record the minutes of each Council meeting without note or comment and shall distribute copies of the minutes to each member at least twenty-four (24) hours' prior to a subsequent Council meeting.
- (2) The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- (3) Any member may make a motion amending the minutes to correct any mistakes.
- (4) The minutes of each meeting are to be approved at the next regular meeting of the Council and signed by the presiding member and the Clerk in accordance with Section 89 of The Act.

#### Proclamations

20. (1) All requests for proclamations shall be submitted to the Mayor for approval, outlining the date to be proclaimed, specific name of day, week or month requested, the reason for the proclamation and information about the group, including contact person and telephone number at least fourteen (14) days prior to the proposed date for the proclamation. However, exceptions may be made in extenuating circumstances.

- (2) Subject to The Saskatchewan Human Rights Code the Mayor may, in his sole discretion, approve the proclamation submitted pursuant to Subsection (1), provided the proclamation does not:
  - (a) promote any commercial business, unless, at the discretion of the Mayor, the Proclamation provides a significant benefit to the community;
  - (b) involve any person or organization which promotes hatred of any person or class of persons or otherwise involves illegal activity; or,
  - (c) contain any inflammatory, obscene or libelous statement.
- (3) The Mayor may:
  - (a) issue the proclamation:
    - (i) in the words and form of the proclamation as submitted; or
    - (ii) in words and form chosen by the Mayor; or
  - (b) forward the proclamation for consideration by Council.
- (4) Once the proclamation has been approved, the proclamation shall be noted on the appropriate Council agenda as information.
- (5) Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests, unless specifically approved by City Council.
- (6) Each organization shall be responsible for any costs and the disseminating of the proclamation to the media and making arrangements for the attendance of the Mayor or Councillors at the specific function or event.
- (7) The local media are requested:
  - (a) not to publish any proclamation claiming to be proclaimed by the Mayor unless it bears his signature; and,
  - (b) when publishing a proclamation by the Mayor, that the proclamation contain only the following:
    - (i) the crest of The City of Prince Albert;
    - (ii) the name of The City of Prince Albert; and,

- (iii) the text of the proclamation.

## Presentations & Recognitions

- 21. (1) Presentations shall be listed on the agenda when authorized by the Mayor and shall be intended to recognize an individual or group on behalf of Council for some award or similar honour which they have received or for a group or individual to present to Council some award or similar honour which The City has been awarded.
- (2) Recognition shall be an opportunity for any member to recognize guests, either individuals or groups, who are in the audience.
- (3) The member who introduces the guest shall be responsible to inform the Clerk with the correct spelling of the names of each individual or group introduced so that their names may be recorded in the official minutes.

## Public Hearing

- 22. (1) If a public hearing is required by any Act it shall be conducted in accordance with the provisions of this section.
- (2) The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:
  - (a) the Mayor shall declare the hearing on the matter open;
  - (b) the administration shall present a report on the bylaw or resolution under consideration including the administration recommendations;
  - (c) if it is a hearing under The Planning and Development Act, 1983, the Municipal Planning Commission may make a presentation with respect to matters, which it has considered and may advise of its recommendation, if any;
  - (d) if it is a hearing under The Planning and Development Act, 1983, the applicant shall be given an opportunity to make representations on the matter under consideration;

- (e) after the applicant, any person or group of persons or spokesperson acting on behalf of another person or group shall be given an opportunity to make representations on the matter under consideration;
  - (f) if it is a hearing under The Planning and Development Act, 1983, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
  - (g) Council may request further information from administration;
  - (h) Council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
  - (i) the Mayor shall declare the hearing closed; and,
  - (j) Council shall then consider the matter and at the conclusion of the deliberations, Council shall vote on the bylaw or resolution in accordance with the procedures contained in this Bylaw.
- (3) The time allowed for each person making representations shall be five (5) minutes.
  - (4) A hearing may be adjourned to a certain date.
  - (5) A member shall abstain from taking part in the debate or voting on the bylaw or resolution, which is the subject of the hearing if the member was absent from any part of the public hearing.

#### Communications - General

- 23. (1) When a person wishes to have a communication considered by Council, it shall be addressed to City Council, and:
  - (a) clearly set out the matter in issue and the request; and
  - (b) (i) for written communications, must be printed, typewritten or legibly written, contain the mailing address of the writer and be signed with the name of the writer; or

- (ii) for electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.
- (2) A communication received by the Clerk, which does not meet the conditions in Subsection (1) or is abusive in nature, shall be forwarded to the Agenda Review Working Group for review and disposition.
- (3) A communication received by the Clerk which contains or relates to personal information shall be dealt with in accordance with the provisions of The Local Authority Freedom of Information and Protection of Privacy Act.
- (4) Bound documents or studies in support of the delegation's notice shall, if sufficient copies are provided by the delegation, be circulated to members, but will not be reproduced.

#### Communications – Matters on Council Agenda

- 24. (1) A written communication pertaining to a matter already on a Council agenda must be received by the Clerk no later than 4:45 p.m. on the Tuesday preceding the Council meeting in order to be included on the Council agenda.
- (2) A written communication received before the deadline referred to in Subsection (1) shall be placed by the Clerk on the Council agenda and shall be dealt with when the matter is considered by Council at its meeting.
- (3) In the event that the communication to the Clerk is received after the 4:45 p.m. deadline, regarding a subject which is on the agenda, the Clerk will bring the request to the attention of Council. The individual will be advised by the Clerk that the communication may not be considered by Council unless the majority of members vote to allow the communication within the motion to approve the agenda.



## Communications – Matters not on Council Agenda

25. (1) Written communications that do not relate to a matter on a Council agenda shall be referred by the Clerk to:
  - (a) in the case of a request for which Council must make a decision, refer the matter to Council;
  - (b) the Executive Committee; or
  - (c) administration.
- (2) A referral pursuant to Subsection (1) shall be made at the discretion of the Clerk, who shall consult with the Agenda Review Working Group, regarding matters to be referred to the Executive Committee or administration.
- (3) If a communication is referred to administration, a copy of the communication and any reply shall be forwarded to members.

## Delegations – Matters on Council Agenda

26. (1) When a person wishes to speak to Council on a matter already on a Council agenda, for which a hearing is not required, that person shall notify the Clerk in writing, which notice shall include the following:
  - (a) the name and correct mailing address of the spokesperson;
  - (b) telephone number where the representative of the delegation can be reached during the day;
  - (c) originally signed, except when submitted by facsimile or e-mail; and,
  - (d) clearly setting out the subject matter to be discussed and the request being made of Council.
- (2) A request to speak to Council pursuant to Subsection (1) must be received by the Clerk no later than 4:45 p.m. on the Tuesday preceding the Council meeting in order to be included on the Council agenda.

- (3) In the event that a delegation makes an application to the Clerk after the 4:45 p.m. deadline, regarding a subject which is on the Agenda, the Clerk will bring the request to the attention of Council. Delegations will be advised by the Clerk that they may not be heard by Council unless the majority of members vote to allow the delegation to speak within the motion to approve the agenda.
- (4) The Clerk shall refer the delegation pursuant to Subsection (1) to the Council meeting dealing with that particular matter, whenever possible.
- (5) Delegations speaking before Council shall address their remarks to the stated business. Delegations will be limited to speaking only once. Rebuttal or cross debate with other delegations shall not be permitted.
- (6) A maximum of five (5) minutes shall be allotted for each delegation to present his/her position of support or opposition. Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views. Delegations are encouraged not to repeat information presented by an earlier delegation. The Mayor shall at the conclusion of the five (5) minutes, inform the delegation that the time limit is up. Only upon a verbal motion to extend the five (5) minute limitation adopted by a majority of members shall the five (5) minute limit be extended.
- (7) Delegations will not be permitted to assume any unused time allocated to another delegation.
- (8) Upon the completion of a presentation to Council by a delegation, any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only. Members shall not enter into debate with the delegation respecting the presentation. Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.

## Delegations – Matters not on Council Agenda

27. (1) When a person wishes to speak to Council on a matter not on a Council agenda, for which a hearing is not required, that person shall notify the Clerk in writing, which notice shall include the following:
  - (a) the name and correct mailing address of the spokesperson;
  - (b) telephone number where the representative of the delegation can be reached during the day;
  - (c) originally signed, except when submitted by facsimile or e-mail; and,
  - (d) clearly setting out the subject matter to be discussed and the request being made of Council.
- (2) A request to speak to Council pursuant to Subsection (1) must be received by the Clerk no later than 4:45 p.m. on the Tuesday preceding the Council meeting in order to be included on the agenda.
- (3) Upon receipt of a notice from a delegation pursuant to Subsection (1), the Clerk may:
  - (a) in the case of requests for which Council must make a decision, refer the matter to Council; or
  - (b) in the case of all other matters, refer the matter to the Executive Committee to hear the person.
- (4) A referral pursuant to Subsection (3) shall be made at the discretion of the Clerk, who shall consult with the Agenda Review Working Group regarding matters to be referred to the Executive Committee.
- (5) When the Clerk refers a delegation's notice the following procedure shall be followed:
  - (a) the brief shall be deemed to be referred to the Executive Committee; and,
  - (b) the delegation shall be advised of the referral of their notice and the time and place of the next Executive Committee meeting and shall

have the right to attend that meeting and to request permission to make a presentation.

- (6) The Clerk, who shall consult with the Agenda Review Working Group, may refuse to accept a request to speak to Council if Council or a Main Committee has, within the six (6) months immediately preceding the request, dealt with the same or substantially the same matter by resolution or bylaw.
- (7) If a request to speak to Council is refused pursuant to Subsection (6), a copy of the request and reply, shall be forwarded to members by the Clerk.

#### Mayor and Councillors Forum

28. (1) Statements shall include the sharing of the following information:
  - (a) events, activities or community functions attended; and,
  - (b) general work of members on behalf of Council colleagues, constituents and the Community.
- (2) All comments will be verbal only and shall not be recorded in the minutes of the meeting.

#### Inquiries

29. (1) A member may make an inquiry at any Council meeting in regards to a general municipal concern.
- (2) Each inquiry shall be specific, brief and in the form of a question and shall be answerable by a brief statement and no preamble or introduction shall be permitted to explain the reason for such inquiry;
- (3) Inquiries shall be provided in writing to the Clerk immediately following the conclusion of the meeting with the exact wording of the inquiry to be entered in the minutes, or the matter shall be excluded from the minutes and further action by administration shall not be required.
- (4) The Clerk shall refer all inquiries to the City Manager's office.

- (5) That where practical, the member may advise the City Manager and respective Department Director the day of the meeting, where the inquiry may be raised, to allow administration an opportunity to investigate the matter and report the details at the meeting where the inquiry is made.
- (6) When the cost to respond to an inquiry, incurred by reason of:
  - (a) the time of City employees which must be taken away from performance of their regular duties or overtime which must be worked;
  - (b) the need to hire additional employees; or
  - (c) the necessity of obtaining and paying for the information required to answer the inquiry,is likely to be more than \$500 and no appropriation has been made for such expenditure in the budget, administration shall report the anticipated cost to Council before undertaking a response to the inquiry.
- (7) When administration has reported pursuant to Subsection (6), Council may, by a majority vote of the members present:
  - (a) direct that administration proceed with the investigation necessary to answer the inquiry; and
  - (b) shall provide for the payment of costs.
- (8) An inquiry is not debatable.
- (9) A member who made an inquiry may instruct administration to abandon an inquiry.

## Inquiry Responses

30. (1) Responses to inquiries shall be brief and factual, and shall not provoke debate.
- (2) All inquiries from a member, unless answered sufficiently by administration at that Council meeting, shall be referred to the City Manager's office, and responses provided electronically to all members.

- (3) The City Manager's office will compile all inquiries together with inquiries submitted by members to the City Manager's office and submit an updated spreadsheet, excluding previously closed inquiries, to each Council meeting for review.

#### Notice of Motion

31. (1) A member wishing to introduce a new matter for consideration by Council shall submit the motion in writing duly signed by the member and setting out the exact motion proposed and the date at which the motion is to be considered by Council to the Clerk.
- (2) A motion introducing a new matter shall not be considered by Council unless:
  - (a) a notice of motion has been submitted in writing to the Clerk at a previous regularly schedule Council meeting; or
  - (b) Council by two-thirds (2/3) vote of all members present waive the requirement for giving notice.

#### Bylaws

32. (1) Every proposed bylaw must have three (3) distinct and separate readings.
- (2) A proposed bylaw must not have more than two (2) readings at a Council meeting unless the members present unanimously agree to consider third reading.
- (3) A proposed bylaw will be considered by Council immediately following consideration of the report or item to which the bylaw relates.
- (4) Only the title or identifying number has to be read at each reading of the bylaw.
- (5) Each member present at the meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed bylaw before the bylaw receives first reading.

- (6) Each member present at the meeting at which third reading is to take place must, before the proposed bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed bylaw and of any amendments that were passed after first reading.
- (7) When a bylaw has been given three (3) readings by Council, it:
  - (a) becomes a municipal enactment of the City; and,
  - (b) is effective immediately unless the bylaw or an applicable Provincial Statute provides otherwise.
- (8) The Clerk shall be empowered to correct any typographical error that may not have been corrected at the time of submission to Council and the bylaw shall have the same status as if Council had corrected same.
- (9) After passage, every bylaw shall be signed by the Mayor and the Clerk, pursuant to Subsection 89(3) of The Act and marked with the Corporate seal of The City.

#### Public Forum

33. (1) Any member of the public wishing to speak to Council on a matter of civic relevance, may appear at a Council each meeting, as long as they pre-register with the Clerk prior to 12:00 noon on the day of the Council meeting so that their name may be placed on a speakers list.
- (2) The total time allowed to speak shall be not more than five (5) minutes per individual or delegation.

#### Recess

34. (1) The Council may recess at any time during the meeting.
- (2) A motion to recess must state the time of duration of the recess, and must be passed by a majority of the members present.
- (3) The Council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than fifteen (15) minutes after the

time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.

### Adjournment

35. (1) All regularly scheduled Council meetings shall stand adjourned when the Council has completed all business as listed on the Order of Business or upon the arrival of 11:00 p.m.
- (2) If a member is speaking at 11:00 p.m., the Mayor shall wait until that person is done speaking before asking Council to consider whether it wants to extend the time of the meeting.
- (3) Any business which remains on the agenda and which has not been dealt with at the time of adjournment shall be deemed to be postponed until the next regularly scheduled Council meeting, or until a special meeting is called for the purpose of dealing with the unfinished items.

### Extension of Time

36. (1) Notwithstanding Section 35, a majority of the members present may extend a regularly scheduled Council meeting beyond 11:00 p.m. by unanimous vote of all members present.
- (2) If Council extends its meeting pursuant to Section 56, the meeting shall continue until:
- (a) the business of the meeting is completed;
  - (b) a motion to adjourn is passed; or,
  - (c) a quorum is no longer present.



PART IV  
CONDUCT AT COUNCIL MEETINGS

Mayor

37. (1) The Mayor shall:
- (a) preside at all Council meetings;
  - (b) preserve order at Council meetings;
  - (c) enforce the rules of Council;
  - (d) decide points of privilege and points of order; and
  - (e) advise on points of procedure.
- (2) The Mayor shall have the same rights and be subject to the same restrictions, when participating in debate, as all other members.
- (3) When wishing to make a motion, the Mayor shall:
- (a) vacate the Chair, and request that the Deputy Mayor take the Chair;
  - (b) if the Deputy Mayor is absent, the immediately previous Deputy Mayor shall take the Chair; and
  - (c) the Mayor shall remain out of the Chair until the motion has been dealt with.

Deputy Mayor

38. (1) The Council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the Councillors a Deputy Mayor who shall hold office for a term of three (3) months or for such longer period as the Council may decide, and in any event until a successor is appointed.
- (2) (a) Councillors shall be appointed alphabetically by last name following each regular municipal election, starting with the Councillor(s) having the most current consecutive terms in office, followed by the

Councillor(s) having the next most current consecutive terms in office, and so on, until all Councillors, including newly elected, have been designated Deputy Mayor, following which the appointments will continue in that order until new Councillors are elected at a subsequent election.

- (b) Notwithstanding the provisions of Subsection (1)(a), Council may by resolution allow one (1) member to change places with another member as Deputy Mayor, but only with the mutual consent of both members, otherwise, the Deputy Mayor appointments must continue in the order as originally designated by Council.
- (3) If the Mayor, for any reason, is unable to perform the duties of his office, the Deputy Mayor shall have all of the powers of the Mayor during the inability.
- (4) If the Deputy Mayor, for any reason, is unable to perform the duties of his office, the member that last acted as Deputy Mayor shall assume those duties during the inability.

*(6/2017, s.1)*

#### Acting Mayor

- 39. (1) When a vacancy arises in the office of the Mayor, Council shall, at its next meeting, appoint a member to act as Mayor.
- (2) The member to be appointed, pursuant to Subsection (1), shall be elected by a majority of the members present.
- (3) Where, on the addition of the ballots, two (2) members have an equal number of votes, the Clerk shall:
  - (a) write the names of those members separately on blank sheets of paper of equal size, colour and texture;
  - (b) fold the sheets in a uniform manner so the names are concealed;
  - (c) deposit them in a receptacle; and,

(d) direct a person to withdraw one (1) of the sheets.

The member whose name is on the sheet withdrawn pursuant to Subsection (3)(d) shall be declared elected.

#### Persons Allowed Within the Bar

40. No person, except members, the City Manager, the Clerk, the Clerk's Recording Secretary, the City Solicitor, other members of administration as authorized by the City Manager and such persons as are permitted by the Mayor shall be allowed to come within the Bar during the sittings of the Council, without permission of the Mayor or other presiding member.

#### Conduct of Public

41. All persons in the public gallery at a Council meeting shall:

- (a) refrain from addressing Council or a member unless permitted to do so;
- (b) maintain quiet and order;
- (c) refrain from disturbing the proceedings by words, gestures or actions including applauding, displaying flags, placards or similar material;
- (d) refrain from talking on cellular telephones; and
- (e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

#### Conduct of Delegations

42. When addressing at a Council meeting, a delegation shall refrain from:

- (a) speaking disrespectfully of the federal government, the provincial government or another municipal council, or any official representing them;

- (b) using offensive words in referring to a member, an employee of the City or a member of the public;
- (c) reflecting on a vote of Council except when moving to rescind or reconsider it, and reflecting on the motives of the members who voted on the motion or the mover of the motion; or
- (d) shouting or using an immoderate tone, profane, vulgar or offensive language.

### Conduct of Members

43. (1) A member wishing to speak at a meeting shall obtain the approval of the Mayor before speaking, and upon approval the member shall stand and address all comments to the Mayor.
- (2) When addressing a Council meeting, a member shall refrain from:
- (a) speaking disrespectfully of the federal government, the provincial government or another municipal council, or any official representing them;
  - (b) using offensive words in referring to a member, an employee of the City or a member of the public;
  - (c) reflecting on a vote of Council except when moving to rescind or reconsider it, and reflecting on the motives of the members who voted on the motion or the mover of the motion; or
  - (d) shouting or using an immoderate tone, profane, vulgar or offensive language.
- (3) When a member is addressing the Mayor, all other members shall:
- (a) remain quiet and seated;
  - (b) refrain from interrupting the speaker, except on a point of order or point of procedure; and
  - (c) refrain from carrying on a private conversation in such a manner that disturbs the speaker.

- (4) Members shall remain seated and be silent once a question is put to vote and until the vote is declared.
- (5) Members shall ensure that all electronic devices remain silent and does not interfere with the meeting.
- (6) Members and administration shall comply with Council's established Policy with respect to dress code and protocol as may be amended from time to time.

#### Improper Conduct

44. (1) The Mayor may request that any person in the public gallery who disturbs the proceedings of Council or acts improperly at a Council meeting, as set out in Section 41, leave or be expelled from the meeting.
- (2) The Mayor may request that any delegation who addresses Council improperly as set out in Section 42, leave or be expelled from the meeting.
- (3) No person shall refuse to leave a Council meeting when requested to do so by the Mayor.
- (4) Any person who refuses to leave when requested to do so may be removed.
- (5) If a person disturbs the proceedings of Council or refuses to leave when requested to do so, the Mayor may recess the meeting until the person leaves or adjourn the meeting to another day.

#### Leaving the Meeting

45. Every member who leaves the Council meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the Clerk.

#### Point of Order

46. (1) A member may rise and ask the Mayor to rule on a point of order.

- (2) When a point of order is raised, the member speaking shall immediately be seated and shall remain seated until the Mayor decides the point of order raised.
- (3) A point of order must be raised immediately at the time the rules of Council are breached.
- (4) The member against whom a point of order is raised may be granted permission by the Mayor to explain.
- (5) The Mayor may consult the Clerk or the City Solicitor before ruling on a point of order.
- (6) A point of order is not subject to amendment or debate.

#### Point of Privilege

47. (1) A member may rise and ask the Mayor to rule on a point of privilege.
- (2) After the member has stated the point of privilege, the Mayor shall rule whether or not the matter raised is a point of privilege.
- (3) If the matter is determined to be a point of privilege, the member who raised the point of privilege shall be permitted to speak to the matter.
- (4) If the point of privilege concerns a situation, circumstance or event which arose between Council meetings, the member shall raise the point of privilege immediately after adoption of the minutes of the previous Council meeting.
- (5) The Mayor may consult the Clerk or the City Solicitor before ruling on a point of privilege.
- (6) A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to Council.

## Point of Procedure

48. (1) Any member may rise and ask the Mayor for an opinion on a point of procedure.
- (2) When a point of procedure is raised, the member speaking shall immediately be seated until the Mayor responds to the inquiry.
- (3) After the member has asked the point of procedure, the Mayor shall provide an opinion on the rules of procedure bearing on the matter before Council.
- (4) The Mayor may consult the Clerk or the City Solicitor before providing an opinion on the point of procedure.
- (5) A point of procedure is not subject to amendment or debate.
- (6) The Mayor's answer to a point of procedure is not a ruling, and cannot be appealed to the whole of Council.

## Appeal

49. (1) Whenever a member wishes to appeal any ruling of the Mayor or a point of order or point of privilege to the whole of Council:
  - (a) the Motion of Appeal, "That the decision of the Chair be overruled" shall be made;
  - (b) the member may offer a brief reason for the challenge;
  - (c) the Mayor may state the reason for the decision; and,
  - (d) following which the question shall be put immediately without debate.
- (2) The Mayor shall be governed by the vote of the majority of the members present.
- (3) A ruling of the Mayor must be appealed immediately after ruling is made or the ruling will be final.

## Calling a Member to Order

50. (1) When the Mayor calls a member to order, the member shall resume his seat, but may afterwards explain his position in making the remark for which he was called to order.
- (2) In the event that a member refuses to resume his seat when called to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, the immediately previous Deputy Mayor to move a resolution to remove the unruly member either:
- (a) for the balance of the meeting,
  - (b) until a time which shall be stated in the motion, or
  - (c) until the member makes an apology acceptable to Council for his unruly behavior,
- whichever shall be the shortest time.
- (3) When the majority of Council votes in favour of the resolution, the Mayor shall direct the unruly member to leave the Council chamber, and if the member refuses to leave, direct that he be removed by any security officer present in the Council Chamber.
- (4) When Council has directed an unruly member to leave the Council Chamber, and the member so directed makes an explanation and apology adequate and satisfactory to the Council, it may, by a majority vote of the remaining members present, allow the offending member to remain in his place if he has not left or been removed, or to retake his place.

## PART V MOTIONS

### Motions and Debate

51. (1) A motion shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.



- (2) A motion shall not be considered unless it has been seconded.
- (3) Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.
- (4) When a motion is under debate no other motion may be made, except a motion to:
  - (a) amend a motion;
  - (b) refer motion to a Council Committee or administration for a report back to Council;
  - (c) postpone a motion to a fixed date;
  - (d) request that a motion be put to a vote;
  - (e) extend the time for a Council meeting; or,
  - (f) adjourn the meeting.
- (4) Notwithstanding any other provisions of this Bylaw, the member, who moved a motion after a motion is under debate, may, with the consent of Council:
  - (a) on his own initiative while he is speaking on the same; or,
  - (b) when requested by another member speaking on the motion; change the wording of the motion, or agree to a change proposed by another member, if the alteration does not change the intention of the motion.
- (5) Any motions allowed under Subsection (4) shall be considered in the order in which they were moved.

#### Motion to Amendments

52. (1) Except as provided in Subsection (12), any motion may be amended to:
  - (a) add words within the motion;
  - (b) delete words within the motion; or
  - (c) change a word or words within the motion.
- (2) The amending motion must be:
  - (a) relevant to the main motion;

- (b) made while the main motion is under consideration; and
  - (c) consistent with the principle embodied in the main motion.
- (3) An amending motion may also be amended.
- (4) A subamendment must be:
  - (a) relevant to the original amendment;
  - (b) made while the original amendment is under consideration; and
  - (c) consistent with the intent of either the original amendment or the main motion.
- (5) Only two (2) amendments to a motion, an amendment and a subamendment, are allowed at the same time. When one or both have been dealt with, a further amendment or subamendment may be entertained.
- (6) There is no limit to the number of amendments or subamendments that may be proposed.
- (7) An amendment may be introduced at any stage before the question is put on the main motion provided there is not more than one amendment and one subamendment before the meeting at one time.
- (8) Any member wishing to move an amendment that is not in order at the time because there are already two amendments before the meeting may state the intention of the proposed amendment, as the proposal may affect the vote on those motions awaiting decision.
- (9) The main motion shall not be debated until all amendments to it have been put to a vote.
- (10) Amendments shall be put in the reverse order to the order in which they were moved.
- (11) When all amendments have been voted on, the main motion incorporating all amendments adopted shall be put to a vote.
- (12) No amendments shall be made to the following motions:
  - (a) a motion to adjourn;
  - (b) a motion to defer to a fixed date, except as to the date;
  - (c) a motion requesting that a motion be put to a vote.

## Dividing a Motion into Parts

53. (1) A member may request or the Mayor may direct that a motion be divided if the motion contains more than one separate and complete recommendation.
- (2) Council shall then vote separately on each recommendation.
- (3) A new motion to add a further recommendation is permitted provided:
- (a) the proposed recommendation is relevant to the original motion;
  - (b) the proposed recommendation does not alter in a significant way the principle embodied in the original motion; and
  - (c) the original motion has been dealt with.

## Motion Arising

54. (1) When a particular matter is before Council, a motion arising on the same matter is permitted provided:
- (a) the proposed motion is related to and rises from the item which has just been considered;
  - (b) the proposed motion does not alter in a significant way the principle embodied in the original motion; and
  - (c) the proposed motion is made before the consideration of any other item of business at the meeting.

## Request that Motion be put to Vote

55. (1) A motion requesting that a motion be put to a vote shall not be moved or seconded by a member who has spoken to the original motion.
- (2) A motion requesting that a motion be put to a vote shall not be amended or debated.

- (3) If a motion requesting that a motion be put to a vote is passed by Council, the original motion shall immediately be put to a vote of Council without any amendment or debate.
- (4) If a motion requesting that a motion be put to a vote is not passed by Council, the original question may be amended or debated.

#### Motion to Extend Time

56. (1) Council may extend a regularly scheduled meeting beyond 11:00 p.m. with unanimous consent of the members present.
- (2) If any person is speaking at 11:00 p.m., the Mayor shall wait until that person is finished speaking before asking Council to consider whether it wants to extend the time of the meeting.

#### Motion to Adjourn

57. (1) A member may move a motion to adjourn a meeting at any time, except when:
  - (a) another member is in possession of the floor;
  - (b) a call for a recorded vote has been made;
  - (c) the members are voting;
  - (d) when Council is considering a motion requesting that a motion be put to a vote; or,
  - (e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- (2) A motion to adjourn shall be decided without debate.

## Consent Agenda

58. (1) The consent agenda portion of a meeting is moved, seconded and voted upon without debate as one item regardless of the number of reports included.
- (2) If a member wishes to debate an item included in the consent motion, a request to remove the item from the consent agenda must be made before the Mayor calls the questions, and the item shall be removed from the consent agenda without further debate or vote. Any items so removed shall be addressed immediately following approval of the consent agenda.
- (3) If an item is removed from the consent agenda pursuant to Subsection (2) a person may address Council on the item.

## Motion to Move Incamera

59. (1) A member may make a motion that a Council meeting move incamera.
- (2) The motion to move incamera must:
- (a) be in accordance with The Local Authority Freedom of Information and Protection of Privacy Act;
  - (b) include the titles or subject of the item(s) to be discussed; and
  - (c) include the reason for the Council meeting to be held incamera.
- (3) No bylaw shall be passed at an incamera meeting.

## Motion to Contrary to Rules

60. The Mayor may refuse to put to Council a motion which is, in the opinion of the Mayor, contrary to the rules and privileges of Council.

## Withdrawal of Motions

61. The mover and seconder of a motion may withdraw it at any time prior to a vote being taken or prior to the motion being amended.

## Motion to Reconsider

62.
  - (1) A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by Council.
  - (2) A motion to reconsider is in order whether the original motion passed or failed.
  - (3) A motion to reconsider may only be made at the same Council meeting as the original motion was voted on.
  - (4) A motion to reconsider must be moved by a member who voted with the prevailing side of the original motion. When a motion loses on a tied vote, the prevailing side is those who voted against the motion.
  - (5) A motion to reconsider may be seconded by any member regardless how the member voted on the original motion.
  - (6) A motion to reconsider is debatable only if the motion being reconsidered is debatable.
  - (7) A motion to reconsider cannot be amended.
  - (8) A motion to reconsider shall require a majority vote of the members present at the meeting.
  - (9) If a motion to reconsider is adopted, the original motion is immediately placed before Council to be reconsidered.
  - (10) Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

## Motion to Rescind

63. (1) A motion to rescind shall apply to resolutions only, and shall not apply to bylaws passed by Council.
- (2) A motion to rescind is in order only when the original motion passed. No motion to rescind shall be necessary when the original motion failed.
- (3) A motion to rescind may be made at any time following the Council meeting at which the original motion was voted on regardless of the time that has elapsed since the original vote was taken.
- (4) A motion to rescind may be moved and seconded by any Council member regardless how they voted on the original motion.
- (5) A motion to rescind is debatable.
- (6) A motion to rescind may be amended.
- (7) Except as provided in Subsection (8), a motion to rescind shall only be made by a notice of motion duly given pursuant to Section 31.
- (8) Council may, by two-thirds (2/3) vote consent of the members present, waive the requirement for notice.
- (9) A motion to rescind shall, in all cases, require a majority vote of all Council members to pass.
- (10) A motion cannot be rescinded:
- (a) when the making or calling up of a motion to reconsider is in order;
  - (b) when action on the motion has been carried out in a way that cannot be undone; or
  - (c) when a resignation has been accepted or actions electing or expelling a person from membership or office have been taken.

## Motion to Postpone

64. (1) Where a majority of all members decide to postpone a motion to a fixed date, the motion cannot be considered by Council until the fixed date.

- (2) Notwithstanding Subsection (1), Council may consider a postponed motion before the fixed date if a majority of members agree that the motion may be considered before that date.
- (3) The only amendment allowed to a motion to postpone to a fixed date is to change the date.

#### Motion to Refer

65. (1) A motion to refer a matter shall not be amended or debated except with respect to the conditions of the referral or the time required to carry out the review.
- (2) A member making a referral motion generally should include in the motion:
  - (a) the terms on which the motion is being referred; and,
  - (b) the time when the matter is to be returned.

#### Debate on Motion

66. (1) Subject to Subsections (4) and (5), no member shall speak more than once to a motion, until each member has been provided an opportunity to speak on the motion, except to explain a material part of their speech which may have been misquoted or misunderstood.
- (2) The mover of the motion shall be given the first opportunity to speak.
- (3) The mover of the motion shall be allowed a reply at the conclusion of the debate.

#### Legal Advice

67. Where a majority of the members present at a Council meeting wish to receive legal advice in private, Council may recess for a period of time sufficient to receive legal advice.



## Voting of Council

68. (1) A member attending a Council meeting shall vote at the meeting on a matter before Council unless the member is required to abstain from voting pursuant to The Act or any other Act.
- (2) If a member is not required to abstain from voting on a matter before Council and abstains from voting, the Council member is deemed to have voted in the negative.
- (3) The Clerk shall ensure that each abstention is recorded in the minutes of the meeting.

## Voting of Mayor

69. The Mayor shall vote with the other members on all questions.

## Majority Decision

70. Unless a greater percentage of votes is required by any provision of this Bylaw, at every Council meeting, all questions are to be decided by a majority vote of the members present.

## Recorded Vote

71. (1) Before a vote is taken by Council, a member may request that the vote be recorded.
- (2) If a vote is recorded, the minutes must show the names of the members present and whether each voted for or against the proposal or abstained.
- (3) Once the result of the vote on the motion has been announced, no member shall change his vote without the unanimous consent of the other members present.

## Tied Vote

72. If there is an equal number of votes for and against a resolution or bylaw, the resolution or bylaw is defeated.

## PART VI COMMITTEES

### Procedure for Appointments

73. (1) Prior to November 1<sup>st</sup> of each year, the Clerk shall invite submissions from the public for appointments to all Council Committees which Council is entitled to make appointments in the ensuing year.
- (2) The Clerk shall provide all applications received and attendance records for the Council Committees to which appointments are to be made to the Mayor who shall present his recommendations to City Council for consideration.
- (3) The Mayor's recommendations for Council Committee appointments shall include recommendation for Chair and Vice-Chair of each Council Committee to which appointments are to be made.
- (4) Confidential applications for appointment are to be made available for review by members of Council in the Mayor's Office prior to the Mayor's recommendations being forwarded to City Council for consideration.

*(11/2017, s.1b)*

### Term

74. (1) (a) Appointments to Committees shall be for a two (2) year term beginning on January 1<sup>st</sup> to December 31<sup>st</sup> of the following year;

- (b) Notwithstanding Subsection (a), in a regular Municipal Election year, the term of appointments shall be reduced to coincide with the day of the Election.
  - (c) Appointees may be reappointed from term to term to a maximum of two (2) terms on one (1) particular Committee.
- (2) A member of any Committee, excluding members of City Council, shall only be appointed to a maximum of two (2) Committees at one (1) time.
  - (3) The Clerk or Committee Secretary shall advise the Mayor and Committee Chair of any members absent for three (3) meetings in a calendar year, and the Mayor may direct the Clerk to forward a warning correspondence to the member. If a member misses four (4) meetings in a calendar year, the Clerk may forward a report to City Council requesting a replacement of the member on recommendation by the Mayor.
  - (4) Council may, in its discretion, revoke the membership of any individual whom has been appointed to a Committee.

*(34/2018, s.1a)*

#### Executive Committee

- 75. (1) The Executive Committee is hereby established as a Main Committee.
- (2) The function of the Executive Committee, including its mandate, policy areas and delegated authority is set out in Schedule "A".
- (3) The Chair of the Executive Committee shall be the Deputy Mayor.
- (4) Regular meetings of the Executive Committee shall be held each year starting on the second Monday of January, commencing at 4:00 p.m. and on each third week thereafter, in the Council Chamber of City Hall.
- (5) In the event of any meeting date falling on New Year's Day, Easter Monday, Victoria Day, Canada Day, the first Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day or any day appointed as a holiday by proclamation of the Governor-General of Canada, the Lieutenant Governor of Saskatchewan, or the

Mayor, such meetings shall be held at the same time on the next day that City Hall is scheduled to be open for business.

- (6) Annually the Clerk shall submit a regular schedule of Executive Committee meetings to Council for approval as set out in Subsections (4) and (5), or may recommend alternate meeting dates.
- (7) Notwithstanding the foregoing provisions, City Council may, by resolution, dispense with or alter the time of a regular meeting of Executive Committee.
- (8) The procedure and conduct of the Executive Committee and its members shall be in accordance with this Part.

#### Budget Committee

76. (1) The Budget Committee is hereby established as a Main Committee.
- (2) The function of the Budget Committee, including its mandate, policy areas and delegated authority is set out in Schedule “B”.
- (3) The Chair of the Budget Committee shall be the Mayor.
- (4) All meetings of the Budget Committee shall be called by the Mayor, or in his absence, the Clerk, whenever requested by a majority of the members.
- (5) The procedure and conduct of the Budget Committee and its members shall be in accordance with this Part.

#### Committee Procedures

77. (1) Council may from time to time establish a Committee in response to specific issues requiring immediate or long term attention.
- (2) The membership and jurisdiction of a Committee shall be as provided for in the enabling legislation or as directed by Council.
- (3) The Mayor is an ex-officio voting member of all Committees established by Council pursuant to the Act, unless Council provides otherwise, and

when in attendance, possesses all of the rights, privileges, powers and duties of other members, whether elected or appointed.

- (4) The Mayor's attendance shall not, however, be included for the purpose of determining a Quorum.
- (5) Advisory Officials shall act only in an advisory capacity to Committees of Council and shall not be considered voting members or have any voting privileges in respect to participation on any Committee appointment.
- (7) All Councillors may attend the meetings of Committees established pursuant to Section 55(a) of the Act, and may take part in the proceedings of the same, except that non-Committee members shall not have a vote.
- (8) Each Committee shall meet as soon as possible after it has been appointed and where a Chair has not been appointed by Council, members of that Committee shall select a Chair and Vice-Chair, and if required, decide the day and time for holding its regular meetings.
- (9) The Chair shall preside at every meeting, participate in the debate and shall vote on all motions.
- (10) In the absence of the Chair, the Vice-Chair shall preside, and in the absence of both the Chair and the Vice-Chair, one (1) of the other members of the Committee shall be elected to preside, and shall discharge the duties of the Chair during the meeting or until the arrival of the Chair or Vice-Chair.
- (11) An act or proceeding of a Committee is not effective unless it is authorized or adopted by a resolution at a duly constituted public Committee meeting.
- (12) Everyone has the right to be present at Committee meetings that are conducted in public unless the Chair expels a person for improper conduct.
- (13) Subject to Subsection 14, Committees shall conduct all Committee meetings in public.
- (14) Committees may meet incamera if the matter to be discussed is within one (1) of the exemptions in Part III of The Local Authority Freedom of Information and Protection of Privacy Act.

- (15) If a Committee while meeting Incamera, is of the opinion that a particular Agenda item should not be considered Incamera, the Committee shall not consider or deal with that item but shall:
  - (a) Direct that it be placed on the Public Agenda of the next meeting of the Committee; or,
  - (b) Permit Administration to withdraw the matter.
- (16) Notice of regularly scheduled Committee meetings is not required to be given.
- (17) If the Committee Chair changes the date, time or place of a regularly scheduled meeting, the Secretary shall give at least twenty-four (24) hours' notice of the change to all members of the Committee and the public.
- (18) Notwithstanding Subsection (17), a Committee meeting may be held with less than twenty-four (24) hours' notice to all members and without notice to the public if all Committee members agree to do so, in writing, immediately before the beginning of the meeting.
- (19) The consent to waive notice of a change in date, time or place of a meeting pursuant to Subsection (18) may be given in person or by facsimile, electronic mail and other similar means.
- (20) The Committee Chair shall cancel its regularly scheduled meeting, if:
  - (a) There is a lack of Agenda items for consideration; and,
  - (b) The Secretary gives at least twenty-four (24) hours' notice of the cancellation to all members of the Committee and the public.
- (21) The Secretary shall call a special meeting of a Committee whenever requested to do so, in writing, by the Chair or by a majority of the Committee members in the same manner as set out in Subsection (17).
- (22) For Committees operating without regularly scheduled meeting, it shall be the duty of the Chair, or in the Chair's absence, the Secretary to call a meeting of the Committee whenever requested in writing to do so by a majority of the Committee.

- (23) The business of Committees, shall be conducted in accordance with the rules governing the procedure of Council, except for the following:
  - (a) no motion shall be required to be seconded;
  - (b) members of the Committee shall not be required to stand when speaking;
  - (c) there shall be no limit to the number of times a member may speak to a question; and,
  - (d) a motion requesting that a motion be put to a vote shall not be allowed;
  - (e) the Committee decision shall be that of the majority of the members of the Committee present and voting on the question.
- (24) The Clerk, or designate, will act as Secretary and be responsible for:
  - (a) tracking the attendance;
  - (b) preparing meeting Agendas and minutes; and,
  - (c) reporting the Committee's decisions to Council, or a Main Committee of Council.
- (25) When a person, or a group of persons, wishes to bring any matter to the attention of a Committee or appear as a delegation, a communication shall be addressed to the Clerk or the Secretary and will be subject to the requirements set out in Sections 23 to 27 of this Bylaw.
- (26) Following review of such communication, the Clerk or Secretary shall place the communication on the agenda of an upcoming meeting of the committee for its consideration;
- (27) All submissions to Committees must be received by the Clerk or Secretary within the established deadlines assigned by the Clerk.
- (28) Reporting to Committees shall be provided through the Clerk or the Secretary.
- (29) Any notice respecting a Committee meeting is deemed to have been given to a member if the notice is:
  - (a) delivered personally;
  - (b) left at the usual place of business or residence of the member; or

- (c) at the request of the member, provided or sent to the member by ordinary mail, telephone or voice mail, facsimile or electronic mail or similar method at the number or address specified by the member.
- (30) Notice to the public of a Committee meeting as required by Subsections 77(16) to 77(19) is sufficient if the notice is posted:
- (a) at City Hall; and
  - (b) on the City's website.
- (31) Any unfinished business remaining at the time of the adjournment shall be considered at the next regular meeting of the Committee or at a special meeting called for that purpose.
- (32) (a) The Secretary shall:
- (i) record the minutes, without note or comment; and,
  - (ii) not record the names of the members of the Committee voting on items.
- (b) The minutes of the Committee shall be distributed to each member at least twenty-four (24) hours' before the next Committee meeting for consideration.
- (c) After the minutes have received approval of a majority of the members present, they shall be signed by the presiding member and Secretary. Once signed, the original minutes shall be retained by the Clerk for safekeeping.
- (d) All minutes, once approved, shall be open for inspection by the public, with the exception of the minutes of an Incamera portion of any meeting.
- (e) Following each Advisory Committee meeting, the draft minutes are to be forwarded for informational purposes to the next regular scheduled Executive Committee meeting.
- (33) No member shall release or otherwise make public any information considered at an incamera meeting, including discussion of the content of



such a meeting with persons other than with members of Council or with civic staff who are privy to that information:

- (a) unless authorized by Council; or,
  - (b) until the matter is included on a Public Agenda of Council.
- (34) Every Committee shall report to Council, and no action of any Committee shall be binding on the City unless:
- (a) power to take such action is expressly conferred on the Committee by Legislation, Bylaw or Resolution of Council; or,
  - (b) Council has considered the Report of the Committee and if adopted, shall become the resolve of Council.
- (35) The conduct of delegations or the public at Committee meetings, which they are entitled to attend, shall be subject to the requirements as set out in Section 42 of this Bylaw.
- (36) The conduct of members shall be subject to the requirements as set out in Section 43 of this Bylaw.
- (37) The Chair may request any individual to be expelled from a meeting, in accordance with the guidelines as set out in Section 44 of this Bylaw.
- (38) Every Advisory Committee must submit a Work Plan for approval to Council by April 1<sup>st</sup> each year. If the Work Plan is not received by Council by that date, the Committee may be deemed to have dissolved.
- (39) Advisory Committees shall be delegated the following authority:
- (a) formulate and recommend to Council on matters within its policy areas;
  - (b) consider and recommend on all matters referred to it by Council or the Mayor; and,
  - (c) establish and appoint subcommittees and steering committees to review areas and matters within its policy areas.

*(11/2017, s.1c; 34/2018, s.1b)*



## **Schedule “A” Executive Committee**

### **Mandate**

1. With respect to all matters within the committee’s policy areas, the mandate of the Executive Committee is:
  - a) to provide advice and recommendations to Council;
  - b) to oversee the implementation of approved policy decisions by the civic administration;
  - c) to exercise every power or duty delegated by Council; and,
  - d) to supervise the City Manager, the City Clerk and the City Solicitor.

### **Policy Areas**

2. The policy areas for the Executive Committee include:
  - a) legal services and matters under litigation;
  - b) legislative services
  - c) corporate projects;
  - d) corporate governance;
  - e) collective bargaining negotiations;
  - f) human rights complaints, and wrongful dismissal actions;
  - g) government relations;
  - h) audits;
  - i) strategic planning;
  - j) union grievances;
  - k) regional planning; and,
  - l) any other related area.

### **Delegated Authority**

3. The following powers or duties are delegated to the Executive Committee:
  - a) the formulation and recommendation to Council of policies, plans, and bylaws;
  - b) the supervision of the City Manager and the recommendation on the terms and conditions of his/her employment including compensation to Council;
  - c) the supervision of the City Clerk and the City Solicitor, and the setting of the terms and conditions of his/her employment;
  - d) the receipt of all legal advice and report from the City Solicitor;

- e) the consideration and recommendation to Council on all matters referred to it by Council or the Mayor;
- f) the approval or denial of all labour matters in regards to grievances submitted by a Union;
- g) the referral of City matters to Administration;
- h) the approval or denial of Administration to proceed with negotiations;
- i) the consideration of informational items related to matters of the City;
- j) the approval of contracts or agreements that include a confidentiality clause regarding the disclosure of personnel and legal negotiations; and,
- k) the overall supervision of the City's annual and long-term audit plans including the approval of the selection and terms of engagement of an internal and external auditor which includes the enterprise risk management audit function, and the implementation of internal controls over financial reporting, operational effectiveness and efficiency, regulatory compliance, fraud prevention and detection, and safeguarding corporate assets.

## **Schedule “B” Budget Committee**

### **Mandate**

4. With respect to all matters within the committee’s policy areas, the mandate of the Budget Committee is:
  - e) to provide advice and recommendations to Council;
  - f) to oversee the implementation of approved policy decisions by the civic administration;
  - g) to exercise every power or duty delegated by Council.

### **Policy Areas**

5. The policy areas for the Budget Committee include:
  - m) Annual City budget process.

### **Delegated Authority**

6. The following powers or duties are delegated to the Budget Committee:
  - l) the formulation and recommendation to Council of the annual budget; and,
  - m) the consideration and recommendation to Council on all matters referred to it by Council or the Mayor.