

BYLAW NO. 2016-01

A BYLAW FOR COUNCIL PROCEDURES

A Bylaw of the Rural Municipality of Calder No 241 in the Province of Saskatchewan to REGULATE THE PROCEEDINGS OF Municipal Council and Council Committees.

THE COUNCIL OF THE R.M. OF CALDER NO 241 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

PART 1- INTERPRETATION

1. Short Title

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

2. Purpose

2.1. The purpose of this bylaw is to establish clear, transparent, consistent and accessible rules for conducting business at meetings, for council members, administrations and the public to follow and participate in governing the municipality and for council in establishing council committees.

3. Definitions

3.1. In this bylaw:

- 3.1.1. "Act" means *The Municipalities Act*.
- 3.1.2. "Acting reeve" means the councillor elected by council to act as reeve if a vacancy arises in that office.
- 3.1.3. "Adjourn" means to suspend proceedings to another time or place.
- 3.1.4. "Administration" means the person appointed as Administrator pursuant to section 111 of *The Municipalities Act*.
- 3.1.5. "Agenda deadline" means the time established in subsection 13.6 of this bylaw.
- 3.1.6. "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.
- 3.1.7. "Business day" means a day other than a Saturday, Sunday or holiday.
- 3.1.8. "Chair" means a person who has the authority to preside over a meeting.
- 3.1.9. "Committee" means a committee, board, authority or other body duly appointed by council.
- 3.1.10. "Communications" include, but are not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article.
- 3.1.11. "Consent agenda" means a portion of a meeting that lists items of business which are routing in nature and do not require substantial discussion and/or debate.
- 3.1.12. "Consent motion" means a motion to adopt, without debate, the recommendations of several reports within a consent agenda.

- 3.1.13. "Council" means the reeve and councillors of the municipality elected pursuant to the provisions of *The Local Government Election Act*.
- 3.1.14. "Councillor" means the council member duly elected in the municipality as a councillor, in accordance with *The Local Government Election Act*.
- 3.1.15. "Deputy reeve" means the councillor who is appointed by council pursuant to section 34 of this bylaw to act as reeve in the absence or incapacity of the reeve.
- 3.1.16. "Reeve" means the council member duly elected in the municipality as the reeve in accordance with *The Local Government Election Act*.
- 3.1.17. "Member" means the reeve, councillor or an appointed individual to a committee, commission or board of council.
- 3.1.18. "Motion" means a formal proposal placed before a meeting in order that it may be debated to a conclusion.
- 3.1.19. "Mover" means a person who presents or proposes a motion or amendment.
- 3.1.20. "Municipality" means the Rural Municipality of Calder No 241
- 3.1.21. "Order of business" means the list of items comprising the agenda and the order in which those items appear on the agenda.
- 3.1.22. "Point of Order" means the raising of a question by a member in meeting claiming that the procedures for the meeting or of an individual council member are contrary to the procedural rules or practices.
- 3.1.23. "Point of privilege" means the raising of a matter by a member which occurs while the council is in session, where:
 - 3.1.23.1. The rights, privileges, decorum or dignity of the council collectively or the rights and privileges of a member individually have been affected; or
 - 3.1.23.2. When a member believes that another member has spoken disrespectfully towards them or the council; or
 - 3.1.23.3. When a member believes their comments have been misunderstood or misinterpreted by another member or members; or
 - 3.1.23.4. When a member believes that comments have been misinterpreted or misunderstood by the Community, the public or the news media in order to clarify his or her position.
- 3.1.24. "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.
- 3.1.25. "Public hearing" means a meeting of council or that portion of a meeting of council which is convened to hear matters pursuant to:
 - 3.1.25.1. *The Municipalities Act*
 - 3.1.25.2. *The Planning and Development Act, 2007*
 - 3.1.25.3. Any other Act; or
 - 3.1.25.4. A resolution or Bylaw of council.
- 3.1.26. "Quorum" is subject to section 98 of the Act:
 - 3.1.26.1. In the case of council, a majority of the whole council,
 - 3.1.26.2. In the case of a committee, a majority of the members who are appointed to the committee.
- 3.1.27. "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.
- 3.1.28. "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.

- 3.1.29. "Seconder" means a person who formally supports a motion or amendment at the time it is proposed.
- 3.1.30. "Special committee" means a committee appointed by council at any time to deal with a specific issue, or issues, and exist for a length of time required to review the issue or issues and make recommendations to council.
- 3.1.31. "Special Meeting" means a meeting other than a regular scheduled meeting called pursuant to section 123 of the Act or the provisions of this bylaw.
- 3.1.32. "Subcommittee" means a committee established by a committee, Commission or board to review and report on an aspect of the committee, Commission or board business.
- 3.1.33. "Unfinished business" means business which has been raised at the same or a previous meeting and which has not been completed.
- 3.1.34. "Urgent business" means a time sensitive matter which requires council's immediate and urgent consideration.
- 3.2. A reference in this bylaw to the enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment and amended from time to time.

4. Application

- 4.1. This bylaw applies to all meetings of council and committees.
- 4.2. Notwithstanding subsection 4.1, council may by resolution or bylaw allow a board or committee to establish its own procedures.
- 4.3. 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 Robert's Rules of Order.
- 4.4. In the event of any conflict between provisions of this bylaw and those contained in any of the other authorities set out above, the provision of this bylaw shall apply.
- 4.5. Subject to subsection 4.3, any ruling of the reeve or chair shall prevail, subject however to the jurisdiction of council or the committee to consider any appeals of those rulings.

PART 2- MEETINGS

5. First Meeting

- 5.1. The first meeting of council shall be held on a date in which the Administrator declares, but must be within the first 31 days after a general election.
- 5.2. At the first meeting of council:
 - 5.2.1. The Returning Officer shall provide council with a copy of the declaration of results with respect to the election; and
 - 5.2.2. Every council member shall take the oath of office pursuant to the Act.

6. Regular Meetings

- 6.1. Regular meeting dates of council shall be held on the second Wednesday of each month excepting:
 - 6.1.1. Public holidays, either statutory or civic
 - 6.1.2. Where the meeting date falls on a convention date in which the council or administrator are attending.
 - 6.1.3. Where, by resolution, the council deems it necessary to move the regular meeting.
- 6.2. In the event of a Regular Council meeting being moved, council shall by resolution set the time and date that is more suitable.
- 6.3. Notwithstanding the foregoing provisions, council may. By resolution, dispense with or alter the time of a regular meeting of council.

6.4. Regular meetings shall be held in the council chambers of the Rural Municipality of Calder No 241 unless changed by resolution.

7. Special Meeting

- 7.1. The Administrator shall call a special meeting of Council, whenever requested to do so, in writing, by the reeve or a majority of council members.
- 7.2. The written request referred to in subsection 7.1 shall include all items of business to be transacted.
- 7.3. Form 1, appended hereto and forming a part of this bylaw, shall be the form used to direct the administrator to call a special meeting of council.
- 7.4. When a special meeting is to be held, the Administrator shall provide written notice of the time, date, and place of the meeting to all members pursuant to section 1- of this bylaw and to the public at least twenty-four hours prior to the meeting and, in general terms, of the business to be transacted at the meeting.
- 7.5. Notwithstanding subsection 7.2, a special meeting may be held with less than twenty-four 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.
- 7.6. No business, other than that stated in the notice, shall be transacted at the special meeting, unless all members are present and, by unanimous consent, they authorize other business to be transacted.

8. Notice of Meetings

- 8.1. Notice of regularly scheduled council meetings is not required to be given.
- 8.2. If council changes the date, time or place of a regularly scheduled meeting, at least twenty four hours' notice will be given to:
 - 8.2.1. Any member not present at the meeting at which the change was made;
 - 8.2.2. The public

9. Method of Giving Notice

- 9.1. Notice of a council meeting is deemed to have been given to a member if the notice is:
 - 9.1.1. Delivered personally;
 - 9.1.2. Left at the usual place of business or residence of the member; or
 - 9.1.3. 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.
- 9.2. Form 2, appended hereto and forming a part of this bylaw, shall be the form used to request the administrator to use an alternate method of providing notice to meetings.
- 9.3. Notice of a council meeting is to be given to the public by posting notice of the meeting at the municipal office.

10. Actions in Public

- 10.1. 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.
- 10.2. Every person has the right to be present at council meetings that are conducted in public unless the person presiding at the meeting expels a person for improper conduct.

11. Closed Sessions

- 11.1. Council may close all or any part of its meeting to the public if the matter to be discussed:

- 11.1.1. Is within on of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*; or
- 11.1.2. Concerns long range or strategic planning.
- 11.2. A resolution to move into closed session shall state, in general terms, the topic of discussion.
- 11.3. Where council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
 - 11.3.1. Members of council
 - 11.3.2. The administrator and other members of administration as the members of the council may deem appropriate; and
 - 11.3.3. Such members of the public as may be allowed to attend by the council.
- 11.4. Where Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the administrator shall record in the Minutes thereto;
 - 11.4.1. The time that the in-camera portion of the meeting commenced and concluded;
 - 11.4.2. The names of the parties present; and
 - 11.4.3. The legislative authority including the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* relied upon for the authority to close the meeting to public.
- 11.5. No Resolutions or bylaws may be passed during a closed meeting.
- 11.6. No business other than that described within the resolution pursuant to subsection 12.2 may be discussed.
- 11.7. Matters discussed or to be discussed in a closed meeting are to be kept in confidence until discussed at a public meeting of council, unless otherwise provided in this bylaw.

PART 3- COUNCIL MEETING PROCEDURES

12. Agendas

- 12.1. The Administrator shall prepare the agenda for all regular and special meetings of Council
- 12.2. 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.
- 12.3. The administrator shall ensure that the council agendas are delivered to each member prior to the start of the meeting.
- 12.4. The administrator shall ensure that the council agendas are available to the general public no later than the start of the meeting.
- 12.5. All administrative reports, communication from public, requests or any other material intended for inclusion in a council agenda must be received by the administrator no later than noon the day prior to the meeting.
- 12.6. Council may permit additional material on the agenda
- 12.7. The agenda shall not be adopted.

13. Urgent Business

- 13.1. The administration or councillors 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 administrator.
- 13.2. In these circumstances, the administration or councillors shall submit a report to the administrator including an explanation of the reasons and degree of urgency of the matter as soon as possible.

- 13.3. The Administrator shall distribute any requests to add a matter of urgent business to the agenda to the members as soon as they are available.
- 13.4. Council may consider a matter of urgent business by a majority vote of members present.

14. Order of Business at Meetings

- 14.1. The general order of business for regular council meetings shall be as follows:
 - 14.1.1. Call to Order
 - 14.1.2. Delegations & Public Hearings
 - 14.1.3. Adoption of Minutes
 - 14.1.4. Finances
 - 14.1.5. Business
 - 14.1.6. Committee Reports
 - 14.1.7. Correspondence
 - 14.1.8. Adjournment
- 14.2. The Business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:
 - 14.2.1. Otherwise determined up on motion passed by a vote of majority of the members present to approve the agenda and which vote shall be placed without debate: or
 - 14.2.2. The reeve determines during the proceedings of council that a matter should be moved forward or back to be dealt with in a timely matter.

15. Commencement of Council Meetings

- 15.1. At the hour set for the meeting, or as soon as all members of council present, the reeve, or in their absence, the deputy reeve until such time as the reeve arrives, shall take the chair and call the members to order.
- 15.2. In a case where neither the reeve nor the deputy reeve is in attendance, and subject to a quorum being present, council shall appoint an acting reeve pursuant to section 35 of this bylaw who shall call the meeting to order and shall preside over the meeting until such time as the reeve or deputy reeve arrives.
- 15.3. If a quorum is not present 30 minutes after the appointed time for the meeting, the administrator 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.
- 15.4. Subject to the Act, if at any meeting the number of members is reduced to less than the number required for a quorum, council shall stand adjourned.
- 15.5. Any unfinished business remaining at the time of adjournment, due to the loss of a 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.

16. Quorum

- 16.1. A quorum of council is a majority of members.
- 16.2. Any Act or proceedings of council that is adopted at any council meeting at which a quorum is not present is invalid.

17. Minutes

- 17.1. The Administrator shall record the minutes of each council meeting without note of comment.
- 17.2. The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- 17.3. Any member may make a motion amending the minutes to correct any mistakes.

- 17.4. The minutes of each meeting are to be approved at the next regular meeting of council and signed by the presiding member and the administrator in accordance with the Act

18. Public Hearing

- 18.1. If a public hearing is required by any Act, it shall be conducted in accordance with the provisions of this section.
- 18.2. The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:
- 18.2.1. The reeve shall declare the hearing on the matter open;
- 18.2.2. The administration shall present a report on the bylaw or resolution under consideration including the administration recommendations;
- 18.2.3. If it is a hearing that involves an applicant, the applicant shall be given an opportunity to make representations on the matter under consideration;
- 18.2.4. After the applicant, any person or group of persons or spokesperson acting on behalf or another person or group shall be given an opportunity to make representations on the matter under consideration;
- 18.2.5. If it is a hearing that involves an applicant, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
- 18.2.6. Council may request further information from administration;
- 18.2.7. Council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
- 18.2.8. The reeve shall declare the hearing at a close;
- 18.2.9. 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.
- 18.3. The time allowed for each person making a representation shall be 20 minutes unless council approves of a time extension.
- 18.4. A hearing may be adjourned to a certain date.
- 18.5. 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.

19. Communications- General

- 19.1. When a person wishes to have a communication considered by council, it shall be addressed to council, and;
- 19.1.1. Clearly set out the matter in issue and the request; and
- 19.1.2. For written communications, must be printed, typewritten, or legibly written, containing the mailing address of the writer and be signed with the name of the writer; or
- 19.1.3. For electronic communications, must contain the name of the writer and both their mailing address and the electronic address of the writer.
- 19.2. A communication received by the administrator, which does not meet the conditions in subsection 22.1 or is abusive in nature, shall be forwarded to the reeve for review and disposition.
- 19.3. A communication received by the administrator which contains or related to personal information shall be dealt with in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.

- 19.4. 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.

20. Communications- Matters on council Agenda

- 20.1. A written communication pertaining to a matter already on a council agenda must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.
- 20.2. A written communication received before the agenda deadline shall be placed by the administrator on the council agenda and shall be dealt with when the matter is considered by council at its meeting.
- 20.3. In the event that the communication to the administrator is received after the agenda deadline, regarding a subject which is on the agenda, the Administrator shall bring the request to the attention of council.
- 20.3.1. The individual will be advised by the administrator 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.

21. Communications- Matters not on the Council Agenda

- 21.1. A written communication received before the agenda deadline shall be placed by the administrator on the council agenda and shall be dealt with when the matter is considered by council at its meeting.
- 21.2. In the event that the communication to the administrator is received after the agenda deadline, regarding a subject which is not on the agenda, the administrator will bring the request to the attention of council.
- 21.3. The individual will be advised by the administrator 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.

22. Delegations- Matters on Council Agenda

- 22.1. 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 administrator in writing, which notice shall include the following:
- 22.1.1. The name and correct mailing address of the spokesperson;
- 22.1.2. Telephone number where the representative of the delegation can be reached during the day;
- 22.1.3. Originally signed, except when submitted by facsimile or e-mail; and
- 22.1.4. Clearly setting out the subject matter to be discussed and the request being made by council.
- 22.2. A request to speak to council pursuant to subsection 25.1 must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.
- 22.3. In the event that a delegation makes an application to the administrator after the agenda deadline, regarding a subject which is on the agenda, the administrator will bring the request to the attention of council.
- 22.3.1. Delegations will be advised by the administrator that they may not be heard by council unless the majority of members vote to allow the delegation to speak.
- 22.4. Delegations speaking before council shall address their remarks to the stated business.
- 22.4.1. Rebuttal or cross debate with other delegations shall not be permitted.

- 22.5. A maximum of 20 minutes shall be allotted for each delegation to present his or her position of support or opposition unless the time is allowed to be extended by council.

23. Delegations- Matters not on Council Agenda

- 23.1. 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 administrator in writing, which shall include the following:
- 23.1.1. The name and correct mailing address of the spokesperson;
 - 23.1.2. Telephone number where the representative of the delegation can be reached during the day;
 - 23.1.3. Originally signed, except when submitted by facsimile or email; and
 - 23.1.4. Clearly setting out the subject matter to be discussed and the request being made of council.
 - 23.1.5. A request to speak to council pursuant to subsection 26.1 must be received by the administrator no later than the agenda deadline to be included on the agenda.
 - 23.1.6. The administrator, who shall consult with the reeve, may refuse to accept a request to speak to council if council has, within the six months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.
 - 23.1.7. If a request to speak to council is refused pursuant to subsection 26.3, a copy of the request and reply shall be forwarded to members by the administrator.
 - 23.1.8. In the event that a delegation makes an application to the administrator after the agenda deadline, regarding a subject which is not on the agenda, the administrator will bring the request to the attention of council.
 - 23.1.8.1. Delegations will be advised by the administrator that they may not be heard by council unless the majority of members vote to allow the delegation to speak.

24. Council Reports

- 24.1. Statements shall include the sharing of the following information:
- 24.1.1. Events, activities or community functions attended;
 - 24.1.2. General work of members on behalf of council colleagues, constituents, and the municipality.
 - 24.1.3. All comments will be verbal only and shall not be recorded in the minutes of the meeting.

25. Bylaws

- 25.1. Every proposed bylaw must have three (3) distinct and separate readings.
- 25.2. 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.
- 25.3. A proposed bylaw will be considered by council immediately following consideration of the report or item to which the bylaw relates.
- 25.4. Only the title or identifying number has to be read at each reading of the bylaw.
- 25.5. 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.
- 25.6. Each member present at the meeting at which 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 the first reading.
- 25.7. When a bylaw has been given three (3) readings by council, it;

- 25.7.1. Becomes a municipal enactment of the municipality; and
- 25.7.2. Is effective immediately unless the bylaw or applicable provincial statute provides otherwise.
- 25.8. The Administrator 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.
- 25.9. After passage, every bylaw shall be signed by the reeve and the administrator, pursuant to the Act and marked with the corporate seal of the Municipality.

26. Public Forum

- 26.1. Any member of the public wishing to speak to council on a municipal matter may appear at a council meeting, as long as they pre-register with the administrator prior to 12:00 noon on the day of the meeting.
- 26.2. The total time allowed to speak shall be no more than 20 minutes per individual or delegation without permission from members.

27. Recess

- 27.1. The council may recess at any time during the meeting.
- 27.2. A motion to recess must state the time of duration and must be passed by a majority of the members present.
- 27.3. The council may reconvene sooner than the time mentioned in the motion of recess, but not reconvene later than 20 minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.

28. Adjournment

- 28.1. All regularly scheduled council meetings shall stand adjourned when the council has completed all business a listed on the order of business or when a motion of council adjourns the meeting.
- 28.2. 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.

PART IV CONDUCT AT COUNCIL MEETINGS

29. Reeve

- 29.1. The Reeve shall:
 - 29.1.1. Preside at all council meetings;
 - 29.1.2. Preserve order at council meetings;
 - 29.1.3. Enforce the rules of council;
 - 29.1.4. Decide points of privilege and points of order; and
 - 29.1.5. Advise on points of procedure.
- 29.2. The reeve shall have the same rights and be subject to the same restrictions, when participating in debate, as all other members.
- 29.3. The reeve shall have the same rights and be subject to the same restrictions as all other members to make a motion.

30. Deputy Reeve

- 30.1. The council shall, at its first meeting, or if the position is vacant, appoint from the councillors a deputy reeve as follows:

- 30.1.1. The deputy reeve position shall be a rotating position, in the order of the division numbers, with each councillor having an opportunity to become a deputy reeve if they so desire.
- 30.1.2. If a councillor desires not to become deputy reeve, the position will be offered to the next higher division.
- 30.1.3. The term shall be a 1 year term.
- 30.2. If the reeve, for any reason, is unable to perform the duties of his or her office, the deputy reeve shall have all the powers of the reeve during the inability.

31. Acting Reeve

- 31.1. Council shall appoint a member to act as reeve if:
 - 31.1.1. Both the reeve and the deputy reeve are unable to perform the duties of his or her office; or
 - 31.1.2. The offices of both the reeve and deputy reeve are vacant.
 - 31.1.3. The member to be appointed, pursuant to subsection 35.1, shall be elected by a majority of members present.
 - 31.1.4. Where two (2) members have an equal number of votes, the administrator shall:
 - 31.1.4.1. Write the names of those members separately on blank sheets of paper of equal size, color and texture;
 - 31.1.4.2. Fold the sheets in uniform manner so the names are concealed;
 - 31.1.4.3. Deposit them in a receptacle; and
 - 31.1.4.4. Direct a person to draw one of the sheets of paper.
 - 31.1.4.5. The name drawn shall be the person declared elected.

32. Persons Allowed at the Table

- 32.1. No person, except members, the administrator and other members of administration as authorized by the administrator and such persons as are permitted by the reeve shall be allowed to be seated at the council table during the sittings of the council.

33. Conduct of Public

- 33.1. All persons in the public gallery at a council meeting shall:
 - 33.1.1. Refrain from addressing council or a member unless permitted to do so;
 - 33.1.2. Maintain quiet and order;
 - 33.1.3. Refrain from disturbing the proceeding by words, gestures or actions including applauding, displaying flags, placards or similar material;
 - 33.1.4. Refrain from talking on cellular telephones;
 - 33.1.5. Refrain from making audio or video recordings of council proceedings; and
 - 33.1.6. 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.

34. Conduct of Delegations

- 34.1. When addressing members at a council meeting, a delegation shall refrain from:
 - 34.1.1. Speaking disrespectfully of the federal government, the provincial government, or another municipal council, or any official representing them.
 - 34.1.2. Using offensive words in referring to a member, an employee of the municipality or a member of the public;
 - 34.1.3. Reflecting on a vote of council except when moving to rescind or reconsider it;

34.1.4. Reflecting on the motive of the members who voted on the motion or the mover of the motion;

34.1.5. Shouting or using an immoderate tone, profane, vulgar or offensive language.

35. Conduct of Members

35.1. Members of council wishing to speak at a meeting shall ensure they do not interrupt another member.

35.2. If more than one member wished to speak at a meeting at the same time, the reeve shall indicate which member shall speak first.

35.3. When addressing a council meeting, a member shall refrain from:

35.3.1. Speaking disrespectfully of the federal government, the provincial government, or another municipal council, or any official representing them;

35.3.2. Using offensive words in referring to a member, an employee of the municipality or a member of the public;

35.3.3. Reflecting on a vote of council except when moving to rescind or reconsider it;

35.3.4. Reflecting on the motives of the members who voted on the motion or the mover of the motion; or

35.3.5. Shouting or using an immoderate tone, profane, vulgar, or offensive language.

35.4. When a member is addressing council, all other members shall:

35.4.1. Remain quiet and seated;

35.4.2. Refrain from interruption the speaker, except on a point of order or point of procedure; and

35.4.3. Refrain from carrying on private conversation in such a manner that disturbs the speaker.

35.5. Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

36. Improper Conduct

36.1. The reeve may request any person in the public gallery who disturbs the proceedings of council or acts improperly at a council meeting, as set out in section 37, leave or be expelled from the meeting.

36.2. The reeve may request that any delegation who addresses council improperly as set out in section 38, leave or be expelled from a meeting.

36.3. No person shall refuse to leave when requested to do so by the reeve.

36.4. Any person who refuses to leave when requested to do so may be removed.

36.5. If a person disturbs the proceedings of council or refuses to leave when requested to do so, the reeve may recess the meeting until the person leaves or adjourn the meeting to another day.

37. Leaving the Meeting

37.1. Every member who leaves the council meeting before the meeting is over, whether intending to return to the meeting or not shall notify the administrator.

38. Point of Order

38.1. A member may rise and ask the reeve to rule on a point of order.

38.2. When a point of order is raised, the member speaking shall immediately cease speaking until the reeve decides the point of order raised.

38.3. A point of order must be raised immediately at the time the rules of council are breached.

38.4. The member against whom the point of order is raised may be granted permission by the reeve to explain.

- 38.5. The reeve may consult with the administrator before ruling on a point of order.
- 38.6. A point of order is not subject to amendment or debate.

39. Point of Privilege

- 39.1. Any member may ask the reeve for an opinion on a point of procedure.
- 39.2. After the member has stated the point of privilege, the reeve shall rule whether or not the matter raised is a point of privilege.
- 39.3. 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.
- 39.4. 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.
- 39.5. The reeve may consult the administrator before ruling on a point of privilege.
- 39.6. A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to council.

40. Point of Procedure

- 40.1. A member may ask the reeve for an opinion on a point of procedure.
- 40.2. When a point of procedure is raised, the member speaking shall immediately cease speaking until the reeve responds to the inquiry.
- 40.3. After the member has asked the point of procedure, the reeve shall provide an opinion on the rules of procedure bearing on the matter before council.
- 40.4. The reeve may consult the administrator before providing an opinion on the point of procedure.
- 40.5. A point of procedure is not subject to amendment or debate.
- 40.6. The reeve's answer to a point of procedure is not a ruling, and can not be appealed to the whole of council.

41. Appeal

- 41.1. Whenever a member wishing to appeal any ruling of the reeve or a point of order or point of privilege to the whole of council:
 - 41.1.1. The motion of appeal, "that the decision of the chair be overruled" shall be made;
 - 41.1.2. The member may offer a brief reason for the challenge;
 - 41.1.3. The reeve may state the reason for the decision; and
 - 41.1.4. Following which the question shall be put immediately without debate.
- 41.2. The reeve shall be governed by the vote of majority of the members present.
- 41.3. A ruling of the reeve must be appealed immediately after ruling is made or the ruling will be final.

42. Calling a Member to Order

- 42.1. When the reeve calls a member to order, the member shall resume his or her seat, but may afterwards explain his or her position in making the remark for which he or she was called to order.
- 42.2. In the event that a member refuses to resume his or her seat when called to order, the reeve shall request the deputy reeve, or if the deputy reeve is the unruly member, any other member of the council to move a resolution to remove the unruly member either:
 - 42.2.1. For the balance of the meeting,
 - 42.2.2. Until a time which shall be stated in the motion, or
 - 42.2.3. Until the member makes an apology acceptable to council for his or her unruly behavior, whichever shall be the shortest time.

- 42.3. When the majority of council voted in favor of the resolution, the reeve shall direct the unruly member to leave the council chamber, and if the reeve shall direct the unruly member to leave the council chamber, and if the member refuses to leave, the reeve may:
- 42.3.1. Recess the meeting until the person leaves or adjourn the meeting to another day;
- 42.3.2. Direct that law enforcement be engaged to assist in the removal of the unruly member.
- 42.4. When a council has directed an unruly member to leave the council chambers, 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 or she has not left or been removed, or to retake his or her place.

PART V- MOTIONS

43. Motions and Debates

- 43.1. A motion shall express fully and clearly the intent of the mover and shall not be preceded by and preamble or whereas clauses.
- 43.2. A seconder shall not be required for any motion made.
- 43.3. Any motion can be debated before or after an official motion has been made but not after the vote.

44. Motions to Amendments

- 44.1. Any motion may be amended to:
- 44.1.1. Add words within the motion;
- 44.1.2. Delete words within the motion;
- 44.1.3. Change a word or words within the motion/
- 44.2. The amending motion must be:
- 44.2.1. Relevant to the main motion;
- 44.2.2. Made while the main motion is under consideration; and
- 44.2.3. Consistent with the principle embodied in the main motion.
- 44.3. An amending motion may also be amended with the same rules as subsection 48.2.
- 44.4. The main amendment shall not be voted upon until all the amendments are voted upon.
- 44.5. No amendments shall be made to the following motions:
- 44.5.1. A motion to adjourn;
- 44.5.2. A motion to defer to a fixed date, except as to the date;
- 44.5.3. A motion requesting that a motion be put to a vote.

45. Dividing a Motion into Parts

46. Motion Arising

47. Request that Motion be put to Vote

- 47.1. A motion requesting that a motion be put to a vote shall not be moved by a member who has spoken the original motion.
- 47.2. A motion requesting that a motion be put to a vote shall not be amended or debated.

- 47.3. 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 further amendment or debate.
- 47.4. If a motion requesting that a motion be put to a vote is not passed by council, the original question may continue to be amended or debated.

48. Motion to Adjourn

- 48.1. A member may move a motion to adjourn a meeting at any time, except when:
 - 48.1.1. Another member is in possession of the floor;
 - 48.1.2. A call for a recorded vote has been made;
 - 48.1.3. The members are voting;
 - 48.1.4. When council is considering a motion requesting that a motion be put to vote; or
 - 48.1.5. A previous motions to adjourn has been defeated and no other intermediate proceeding has taken place'
- 48.2. A motion to adjourn shall be decided without debate.

49. Consent Agenda

- 49.1. The agenda shall not be adopted.
- 49.2. Agenda items can be added to and removed from by any member of council or the administrator if necessary.

50. Motion to Move to a Closed Meeting

- 50.1. A member may make a motion that a council meeting move to a closed meeting.
- 50.2. The motion to move to a closed meeting must:
 - 50.2.1. Be in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*;
 - 50.2.2. The titles or subject of the item(s) to be discussed; and
 - 50.2.3. Include the reason for the council meeting to be held in a closed meeting.
- 50.3. No bylaw or resolution shall be passed during a closed meeting.

51. Motion Contrary to Rules

- 51.1. The reeve may refuse to put to council a motion which is, in the opinion of the reeve, contrary to the rules and privileges of council.

52. Withdrawal or Motions

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

53. Motion to Reconsider

- 53.1. A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by council.
- 53.2. A motion to reconsider is in order whether the original motion passed or failed.
- 53.3. A motion to reconsider may only be made at the same council meeting as the original motion was voted on.
- 53.4. A motion to reconsider must be moved by a member who voted with the prevailing side of the original motion.
- 53.5. When a motion loses on a tied vote, the prevailing side is those who voted against the motion.
- 53.6. A motion to reconsider is debatable only if the motion being reconsidered is debatable.
- 53.7. A motion to reconsider cannot be amended.

- 53.8. A motion to reconsider shall require a majority vote of the members present at the meeting.
- 53.9. If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.
- 53.10. Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

54. Motion to Rescind

- 54.1. A motion to rescind shall apply to resolutions only and shall not apply to bylaws passed by council.
- 54.2. 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.
- 54.3. A motion to rescind may be made at any time following the council meeting at which the original vote was taken.
- 54.4. A motion to rescind may be moved by any council member regardless how they voted on the original motion.
- 54.5. A motion to rescind is debatable.
- 54.6. A motion to rescind shall, in all cases, require a majority vote of all council members to pass.
- 54.7. A motion cannot be rescinded:
 - 54.7.1. When making or calling up of a motion to reconsider is in order;
 - 54.7.2. When action on the motion has been carried out in a way that cannot be undone;
or
 - 54.7.3. When a resignation has been accepted or actions electing or expelling a person from membership or office have been taken.

55. Motion to Postpone

- 55.1. Where a majority of members decide to postpone a motion to a fixed date, the motion cannot be considered by council until the fixed date.
- 55.2. Notwithstanding subsection 59.1, 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.
- 55.3. The only amendment allowed to a motion to postpone to a fixed date is to change the date.

56. Motion to Refer

- 56.1. 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.
- 56.2. A member making a referral motion generally should include in the motion:
 - 56.2.1. The terms on which the motion is being referred; and
 - 56.2.2. The time when the matter is to be returned.

57. Debate on Motion

- 57.1. Every member shall have the opportunity to speak to every motion.

58. Legal Advice

- 58.1. 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.

59. Voting of Council

- 59.1. 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.
- 59.2. 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.
- 59.3. The administrator shall ensure that each abstention is recorded in the minutes of the meeting.

60. Voting of the Reeve

- 60.1. The reeve shall vote with the other members on all questions.

61. Majority Decision

- 61.1. 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.

62. Recorded Vote

- 62.1. Before a vote is taken by council, a member may request that the vote be recorded.
- 62.2. 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.

63. Tied Vote

- 63.1. If there are an equal number of votes for or against a resolution or bylaw, the resolution or bylaw is defeated.

PART VI- COMMITTEES

64. Procedure for Appointments

- 64.1. The administrator shall utilize the following procedure for appointments to committees:
 - 64.1.1. Prior to the November meeting, the Administrator shall compile a list of committee appointments for the members to review.
 - 64.1.2. Council shall attempt to fill each committee appointment.
 - 64.1.3. If a committee appointment is not filled at the November meeting or becomes vacant, the Administrator shall bring the committee back to council at the next regular meeting until it is filled or disbanded.

65. Term

- 65.1. Appointments to committees shall be for a one year term commencing at the November meeting.
- 65.2. Council may, at its discretion, revoke the membership for any individual whom has been appointed a committee.

66. Committee Procedures

- 66.1. Council may from time to time establish a committee in response to a specific issue requiring immediate or long term attention.

- 66.2. The membership and jurisdiction of a committee shall be as provided for in the enabling legislation or as directed by council.
- 66.3. The reeve is an ex-officio voting member of all committees established by council pursuant to the Act unless council provides otherwise and when in attendance, possessed all the rights, privileged, powers and duties of other members, whether elected or appointed.
- 66.4. The chair of all committees established by council shall be designated by the committees, unless directed by Council.

PART VII - MISCELLANEOUS


67. Coming into Force

- 67.1. This bylaw shall come into force and take effect immediately upon being approved.





Reeve.



Administrator

Sections 81.1 of *The Municipalities Act*

Read a third time and adopted

This 13 day of JANUARY, 20 16.

Bylaw 2016-01

Form 1 – Request for a Special Meeting

Date: _____, 20 _____

To: Rural Municipality of Calder No. 241, Administrator

Pursuant to section 123 of the Act, I / we hereby request you to call a special meeting of the Council of the Rural Municipality of Calder No. 241 to discuss the following matter(s):

1. _____
2. _____
3. _____
4. _____

Meeting Details:

Location: _____

Date: _____

Time: _____

Dated this ____ day of _____, 20 _____

SIGNED:

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Office Use Only:

- ☐ Members provided notice pursuant to subsection 124(1) of the Act
☐ Notice not provided pursuant to subsection 123(3) of the Act

Bylaw 2016-01

Form 2 – Request for Method of Providing Notice

Date: _____, 20____

To: Rural Municipality of Calder No. 241, Administrator

From: _____
(Name of council member)

Pursuant to clause 124(1) (c) of the Act, I hereby request notice of council meetings be provided in the following manner:

☐ Regular mail: _____
(Mailing address)

☐ Telephone or voice mail: (306) _____ or (306) _____
(Telephone number) (Cell number)

☐ Facsimile: (306) _____
(Fax number)

☐ Email: _____
(Email address)

☐ Provided Personally

☐ Left at the usual place of business or residence of the member.

(Land location or street address)

CHECK ALL METHODS OF COMMUNICATION THAT ARE ACCEPTABLE. THE MOST EFFICIENT METHOD OF COMMUNICATION WILL BE USED IF MORE THAN ONE METHOD IS ACCEPTABLE.

This request remains in force until the end of my current term of office unless sooner revoked by me in writing.

Dated this ____ day of _____, 20____

(Signature of council member)