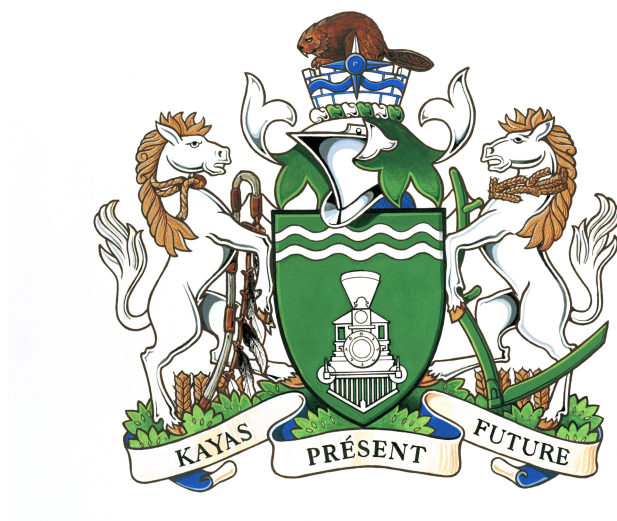
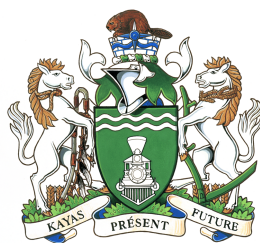


# City of North Battleford



## Procedures Bylaw No. 2108

Adopted July 19<sup>th</sup>, 2021

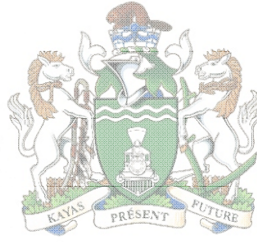


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CITY OF NORTH BATTLEFORD  
SASKATCHEWAN  
**BYLAW NO. 2108**

**A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE  
PROVINCE OF SASKATCHEWAN TO REGULATE THE  
PROCEEDINGS IN THE COUNCIL OF THE CITY AND THE  
COMMITTEES**

WHEREAS Section 8 of *The Cities Act*, S.S. 2002, c.C-11.1, provides, in part, as follows:

8. A city has a general power to pass any bylaw for city purposes that it considers expedient in relation to the following matters respecting the city:
- (a) the peace, order and good government of the city;

AND WHEREAS Section 6 of *The Cities Act*, S.S. 2002, c.C-11.1, provides, in part, as follows:

6. The power of a city to pass bylaws is to be interpreted broadly for the purposes of:
- i. providing a broad authority to its Council and respecting the Council's right to govern the city in whatever manner the Council considers appropriate, within the jurisdiction provided to the Council by law;

AND WHEREAS Section 55 of *The Cities Act*, S.S. 2002, c.C-11.1, provides, in part, as follows:

55. (a) establish Council Committees and other bodies and define their functions; and,
- (b) i. establish the procedure and conduct of Council, Council committees and other bodies established by the Council; and
- ii. establish rules for the conduct of Councillors, of members of Council Committees and of members of other bodies established by Council.

AND WHEREAS it is necessary to establish rules and provisions for the conduct of business in Council meetings and meetings of the committees to control and maintain order, and

NOW THEREFORE, THE COUNCIL OF THE CITY OF NORTH BATTLEFORD ENACTS AS FOLLOWS:

## **PART I - INTERPRETATION**

### **1 Short Title**

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

### **2 Purpose**

1.2 The purpose of this bylaw is to establish clear, transparent, consistent, and accessible rules for conducting business at meetings, for Council members, Administration, and the public to follow and participate in governing the municipality and for Council in establishing Council Committees.

### **3 Definitions**

1.3 In this Bylaw:

- a) "**Act**" means *The Cities Act, S.S. 2002, c.C-11.1*.
- b) "**Adjourn**" means to suspend proceedings to another time or place.
- c) "**Administration**" means the City Manager or an employee accountable to the City Manager.
- d) "**Amendment**" means an alteration of a main motion or an amendment by substituting, adding, or deleting a word or words without materially altering the basic intent of the motion.
- e) "**Chair**" means a person who has the authority to preside over a meeting.
- g) "**City Manager**" means the person appointed by Council as administrative head of the City pursuant to section 84 of the *Cities Act* and includes a person acting as his or her designate.
- g) "**City Clerk**" means the person appointed by Council to the position of City Clerk pursuant to section 85 of the *Cities Act* and includes a person acting as his or her designate.
- h) "**Committee**" means a committee, board, or other body duly appointed by Council.
- i) "**Committee of the Whole**" means all members of Council present at a meeting of Council sitting in committee.
- j) "**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.

- k) **“Consent Motion”** means a motion to adopt, without debate, the recommendations of several reports within a consent agenda.
- l) **“Correspondence”** include but are not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article.
- m) **“Council”** means the Mayor and Councillors of the municipality elected pursuant to the provisions of section 11 of *The Local Government Elections Act*, as the governing body of the municipality.
- n) **“Councillor”** means the Council member duly elected in the municipality as a Councillor, in accordance with the *Local Government Elections Act*.
- o) **“Deputy Mayor”** means the member who is appointed by Council, pursuant to section 28 of this Bylaw.
- p) **“Mayor”** means the Council member duly elected in the municipality as the Mayor in accordance with the *Local Government Elections Act*.
- q) **“Member”** means the Mayor, Councillor or an appointed individual to a committee, commission, or board of Council.
- r) **“Motion”** means a formal proposal placed before a meeting in order that it may be debated to a conclusion.
- s) **“Order of Business”** means the list of items comprising the agenda and the order in which those items appear on the agenda.
- t) **“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.
- u) **“Point of Procedure”** means a question directed to the Chair to obtain information on the rules of procedures bearing on the business at hand.
- v) **“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 Act;
  - ii) *The Planning and Development Act*;
  - iii) any other Act; or,
  - iv) a resolution or bylaw of Council.
- w) **“Question of Privilege”** is the raising of a matter by a member which occurs while Council is in session, where:
  - i. the rights, privileges, decorum, or dignity of the Council collectively or the rights and privileges of a member individual have been affected;
  - ii. when a member believes that another member has spoken disrespectfully toward them or the Council;
  - iii. when a member believes their comments have been misunderstood or misinterpreted by another member or members; or,

- iv. when a member believes that comments made by the member outside the designated Council Chamber have been misunderstood by the community, the public or the news media in order to clarify his or her position.
  - x) **“Quorum”** is subject to section s 70.1, 71 and 119 of the *Cities Act*
    - i) in the case of Council, a majority of the whole Council;
    - ii) in the case of committee, a majority of the members appointed to the committee; or,
    - iii) in the case of conflict of interest, which results in the loss of a quorum, the remaining number of members is deemed to be a quorum for that question or matter, unless that number is less than two.
  - y) **“Resolution”** means a formal determination made by Council or a committee on the basis of a motion, duly placed before a regularly constituted meeting of Council or a committee for debate and decision and is duly passed.
  - z) **“Special Meeting”** means a meeting other than a regular scheduled meeting called pursuant to section 97 of the Act or the provisions of this bylaw.
  - aa) **“Urgent Business”** means a time sensitive matter which requires Council’s immediate and urgent consideration.
  - bb) Words importing male persons include female persons, and singular reference includes plural reference.
- 3.2 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.

#### **4. Application**

- 4.1. This Bylaw applies to all meetings of Council and Committees thereof.
- 4.2 When any matter relating to proceedings arises which is not covered by a provision of this Bylaw, Robert’s Rules of Order, current edition, shall govern.
- 4.3 In the event of any conflict between the provisions of this Bylaw and those contained in any of the authorities set out above, the provisions of this Bylaw shall apply.
- 4.4 Subject to subsection 4.2 of this Bylaw, any ruling of the Mayor or the Committee Chair or other presiding member shall prevail, subject, however, to the jurisdiction of Council or the Committee to consider any appeals of those rulings.

#### **5. Council not Empowered to Direct**

- 5.1 Except as provided by Statute or by Bylaw, no member of Council shall have power to direct the functioning of any Department of the City in any respect except under direction of Council.

## **PART II - MEETINGS OF COUNCIL**

### **6. First Meeting**

- 6.1 The first meeting of Council following a general election is to be held within thirty-one (31) days following a general election.
- 6.2 At the first meeting of Council:
  - i) the Returning Officer shall provide Council with a copy of the declaration of results with respect to the general election; and
  - ii) every Council member shall take the oath of office pursuant to the Act.

### **7. Regular Meetings**

- 7.1 Regular meetings of Council shall be held in the designated Council Chamber at City Hall, on the second and fourth Monday of every month commencing at 6:30 p.m.
- 7.2 Regular meetings of Council shall adjourn by 9:30 p.m. on the day scheduled for the meeting, unless Council resolves by majority vote, to proceed until 10:30 p.m. Any continuance beyond 10:30 pm requires unanimous consent of Council.
- 7.3 If Council extends its meeting pursuant to subsection 7.2, 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.
- 7.4 In the event of any meeting date falling on a statutory or civic holiday such meetings shall be held at the same time on the next day that the municipal office is scheduled to be open for business unless otherwise directed by resolution of Council at a preceding Council meeting.
- 7.5 In the event of any meeting date falling on June 21<sup>st</sup> of a year, such meetings shall be held at the same time on the next day that the municipal office is scheduled to be open for business unless otherwise directed by resolution of Council at a preceding Council meeting.
- 7.6 Annually the City Clerk shall submit a regular schedule of Council meetings to Council for approval as set out in subsections 7.1 and 7.2 or may recommend alternate meeting dates.
- 7.7 Notwithstanding the foregoing, Council may, by resolution, dispense with or alter the time and location of a regular meeting of Council.

### **8. Special Meetings**

- 8.1 The City 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.



- 8.2 When a special meeting is to be held, the City Clerk shall provide written notice of the time, date, and place of the meeting to all members and the general public at least twenty-four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting.
- 8.3 Notwithstanding subsection 8.2, 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.
- 8.4 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.

## **9. Closed Meetings**

- 9.1 Council may close all or any part of its meetings to the public if the matter to be discussed:
  - a) is within one of the exemptions of Part III of the *Local Authority Freedom of Information and Protection of Privacy Act*; or
  - b) concerns long-range or strategic planning.
- 9.2 A resolution to move into a closed meeting shall state, in general terms, the topic of discussion.
- 9.3 Where Council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
  - a) the members of Council;
  - b) the City Manager and other members of administration as the members of Council may deem appropriate; and
  - c) such members of the public as may be allowed to attend by Council.
- 9.4 Where Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the City Clerk shall record in the minutes thereto:
  - a) the time that the in camera portion of the meeting commenced and concluded;
  - b) the names of the parties present; and
  - c) the legislative authority included the exemptions of Part III of the *Local Authority Freedom of Information and Protection of Privacy Act*.
- 9.5 No resolutions or bylaws may be passed during a closed meeting.
- 9.6 No business other than that described within section 9.1 may be discussed.
- 9.7 Matters discussed or to be discussed in a closed meeting are to be kept in confidence until discussed a public meeting of Council, unless otherwise provided for in the bylaw.

- 9.8 Meeting participants as described within section 9.3 attending via electronic means, must maintain confidentiality in accordance with section 9.7 of this bylaw.

## **10. Participating in Meetings Via Electronic Means**

- 10.1 One or more members of Council may participate in a Council or committee meeting by means of a telephonic, electronic, or other communication facility if:
- a) the members of Council provide one (1) days' advanced notice to the City Manager or City Clerk of their intent to participate in this manner;
  - b) notice of the Council meeting is given to the public including the way in which the Council meeting is to be conducted;
  - c) the facilities enable the public to at least listen to the meeting at a place specified in that notice and the City Manager or City Clerk is in attendance at the place; and
  - d) the facilities permit all participants to communicate adequately with each other during the Council meeting.
  - e) In camera participation must be held in a private secure room to ensure the confidentiality of Council is maintained at all times.
- 10.2 Members participating in a Council meeting held by means of a communication facility are deemed to be present at the Council meeting.

## **11. Notice of Meetings**

- 11.1 Notice of regularly scheduled Council meetings is not required to be given.
- 11.2 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:
- a) any members not present at the meeting at which the change was made; and,
  - b) the public.
- 11.3 Notice of a Council meeting is deemed to have been given to a member if the notice is:
- a) delivered personally;
  - b) sent by telephone, voicemail, or electronic mail;
  - c) left at the usual place of business or residence of the member; or
  - d) at the request of the member, sent by ordinary mail or similar method to the address specified by the member.
- 11.4 Notice of a Council meeting is to be given to the public by posting notice of the meeting at the municipal office or on the municipal website.

**12. Actions in Public**

- 12.1 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.
- 12.2 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.

**PART III – COUNCIL MEETING PROCEDURES****13. Agendas**

- 13.1 The City Clerk shall prepare the agenda for all regular and special meetings of Council.
- 13.2 The Agenda shall include the order of business, all items of business and associated reports, bylaws or documents and shall be set out in accordance with the order of business.
- 13.3 The City Clerk shall ensure that the Council agendas plus supporting documentation are distributed to each member of Council and Administration, entitled to receive copies, no later than the close of business on the Thursday immediately preceding the Council meeting.
- 13.4 The City Clerk shall ensure that the agenda is posted at City Hall and on the City website no later than the close of business on the Friday immediately preceding the Council meeting.
- 13.5 Administration to advise the City Clerk by 5:00 p.m. the Friday immediately preceding the agenda deadline of items which are to appear on the Council agenda.
- 13.6 Subject to other provisions of this Bylaw, Administration shall submit all supporting documentation to the City Clerk by 5:00 p.m. on the Monday immediately preceding the Council meeting at which it is to be presented to Council.
- 13.7 Subject to other provisions of this Bylaw, every item of correspondence, notice of motion, petition, reports, summaries of delegations, or other written application must be submitted, in writing, to the City Clerk by 5:00 p.m. on the Monday immediately preceding the Council meeting at which it is to be presented to Council.
- 13.8 If, for any reason, Administration is unable to meet the agenda deadlines established in section 13, the City Clerk shall prepare and distribute the agenda as soon as reasonably possible to allow Council members the opportunity to review the agenda prior to the Council meeting.

**14. Urgent Business**

- a. 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 City Clerk.
- b. In these circumstances, Administration shall submit a report or item of correspondence to the City Manager including an explanation of the reasons and degree of urgency of the matter as soon as possible.
- c. The City Clerk shall distribute any requests from Administration to add a matter of urgent business to the agenda to all members of Council as soon as they are available.
- d. During the confirmation of the agenda, a member of Council may move to add a report, communication, or delegation to the agenda if the matter arises from an unforeseeable situation of urgency.
- e. A member may request the addition of a report, communication, delegation or motion which is in writing, to the agenda, if the matter is of urgent public importance, and which is not on the agenda, without prior notice to the City Clerk.
- f. Council may only consider a matter of urgent business by a majority of the members present.

**15. Order of Business**

- a. The general order of business of every regular Council meeting shall be as follows:
  - a) Public Hearings
  - b) Call to Order
  - c) Adoption of the Agenda
  - d) Adoption of Minutes
  - e) Presentations & Recognitions
  - f) Delegations
  - g) Unfinished Business
  - h) New Business
  - i) Bylaws
  - j) Correspondence
  - k) Administrative and Committee Reports
  - l) Referrals to Committees
  - m) Announcements & Inquiries
  - n) Notice of Motion
  - o) Public Notices
  - p) Adjournment

- b. All business shall be taken up in the order in which it stands on the agenda unless:
  - a) Otherwise determined by a vote of a majority of members present; or,
  - b) the Mayor determines during the proceedings of Council that for public interest a matter be moved forward to be dealt with promptly.

## **16. Public Hearings**

- 16.1 If a public hearing is required by any Act it shall be conducted in accordance with the provisions of this section.
- 16.2 Public Hearings shall be held in the designated Council Chamber at City Hall, immediately preceding a regularly scheduled Council Meeting commencing at 6:15 p.m.
- 16.3 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 open;
  - b) administration shall present a report on the bylaw or resolution under consideration including Administration's recommendations;
  - c) 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;
  - d) Council shall hear any person or group of persons or spokesperson acting on behalf of another person or group who wish to make representations on the matter under consideration;
  - e) if it is a hearing under The *Planning and Development Act*, 1983, and involves an applicant, the applicant shall be given an opportunity to respond to the representations of other people at the conclusion of the speakers;
  - f) Council may request further information from Administration;
  - g) Council shall formally receive all correspondence and written reports submitted to it on the subject matter of the hearing;
  - h) the Mayor shall declare the hearing closed; and
  - i) Council shall consider the bylaw or resolution. At the conclusion of its deliberations, Council shall vote on the bylaw or resolution in accordance with the procedures contained in this bylaw.
- 16.4 The time allowed for each person making representations shall be five (5) minutes.
- 16.5 A hearing may be adjourned to a certain date.
- 16.6 A member of Council 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 all of the public hearing.

- 16.7 A member of Council may 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 a part of the public hearing.
- 16.8 A member of Council who is required or permitted to abstain from voting is nevertheless counted for the purposes of determining whether or not there is a quorum.

**17. Commencement of a 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 or her absence, the Deputy Mayor, shall take the Chair and call the members to order, and shall preside over the meeting until the end of the meeting, or until the arrival of the Mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- 17.2 In case neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour set for the meeting, and subject to a quorum being present, the next designated Deputy Mayor, pursuant to section 29 of this bylaw shall preside over the meeting until the arrival of the Mayor or Deputy Mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- 17.3 If a quorum is not present fifteen (15) minutes after the time appointed for the meeting, the City 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.
- 17.4 Subject to section 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.
- 17.5 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 of dealing with unfinished items.
- 17.6 Members must, unless under extenuating circumstances, notify the City Clerk when the member is aware that he or she will be absent from any meeting of Council.

**18 Conflict of Interest**

- 18.1 Members of Council have a conflict of interest if the member makes a decision or participates in making a decision in the executive of his or her office and at the same time knows or ought reasonably to know that in the making of the decision there is the opportunity to further his or her, or another person's private interests.

- 18.2 Members of Council who believe that he or she has a conflict of interest in a matter before Council, a Council Committee, a controlled corporation or other body, shall, if present:
- a) before any consideration or discussion of the matter, declare that he or she has a conflict of interest;
  - b) disclose the general nature of the conflict of interest and any material details that could reasonably be perceived to affect the member's impartiality in the exercise of his or her office;
  - c) refrain from participating in any discussion relating to the matter;
  - d) abstain from voting on any question, decision, recommendation, or other action to be taken on the matter; and,
  - e) leave the room in which the meeting is being held until discussion and voting on the matter are concluded.
- 18.3 Members of Council with a conflict of interest with respect to a matter of which, pursuant to the *Cities Act* or any other enactment, the member as a taxpayer, voter or an owner, has the right to be heard by Council.
- a) the member shall leave his or her place at the Council table, but is not required to leave the room; and,
  - b) the member may exercise a right to be heard in the same manner as a person who is not a member of Council.
- 18.4 No member shall attempt in any way, whether before, during, or after the meeting, to influence the voting on any question involving a matter in which he has a declared conflict of interest.
- 18.5 The City Clerk shall record in the minutes of the meeting, every declaration of a conflict of interest made pursuant to subsection 18.2, to include the general nature and material details of the declaration and any abstention or withdrawal.

## **19 Minutes**

- 19.1 The City 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.
- 19.2 The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- 19.3 Any member may make a motion amending the minutes to correct any errors.
- 19.4 The minutes of each meeting are to be approved at the next regular meeting of Council and signed by the presiding member and the City Clerk in accordance with the Act.

## **20 Proclamations**

- 20.1 All requests for proclamations shall be submitted to the Mayor's Office for approval, outlining the date to be proclaimed, specific name of the day, week or month requested, the reason for the proclamation and information about the group, including the name and contact information at least two (2) weeks prior to the proposed date of the proclamation. However, exceptions may be made in extenuating circumstances.
- 20.2 Subject to the Saskatchewan Human Rights Code, the Mayor in his or her sole discretion, may approve the proclamation submitted pursuant to subsection 20.1, provided the proclamation does not:
- a) promote any commercial business;
  - 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.
- 20.3 The Mayor may in his or her sole discretion:
- a) issue the proclamation:
    - i) in the words and form of the proclamation as submitted; or
    - ii) in the words and form chosen by the Mayor.
  - b) forward the proclamation for consideration by Council; or
  - c) send a message of support to the group, in lieu of issuing a proclamation.
- 20.4 Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests, unless specifically approved by Council.
- 20.5 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.
- 20.6 The media are requested:
- a) not to publish any proclamation claiming to be proclaimed by the Mayor unless it bears his or her signature; and
  - b) when publishing a proclamation by the Mayor, that the proclamation contain only the following:
    - i) Crest of the municipality;
    - ii) The name of the municipality; and
    - iii) The text of the proclamation.



## **21 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 for a group or individual to present to Council some award or similar honour which the municipality has been awarded.

## **22 Delegations**

- 22.1 Requests to appear as a delegation, for which a hearing is not required, must be communicated to the City Clerk in writing before 5:00 p.m. on the Monday immediately preceding the Council meeting and must include:
- 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 email; and,
  - d) clearly setting out the subject matter to be discussed and the request being made to Council.
- 22.2 The City Clerk, who shall consult with the City Manager, may refuse to accept a request to speak to Council if Council has, within six (6) months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.
- 22.3 If a request to speak to Council is refused pursuant to subsection 22.2, a copy of the request and reply, shall be forwarded to members of Council by Administration.
- 22.4 In the event that a delegation makes an application to Administration after the agenda deadline, regarding a subject which is not on the agenda, the City Clerk will bring the request to the attention of the City Manager and the Mayor.
- a) delegations will be forwarded to the next available agenda where possible, unless deemed a matter of urgent business or otherwise requested; or,
  - b) delegations will be advised by Administration 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.
- 22.5 Notwithstanding section 14, a maximum of three (3) delegations shall be permitted per meeting, applications in excess of three (3) shall be forwarded to the next available agenda where possible.
- 22.6 Delegations are expected to address Council in ten (10) minutes or less and then avail themselves to questions from members of Council.

- 22.7 Upon the completion of a presentation to Council by a delegation, any discourse between members and the delegation shall be limited to members of Council asking questions for clarification and obtaining additional, relevant information only:
- a) members shall not enter into debate with the delegation respecting the presentation; and,
  - b) once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.
- 22.8 Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views.
- 22.9 No decisions may be made regarding issues, recommendations or requests received from a delegation except:
- a) a motion to receive the delegation's request
  - b) a motion to refer the request to a Council Committee; or,
  - c) a motion to direct the matter to Administration for a report.
- 22.10 Council may refuse to receive any delegation, notwithstanding the guidelines above, or may waive the rules and hear any delegation on short notice; however, such actions are considered unusual and require the consent of all members of Council.

## **23 Bylaws**

- 23.1 Every proposed bylaw must have three (3) distinct and separate readings.
- 23.2 A proposed bylaw must not have more than two (2) readings at a Council meeting unless the members present unanimously agree to consider the third reading.
- 23.3 A proposed bylaw will be considered by Council immediately following consideration of the report or item to which the bylaw relates.
- 23.4 The title or identifying number must be read at each reading of the bylaw.
- 23.5 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.
- 23.6 Council shall vote on the motion for first reading of a bylaw without amending or debating the motion.
- 23.7 If a member does not elaborate on the subject matter of the bylaw or phrase in his or her question to set out his or her opinion for or against the bylaw, notwithstanding the provisions of subsection 23.6 of this Bylaw, he or she may ask a question or questions concerning the bylaw.
- 23.8 After a member has made a motion for second reading of a bylaw, Council may debate the substance of the bylaw and propose and consider amendments to the bylaw.

- 23.9 A proposed amendment shall be put to a vote and, if carried, shall be considered as having been read a first time and incorporated in the bylaw.
- 23.10 When all amendments have been accepted or rejected, a motion for second reading of the bylaw, as amended, shall be put.
- 23.11 Any bylaw which requires the approval of a department of the provincial government prior to third reading, in accordance with the provisions of the Act or any other Act, shall receive only two readings and be forwarded to the province for approval, upon receipt of which the bylaw shall then be passed by Council.
- 23.12 Subject to section 23.2, if unanimous consent for the bylaw to go to third reading at the meeting is not obtained, the bylaw will be brought forward to a subsequent meeting of Council by the City Clerk, at which time an affirmative vote of a majority of Council is required to pass the bylaw.
- 23.13 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.
- 23.14 When a bylaw has been given three (3) readings by Council, it:
- a) becomes a municipal enactment of the municipality; and
  - b) is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.
- 23.15 The City 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 the same.
- 23.16 After passage, every bylaw shall be signed by the Mayor and the City Clerk, pursuant to the Act and marked with the corporate seal of the municipality.

## **24 Correspondence**

- 24.1 When a person wishes to have a communication considered by Council, it shall be addressed to Council and:
- a) clearly set out the matter or issue and the request; and,
  - b) 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,
  - c) for electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.
- 24.2 A communication received by the City Clerk, which does not meet the conditions in subsection 24.1 or is abusive in nature, shall be forwarded to the City Manager, for review and direction.
- 24.3 A communication received by the City 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*.

- 24.4 Bound documents or studies in support of the delegation's notice shall, if an electronic copy or sufficient copies are provided by the delegation, be circulated to members of Council and Administration, but will not be reproduced.
- 24.5 A written communication pertaining to a matter already on a Council agenda must be received by the City Clerk no later than the agenda deadline in order to be included on the Council agenda.
- 24.6 A written communication received before the agenda deadline shall be placed by the City Clerk on the Council agenda and shall be dealt with when the matter is considered by Council at its meeting.
- 24.7 In the event that the communication to Administration is received after the agenda deadline, regarding a subject which is on the agenda, the City Clerk will bring the request to the attention of Council:
- 24.8 The individual will be advised by Administration that the communication may not be considered by Council unless the majority of its members vote to allow the communication with the motion to approve the agenda.

## **25 Announcements & Inquiries**

- 25.1 Under the order of business entitled "Announcements/Inquiries," members of Council may:
  - a) ask questions of Administration respecting the affairs of the City of North Battleford, provided that such questions may reasonably be answered directly; or,
  - b) submit questions in writing, respecting the affairs of the City of North Battleford.
- 25.2 Announcements 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 municipality.
- 25.3 Inquiries shall not, under normal circumstances, express an opinion, reason or explanation for the submission thereof and shall be brief and to the point and shall be answerable by brief statements, and no preamble shall be permitted for such inquiry.
- 25.4 Inquiries regarding a request for service shall not be raised during a Council meeting until a period of two (2) weeks following the submission of the request has passed.
- 25.5 A member of Council shall read into the record and submit the written inquiry to the City Clerk.

- 25.6 Unless an inquiry from a member specifies that he or she wishes the answer to appear on a subsequent Council agenda, the City Manager shall send or give the answer directly to the member making the inquiry, with a copy being provided to all members of Council.
- 25.7 When the inquiry of a member involves a written answer to be given at a future meeting and it appears to the City Manager that the cost to the City which would be incurred by reason of:
- a) time of City employees which must be taken from performance of their regular duties or overtime which must be worked;
  - b) the need to hire additional employees; or,
  - c) the necessities of obtaining and paying for the information from other than Administration, is likely to be more than One Thousand Dollars (\$1,000) and no appropriation has been made for such expenditure in the budget of any department.

The City manager shall provide a detailed report at the next meeting of Council the anticipated cost before undertaking the inquiry.

- 25.8 When the City Manager has reported to Council pursuant to subsection 25.8, Council may:
- a) direct that the City Manager proceed with the investigation necessary to answer the inquiry and provide in a supplementary budget or otherwise for the payment of costs thereof; or,
  - b) direct that the City Manager not proceed with the inquiry.
- 25.9 When in the opinion of the City Manager an answer to an inquiry would contain information of a confidential nature, including information, which meets requirements of Part III, being exemptions, of the *Local Authority Freedom of Information and Protection of Privacy Act*, the City Manager shall submit a confidential report to the Executive Committee of Council, and shall identify that information which is deemed confidential and the basis of the claim for confidentiality.
- 25.10 Upon receipt of a report pursuant to subsection 25.9, the Executive Committee of Council shall direct the City Manager with respect to the disposition of all or any portions of the report.
- 25.11 All responses to inquiries shall be supplied within four (4) weeks from the date the inquiry is lodged.
- 25.12 Notwithstanding anything contained in this section or elsewhere in this Bylaw, the subject matter of an inquiry is not debatable at a meeting of Council.
- 25.13 All announcements and inquiries will be verbal only and shall not be recorded in the minutes of the meeting.

**26 Recess**

- 26.1 The Council may recess at any time during the meeting.
- 26.2 A motion to recess must state the duration of the recess and must be passed by a majority of the members present.
- 26.3 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.
- 26.4 Upon reconvening the meeting, Council shall deal with the next listed agenda item following that considered prior to the recess unless a motion to alter the agenda is passed.

**27 Adjournment**

- 27.1 All regularly scheduled Council meetings shall stand adjourned when Council has completed all business as listed on the approved agenda for that meeting or not later than 9:30 p.m. unless Council resolves by majority vote, to proceed until 10:30 p.m. Any continuance beyond 10:30 pm requires unanimous consent of Council.
- 27.2 Any business which appears on the Council agenda, and which has not been dealt with at the time of adjournment, shall be deemed to be tabled until the next regular meeting of Council, or until a special meeting is called for the purpose of dealing with the unfinished items.
- 27.3 If a member is speaking at 9:30 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.
- 27.4 A motion to adjourn the meeting may be made at any time, and if seconded, the motion must be put immediately without debate. If the motion to adjourn is passed by a majority of the members present the meeting shall stand adjourned.

**PART IV – CONTROL AND CONDUCT DURING COUNCIL MEETINGS****28 Mayor**

- 28.1 The Mayor shall:
  - a) be responsible for maintaining order during a Council meeting;
  - b) any appeals on meeting procedure are to be made to the Mayor who shall rule on the matter and whose ruling is final;
  - c) if the behaviour of the Mayor is in question, the Deputy Mayor shall assume the chair for that portion of the meeting;
  - d) the Mayor may speak on issues throughout a debate and shall be afforded the courtesy of speaking last to an item and indicate which position (for or against the resolution) which the Mayor will support; and,

- e) the Mayor must always speak in support of Council's resolved position on a matter.
- 28.2 The Mayor shall have the same rights and be subject to the same restrictions, when participating in debate, as other members of Council.
- 28.3 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.

## **29 Appointment of Deputy Mayor**

- 29.1 Council shall, at its first meeting, or as soon thereafter as conveniently possible, set the schedule of Deputy Mayors for a period of two-months on a reoccurring rotational basis for the duration of a Council term commencing with November and December.
- 29.2 Council shall whenever the office of the Mayor becomes vacant, appoint from the Councillors, a Deputy Mayor for a term of two-months or for such longer period as Council may decide, and in any event until a successor is appointed.
- 29.3 If, for any reason, the Deputy Mayor is absent from a Council meeting and is unable to perform the duties of the Mayor in his or her absence, the member of Council next designated to be Deputy Mayor shall be the Deputy Mayor.
- 29.4 If the Mayor, for any reason, is unable to perform the duties of his or her office, the Deputy Mayor shall have all the powers of the Mayor during the inability.
- 29.5 If, at the end of the Council's term, the Deputy Mayor is unable to perform the duties of Mayor, and no other member of Council has been designated as Deputy Mayor beyond the current period, the member of Council who would have been Deputy Mayor, had rotation of names for Deputy Mayor commenced again, shall become Deputy Mayor.

## **30 Conduct of Council Meetings**

- 30.1 All meetings of Council shall be held openly, and no person shall be excluded from attending, except for improper conduct.
- 30.2 Notwithstanding subsection 30.1, Council may, by resolution, close all or part of a meeting to the public if a matter to be discussed at that meeting is within one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- 30.3 The Mayor, or in his or her absence, the Deputy Mayor shall preside at all meetings of Council and shall preserve order and enforce the rules of Council.

- 30.4 Subject to being overruled by a majority vote of members, which vote shall be taken without debate, the Mayor or presiding member:
- a) shall maintain order and preserve decorum of the meeting;
  - b) shall decide points of order without debate or comment, other than to state the rule governing;
  - c) shall determine which member has a right to speak;
  - d) shall ascertain that all members who wish to speak on a motion have spoken thereon, and that the members are ready to vote by calling the question and shall thereafter put the vote;
  - e) shall rule when a motion is out of order; and,
  - f) may call a member to order.
- 30.5 The Mayor, or presiding member, may leave the chair for the purpose of taking part in the debate, or for any other reason, and in such case, he shall call on the Deputy Mayor or in his or her absence, the Deputy Mayor next in rotation, to take his or her place until he resumes the chair.
- 30.6 No person, except members, the City Manager, City Clerk and Administration, as authorized by the City Manager, and such persons as are permitted by the Mayor shall be allowed to be seated at the Council table during the sittings of Council, without permission of the Mayor or other presiding member.
- 30.7 When members wish to speak at a Council meeting, they shall raise their hand and shall obtain the approval of the Mayor or presiding member before doing so, and upon approval the member shall address all comments to the Chair of the Council meeting.

### **31 Conduct of Public**

- 31.2 All members of the public 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 phones;
  - e) refrain from making audio or video recordings of Council proceedings; and,
  - f) 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.



**32 Conduct of Delegations**

- 32.2 When addressing members 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 any member, or to any employee of the municipality, or member of the public;
  - c) reflecting on any vote of Council, except when moving to rescind or reconsider it;
  - d) reflecting on the motives of the members who voted for the motion, or the mover of the motion; or,
  - e) shouting or using immoderate tone, profane, vulgar, or offensive language.

**33 Conduct of Members**

- 33.2 When members are addressing the Chair, every other member shall:
- a) remain quiet and seated;
  - b) not interrupt the speaker, except on a point of order;
  - c) not carry on a private conversation which disturbs the member speaking; and,
  - d) not cross between the speaker and the Chair.
- 33.3 When members are addressing the Chair, they 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 any member, or to any employee of the municipality, or member of the public;
  - c) reflecting on any vote of Council, except when moving to rescind or reconsider it;
  - d) reflecting on the motives of the members who voted for the motion, or the mover of the motion; or,
  - e) shouting or using immoderate tone, profane, vulgar, or offensive language.
- 33.4 Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

**34 Improper Conduct**

- 34.2 The Mayor or presiding member may request that any person in the public gallery or delegation who addresses Council improperly or who disturbs the proceedings of Council or acts improperly at a Council meeting as set out in sections 31 and 32, leave or be expelled from the meeting.
- 34.3 No person shall refuse to leave a Council meeting when requested to do so by the Mayor.
- 34.4 Any person who refuses to leave when requested to do so may be removed.
- 34.5 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.

**35 Leaving the Meeting**

- 35.2 Every member who leaves the Council Meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the City Clerk.
- 35.3 No member shall leave the designated Council Chamber after a question is put to a vote, until the vote is taken.

**36 Point of Order**

- 36.1 A member may rise and ask the Mayor to rule on a point of order.
- 36.2 When a point of order is raised, the member speaking shall immediately cease speaking until the Mayor decides the point of order raised.
- 36.3 A point of order must be raised immediately at the time the rules of Council are breached.
- 36.4 The member against whom a point of order is raised may be granted permission by the Mayor to explain.
- 36.6 The Mayor may consult the City Manager or City Clerk before ruling on a point of order.
- 36.7 a point of order is not subject to amendment or debate.

**37 Question of Privilege**

- 37.1 A member may rise and ask the Mayor to rule on a question of privilege.
- 37.2 After the member has stated the question of privilege, the Mayor shall rule whether or not the matter raised is a question of privilege.
- 37.3 If the matter is determined to be a question of privilege, the member who raised the question of privilege shall be permitted to speak to the matter.
- 37.4 If the question of privilege concerns a situation, circumstance or event which arose between Council meetings, the member shall raise the question of privilege immediately after adoption of the agenda.
- 37.5 The Mayor may consult the City Manager or City Clerk before ruling on a question of privilege.

- 37.6 A question of privilege is not subject to amendment or debate unless a motion regarding the question of privilege is put to Council.

### **38 Point of Procedure**

- 38.1 Any member may ask the Mayor for an opinion on a point of procedure.
- 38.2 When a point of procedure is raised, the member speaking shall immediately cease speaking until the Mayor responds to the inquiry.
- 38.3 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.
- 38.4 The Mayor may consult the City manager or City Clerk before providing an opinion on the point of procedure.
- 38.5 A point of procedure is not subject to amendment or debate.
- 38.6 The Mayors answer to a point of procedure is not a rule, and cannot be appealed to the whole of Council.

### **39 Challenge to the Chair**

- 39.1 Whenever a member wishes to challenge the ruling of the Chair:
- a) the Motion of Appeal, “be it resolved that the decision of the Chair be overruled” shall be made;
  - b) the member may offer a brief reason for the challenge;
  - c) the Chair may state the reason for the decision; and,
  - d) following which the question shall be put immediately without debate.
- 39.2 The Chair shall be governed by the vote of the majority of the members present, and the names of the members voting for or against the motion shall be recorded in the minutes.
- 39.3 If the Mayor or presiding member refuses to put the question, “be it resolved that the decision of the Chair be overruled”, the Council shall forthwith request the Deputy Mayor, or in his absence, the next Deputy Mayor by rotation, to proceed from the floor, if necessary, in accordance with Subsection 39.1.
- 39.4 Any resolution or motion carried under the circumstances mentioned in subsection 39.3 is effectual and binding as if carried under the chairmanship of the Mayor.

### **40 Calling a Member to Order**

- 40.1 When the Mayor or presiding member calls a member to order, the member may explain his or her position in making the remark for which he or she was called to order.

- 40.2 In the event that a member ignores the call to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, the next Deputy Mayor in rotation 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 or her unruly behaviour, whichever shall be the shortest time.
- 40.3 When the majority of Council votes in favour of the resolution, the Mayor or presiding member shall direct the unruly member to leave the designated Council Chamber, and if the member refuses to leave, the Mayor or presiding member may:
- a) recess the meeting until the person leaves or adjourn the meeting to another day; or,
  - b) direct that law enforcement officials be engaged to assist in the removal of the unruly member.
- 40.4 When Council has directed an unruly member to leave the designated 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 or her place if he has not left or been removed, or to retake his or her place.

## **PART V - MOTIONS**

### **41 Motions**

- 41.1 A motion shall be worded in the affirmative and shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- 41.2 A motion shall not be considered unless it has received a seconder except:
- a) when Council is in Committee of the Whole in which case the motion only requires a mover; or,
  - b) when the motion is an appeal of the decision of the Chair only one (1) mover is required.
- 41.3 After a motion has been moved and seconded, it is the property of Council and may not be withdrawn without the permission of the mover and seconder.
- 41.2 When a motion is under debate no other motion may be made, except a motion to:
- a) amend a motion;
  - b) refer a motion to a Council Committee, some other person or group or Administration for a report back to Council;
  - c) table the main question;

- d) request a motion to put to a vote;
  - e) withdraw a motion,
  - f) extend the time for a Council meeting; or,
  - g) adjourn the meeting.
- 41.3 A motion to table a matter shall not be debated, except as to the time when Council will again consider the matter.
- 41.4 A motion to receive shall not be debatable and indicates no action other than the item becomes a part of the corporate record.
- 41.5 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. The substantive issue of the item being referred shall not be debated.
- 41.6 Notwithstanding subsection 41.4, or any other provisions of this bylaw, the member, who moved a motion after a motion is under debate, may, with consent of Council:
- a) on his or her own initiative while he or she 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.
- 41.7 All items of correspondence under the Correspondence section of the agenda shall be deemed to be one document and shall be disposed of with one motion, unless a member of a Council requests that a specific item of correspondence within that section be dealt with separately.
- 41.8 All reports under the Reports section of the agenda shall be deemed to be one document and shall be disposed of with one motion, unless a member of Council requests that a specific report within that section be dealt with separately.
- 41.9 Once a main motion respecting any subject on the agenda has been adopted by Council, as presented or as amended, the subject shall be closed and no further motions shall be accepted with respect to that item of business.
- 41.10 It shall be the duty of the Mayor or presiding member to determine what motions or amendments are in order, subject to an appeal to Council, and decline to put any motion before Council which he or she deems to be clearly out of order or contrary to law.
- 41.11 Any motions allowed under subsection 41.2 shall be considered in the order in which they were moved.

## **42 Debate**

- 42.2 Any member may ask a question which relates directly to the debate, contains no argument, and introduces no new material on the motion.
- 42.3 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.

- 42.4 No member may speak more than twice on any motion, except when members feel they have been misquoted or misunderstood, they may, after receiving permission from the Mayor or presiding member to speak, explain a part of the speech, but may not introduce any new matter, and there shall be no debate on the explanation.
- 42.5 When the Mayor or presiding member determines the debate closed, the motion shall be put to a vote without further discussion or debate.
- 42.6 When it appears to the City Manager, the City Clerk or any other authorized City official that a matter under debate before Council should be referred to Administration, they shall, at the meeting, request that Council refer the matter to Administration and shall provide a very brief explanation as to why the referral should be made.

#### **43 Amendments**

- 43.2 Except as provided in subsection 43.7, 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.
- 43.3 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.
- 43.4 An amending motion may also be amended.
- 43.5 The Mayor or presiding member shall allow only one amendment at a time to the principal motion before Council, and only one amendment to that amendment may be allowed at a time.
- 43.6 The Mayor or presiding member shall not put the principal motion under debate until all amendments to it have been put and voted upon.
- 43.7 When all amendments are voted upon, the Mayor or presiding member shall put the main motion incorporating all amendments to a vote.
- 43.8 No amendments shall be made to the following motions:
  - a) a motion to adjourn;
  - b) a motion to table the question, except as to the date; and,
  - c) a motion requesting that a motion be put to a vote.

#### **44 Motions Containing Distinct Propositions**

- 44.2 A motion containing several distinct propositions is not out of order for that reason alone.

- 43.2 Where a motion contains two or more propositions, and when:
- a) a member so requires; or,
  - b) the Mayor or presiding member so orders,
- Council shall vote on each proposition separately.
- 43.3 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.

#### **45 Motion to Adjourn**

- 44.1 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) Council is in Committee of the Whole; or,
  - e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- 44.2 A motion to adjourn shall be put without comment or debate.
- 44.3 After the hour of 9:30 p.m. of Council being in session, a motion to adjourn, requires a majority vote.

#### **46 Voting on Motions**

- 46.1 A question or motion shall be declared lost when it:
- a) does not receive a majority vote,
  - b) does not receive the required number of votes, or
  - c) receives an equal division of votes.
- 46.2 Members, who shall be present in the designated Council Chamber when a question is put, shall vote thereon by show of hands, unless they have a conflict of interest in the question, provided such interest is one which prevents such members from voting by reason of the provisions of Part VII of the Act.
- 46.3 The City Clerk shall record the members voting for a motion and voting against a motion where:
- a) a member demands that a recorded vote be taken on division; or,
  - b) the Mayor or presiding member directs that a recorded vote be taken on division.

- 46.4 Once the City Clerk has recorded the vote on a division, no member shall change his or her vote without the unanimous consent of the other members present.
- 46.5 Whenever a statute or regulation of the Province of Saskatchewan, this or any other bylaw of the City requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation, or bylaw.
- 46.6 When a recorded vote is taken, a member shall vote separately but, in every other case, the decision of Council shall be expressed by a show of hands.

#### **47 Reconsidering and Rescinding a Motion**

- 47.1 When members wish Council to reconsider, alter or rescind any motion passed at a previous meeting, they shall bring the matter before Council by a Notice of Motion, which shall:
  - a) be given at a duly called meeting preceding the meeting at which they wish to reconsider the matter;
  - b) specify the future meeting at which the proposed matter is to be considered by Council; and,
  - c) indicate in the substantive portion of the motion the action which they propose that Council shall take on the matter.
- 47.2 Upon approval of the notice of motion to reconsider at a future meeting:
  - a) the City Clerk shall place on the agenda all relevant material related to the subject being reconsidered; and,
  - b) Council may then consider the matter without being encumbered by its previous resolution.
- 47.3 Council may reconsider a matter passed at a previous meeting, sooner than specified by subsection 47.1, if the motion to waive notice and reconsider the subject immediately is passed by a unanimous vote of the members present and the member introducing the motion has provided all the members of Council and the City Clerk with a copy of the resolution of Council and supporting documentation that is to be reconsidered.
- 47.4 When Council wishes to reconsider any action taken on the subject matter of any motion passed at the same meeting, a member may move to reconsider the matter, and if a majority of the members vote for reconsideration, the matter may again be dealt with at the same meeting.
- 47.5 Notwithstanding anything provided in this section, where pursuant to any motion duly passed by Council, the City has a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind, or replace the motion, except to the extent that it does not attempt to avoid or interfere with the liability or obligation.



- 47.6 A motion to reconsider shall be debatable provided it relates to a subject which is itself debatable but shall be limited to whether it is in the best interests of the Council to reconsider the decision already made by the Council.
- 47.7 No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

#### **48 Notice of Motion**

- 48.1 A member, in presenting a notice of motion, shall only include in the notice a Resolve Clause(s) with no preamble or whereas clauses. If the notice includes preamble or whereas clauses the notice shall be included on the agenda, but the official minutes of the meeting shall only record the Resolve Clauses.
- 48.2 A member introducing a notice may provide with the notice an explanatory memo explaining the notice, however, the memo shall not form part of the official records.
- 48.3 A Notice of Motion shall be presented to the City Clerk in writing, which shall be duly signed by the member, and include the exact motion proposed.
- 48.4 A modification of a Notice of Motion, included in the Council agenda, is permitted provided the amended notice does not exceed the scope of the original notice.

#### **49 Committee of the Whole**

- 49.1 When Council resolves into Committee of the Whole, the Mayor or other presiding member shall leave the chair, and the Deputy Mayor shall be the Chairperson of the Committee of the Whole who shall maintain order in the committee.
- 49.2 The rules of Council shall be observed in Committee of the Whole, so far as may be applicable, except that no motion is required to be seconded.
- 49.3 No member shall speak more than once until every member who desires to do so has spoken.
- 49.4 Questions of order arising in Committee of the Whole shall be decided by the Chair, subject to an appeal to the Committee.

#### **50 Standing Committees of Council**

- 50.1 Standing Committees shall be appointed by the Mayor and approved by resolution of Council.
- 50.2 The Mayor shall be an ex-officio voting member of all Committees, and his or her membership shall be included for the purpose of determining the quorum. The Mayor shall also be empowered to make any motion in Committee.

- 50.3 Members of the Council may attend the meetings of Committees on which they are not placed, but shall not take part in the proceedings of the same except by the permission of the majority of the members of the Committee.
- 50.4 Subject to the specific provisions of this Bylaw, all meetings of Standing Committees shall be open to the public and every member of the public shall have the right to be present during such meetings unless that person has been expelled for improper conduct.
- 50.5 Notwithstanding subsection 50.4, a Standing Committee may, by resolution, close all or part of a meeting to the public if the matter to be discussed is within one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- 50.6 Where a Standing Committee resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
- a) the members of the Committee;
  - b) the City Manager, the City Clerk and such other members of Administration as the members of the Committee may deem appropriate; and,
  - c) such members of the public as may be allowed to attend by the Chair.
- 50.7 Where a Standing Committee resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the City Clerk or Secretary, as the case may be, shall record in the minutes thereof:
- a) the time the in-camera portion of the meeting commenced and concluded;
  - b) the names of the parties present; and,
  - c) the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* relied upon for authority to close the meeting to the public.
- 50.8 No act or proceeding of a Standing Committee is effective unless it is authorized or adopted at a meeting which is open to the public.
- 50.9 When required, recommendations to Council from Standing Committee meetings shall be placed by the City Clerk on the agenda for the next Council meeting for approval.
- 50.10 The City Clerk shall ensure the minutes of every meeting of a Standing Committee are recorded in accordance with the requirements set forth in *The Cities Act*.
- 50.11 The minutes of every meeting of all Standing Committees shall be placed by the City Clerk on the agenda of a regular meeting of Council.
- 50.12 The agendas for Standing Committee meetings shall be prepared in conjunction with the City Clerk.
- 50.13 The rules of Council shall be observed in Standing Committees, so far as may be applicable, except that no motion is required to be seconded.

**51 Executive Committee**

- 51.1 An Executive Committee is hereby established comprised of all members of Council.
- 51.2 The Chairperson of the Executive Committee shall be the Deputy Mayor.
- 51.3 Meetings of the Executive Committee shall be held on the same day as regular meetings of Council, immediately preceding the meeting, provided there is any business to be transacted by the Executive Committee.
- 51.4 The rules of procedure provided for in section 49 shall apply, mutatis mutandis, to the proceedings of the Executive Committee.
- 51.5 Exemptions as outlined in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*, as outlined on Schedule "A" attached to this bylaw, shall be followed in preparing the agenda for the Executive Committee.

**52 Advisory and other Committees**

- 52.1 Council may, by bylaw or resolution, establish any committee or board that it considers desirable for the purpose of providing advice and recommendations to members of Council respecting the management and operation of any activity of the City.
- 52.2 Council shall, by bylaw or resolution, set out the constitution, duties, composition, delegated authorities, powers and functions of any committee or board established pursuant to subsection 52.1.
- 52.3 Subject to subsection 52.4, all committees and boards established or continued by Council prior to the passage of the Procedure Bylaw are continued pursuant to the terms of that Bylaw.
- 52.4 All committees or boards continued pursuant to subsection 52.2, shall be subject to the requirements of *The Cities Act* or the provisions of that Bylaw.
- 52.5 All questions, matters and proceedings properly before a committee established or continued pursuant to this Part shall be decided by resolution of members then present.
- 52.6 Subject to any specific powers, duties and authority which may be delegated by bylaw or resolution of Council, no decision, recommendation or resolution of a committee or board established pursuant to subsection (a) shall be effective unless specifically adopted by resolution of Council.
- 52.7 The City Clerk shall ensure the minutes of every committee established or continued pursuant to this Part are recorded in accordance with the requirements set forth in *The Cities Act*.
- 52.8 The minutes of every meeting of all Advisory and other committees shall be placed by the City Clerk on the agenda of the next regular meeting of Council.

**53 Appointments to Committees, Boards, and other Bodies**

- 53.1 Whenever there is a requirement for the appointment of any person or persons to any Committee or Board, the Mayor shall, after due consultation, place before Council the name or names of the person or persons to be appointed and the appointment and terms thereof shall be subject to the approval of Council.
- 53.2 Notwithstanding Subsection 53.1, Standing Committees of Council, mandate permitting, may recommend persons to sit as members-at-large on their committee pending approval of Council.

**54 Repeal**

- 54.1 Bylaw Number 1700 and all amendments hereto are hereby repealed.

This Bylaw shall come into force and take effect on the day of the final passing thereof.

Introduced and read a first time this 28<sup>th</sup> day of June, 2021.

Read a second time this 19<sup>th</sup> day of July, 2021.

Read a third time and adopted as amended this 19<sup>th</sup> day of July, 2021.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

## **SCHEDULE “A”**

### **BYLAW NO. 2108**

Exemptions Found in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.

1. Information obtained in confidence either implicitly or explicitly from another level of government or another local authority.
2. Information which could interfere or prejudice law enforcement or any lawful investigation or be injurious to the conduct of existing or anticipated legal proceedings.
3. A record which contains a draft bylaw or resolution.
4. In Camera agendas or deliberations or agendas or deliberations which include personal information.
5. Records which may contain:
  - a) advice, proposals, recommendations, analysis or policy options developed by or for a local authority,
  - b) consultations or deliberations involving officers or employees of the local authority,
  - c) positions, plans, procedures, criteria or instructions developed for contractual or other negotiations by or on behalf of the local authority,
  - d) plans that relate to the management of personnel or the administration of the local authority which have not been implemented; and
  - e) information including proposed plans, policies or projects which may reasonably expect to result in disclosure of a pending policy or budgetary decision.
6. A record which could reasonably be expected to disclose:
  - a) trade secrets;
  - b) proprietary information;
  - c) information obtained through research by an employee, the disclosure of which could be reasonably expected to deprive the employee of priority of publication;
  - d) information, the disclosure of which could reasonably be expected to interfere with contractual or other negotiations;
  - e) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations;
  - f) information which could reasonably be expected to prejudice the economic interest of the local authority; and
  - g) information, the disclosure of which could reasonably be expected to result in an undue benefit or loss to a person.

7. Third party information which includes trade secrets of a third party or other information supplied in confidence to a local authority by a third party.
8. Records that contain information relating to testing or auditing procedures or details of specific tests to be given or audits to be conducted, the disclosure of which could reasonably be expected to prejudice the use or results of the tests or audits.
9. Any record, the disclosure of which could threaten the safety or physical or mental health of an individual.
10. Records which contain information which is subject to solicitor-client privilege.