

CONSOLIDATED COPY

February 27, 2017

CITY OF MEADOW LAKE

PROCEDURE BYLAW

BYLAW NO. 3/2015

with amendments up to and including Bylaw 1/2017 passed February 27, 2017.

by City Council.

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NOTE:

All persons making use of this consolidation are reminded that this document has no legal status, that the amendments have been embodied for convenience of reference, and that the original bylaws should be consulted for all purposes of interpretation and application of the law. **Red highlighted entries indicate the amendments to the bylaw.**

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**CITY OF MEADOW LAKE
BYLAW NO. 3/2015
PROCEDURE BYLAW**

A BYLAW OF THE CITY OF MEADOW LAKE, IN THE PROVINCE OF SASKATCHEWAN, TO GOVERN AND REGULATE PROCEEDINGS OF CITY COUNCIL AND ANY COMMITTEES ESTABLISHED BY CITY COUNCIL FOR THE ADMINISTRATION OF THE BUSINESS OF CITY COUNCIL IN ACCORDANCE WITH PROVISIONS OF *THE CITIES ACT*.

WHEREAS it is deemed expedient and in the public interest to regulate and govern the proceedings and business of City Council in the manner set forth herein;
NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF MEADOW LAKE ENACTS AS FOLLOWS:

**PART I
INTERPRETATION**

SCOPE

1. This Bylaw will be known as the “**Procedure Bylaw**”.

DEFINITIONS

2. In this Bylaw and in any amending Bylaws, hereto, the following words and terms shall have the following meanings unless there is something in the subject matter inconsistent therewith:
 - (a) “**Act**” means *The Cities Act*,
 - (b) “**City**” means the Municipal Corporation of the City of Meadow Lake,
 - (c) “**City Clerk**” means the person appointed as the City Clerk and Director of Legislative Services for the City of Meadow Lake and includes any duly authorized representative or designate of such person,
 - (d) “**City Manager**” means the person appointed as the City Manager and Chief Administrative Officer for the City of Meadow Lake and includes any duly authorized representative or designate of such person,
 - (e) “**Council**” means the elected officials and City Council of the City of Meadow Lake,
 - (f) “**Councillor**” means the term used to address the elected officials of the City of Meadow Lake,
 - (g) “**Deputy Mayor**” means the member who is appointed by City Council to act as Mayor in the absence or incapacity of the Mayor.
 - (h) “**Mayor**” means the elected Mayor of the City of Meadow Lake,
 - (i) “**Public Hearing**” means a meeting of City Council or that portion of a meeting of City 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 proposed resolution or bylaw of City Council.
 - (j) “**Quorum**” is:
 - i) in the case of City Council, a majority of the whole City Council;
 - ii) in the case of a committee, a quorum shall be a majority of the members of the committee.
 - (k) “**Resolution**” means a decision of City Council or a committee resulting from a vote of members then present.

Schedules

3. The following schedule is attached to, and forms part of, this Bylaw:

Schedule "A" – List of exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.

PART II
COUNCIL PROCEDURES

4. The following rules and regulations shall be observed and shall be the rules and regulations for the order and dispatch of business of the Council of the City of Meadow Lake and of the Standing Committees.
5. 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.
6. In the event of any conflict between the provisions of this Bylaw and of the authority set out above, the provisions of this Bylaw shall apply.

City Council

7. (1) Council is the governing body of the City of Meadow Lake and shall exercise the power and carry out the duties prescribed by law.
- (2) Council shall consist of the Mayor and six (6) Councillors.
- (3) Subject to any limitations prescribed by law, Council may delegate or assign its powers and duties as may be deemed advisable and in the public interest.

Mayor

8. (1) The Mayor shall preside, when in attendance, at all meetings of Council unless another member of Council is required or permitted to preside pursuant to *The Act* or other applicable law or the terms of this Bylaw.
- (2) The Mayor is an ex-officio member of all boards and committees established by Council unless Council provides otherwise.

Deputy Mayor

9. (1) Council shall, at the first meeting after a general election or as soon as possible thereafter and whenever the office becomes vacant, appoint a Councillor to be Deputy Mayor and such appointment shall continue until a successor is appointed.
- (2) The Deputy Mayor shall exercise the authority and carry out the duties prescribed by law.
- (3) If for any reason the Deputy Mayor is absent from a City 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, based on the highest number of votes received, shall be the Deputy Mayor.

Regular Meetings of Council

10. (1) Subject to subsection (2), an annual schedule of all regular meetings of Council shall be approved by resolution of Council no later than the last regular meeting in December of the preceding year. Regular meetings of Council shall:
 - (a) be held every second and fourth Monday of each month;
 - (b) commence at 7:00 p.m.;
 - (c) be held in the Council Chambers at City Hall.
- (2) Council may, by resolution:

- (a) alter the date, hour and/or place of any regular meeting of Council;
 - (b) cancel any regular meeting of Council.
- (3) Whenever any Monday referred to in Subsection (1)(a) hereof is a Statutory or Public Holiday according to law, Council shall, unless otherwise determined by a resolution passed at a previous meeting, meet at the same hour and place on the day next following which is not a Statutory or Public Holiday.
- (4) **The first Council meeting shall be held on the Monday immediately following a general election. At the first Council meeting:**
- (a) the Returning Officer shall provide Council with a copy of the declaration of results with respect to the election; and,**
 - (b) every Council member shall take the oath of office pursuant to the Act.**

Notice of Meetings

11. (1) If Council changes the date, time or place of a regularly scheduled meeting, at least 24 hours notice of the change will be given to:
- (a) any members of Council not present at the meeting at which the change was made; and
 - (b) the public.
- (2) A Council meeting held solely for the purpose of long-range or strategic planning may be held without notice to the public. However, Council shall where possible set such meetings by resolution at the preceding regular Council meeting as per subsection 16(1).

Method of Giving Notice

12. (1) Notice of a Council meeting is deemed to have been given to a member of Council if the notice is:
- (a) delivered personally;
 - (b) left at the usual place of business or residence of the member; or
 - (c) at the request of the member, sent to the member by facsimile or electronic mail at the address specified by the member.
- (2) Notice of a Council meeting is to be given to the public by posting notice of the meeting at City Hall at least 24 hours prior to the Council meeting.

Special Meetings

13. (1) The City Clerk shall call a special council meeting in accordance with *The Act* whenever requested to do so in writing by the Mayor or by a majority of the Councillors.
- (2) For the purposes of subsection (1), the City Clerk shall call a special council meeting by giving at least 24 hours notice in writing to each member of Council and to the public stating:
- (a) the purpose of the meeting; and
 - (b) the date, time and place at which it is to be held.
- (3) Notwithstanding subsection (2), a special council meeting may be held with less than 24 hours notice to the members of Council and without notice to the public if all members of Council agree to do so, in writing, immediately before the beginning of the meeting.
- (4) No business other than that stated in the written notice of the special council meeting is to be transacted at a special Council meeting unless all members of

Council are present, in which case, by unanimous consent, any other business may be transacted.

Meetings to be in Public

14. (1) Subject to the specific provisions of this Bylaw, all meetings of Council shall be open to the public and every member of the public shall have the right to be present during all Council meetings unless that person has been expelled for improper conduct.
- (2) No act or proceeding of Council is effective unless it is authorized or adopted at a meeting of Council, which is open to the public.
- (3) Council may, by resolution, close all or part of a meeting to the public if a matter to be discussed at that meeting is one of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- (4) 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, the City Clerk and such other members of City Administration as the members of Council may deem appropriate;
 - (c) such members of the public as may be allowed to attend by the presiding Officer.
- (5) 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 the closed 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.

Meeting Through Electronic Means

15. (1) A council meeting or council committee meeting may be conducted by means of a telephonic, electronic or other communication facility if:
- (a) notice of the meeting is given to the public, including the way in which the meeting is to be conducted;
 - (b) the facilities enable the public to at least listen to the meeting at a place specified in that notice and the Clerk is in attendance at that place; and
 - (c) the facilities permit all participants to communicate adequately with each other during the meeting.
- (2) Members of a council or council committee participating in a meeting held by means of a communication facility are deemed to be present at the meeting.
- (3) If a member of Council is attending a Council meeting by electronic means, the attending member must hear the proceedings, and also be heard.

Long-Range or Strategic Planning Meetings

16. (1) Council may, by resolution, meet for the purposes of long-range or strategic planning and such meetings shall be closed to the public as outlined in *The Act*.
- (2) No business may be transacted at a meeting referred to in subsection (1).

Improper Conduct

17. (1) No person shall disturb the proceedings of Council by words or actions.
- (2) The Mayor or presiding officer may request any person who disturbs a Council meeting to leave.
- (3) Every person who refuses to leave when requested to do so is guilty of an offence and liable on summary conviction.
- (a) in the case of an individual, to a fine not exceeding \$10,000.00; and
- (b) in the case of a corporation, to a fine not exceeding \$25,000.00.
- (4) Every person who refuses to leave when requested to do so may be removed.
- (5) If a person disturbs the proceedings of Council or refuses to leave when requested to do so, the Mayor may adjourn the Council meeting until the person leaves or until another date.
- (6) Members of the public who constitute the audience in the Council Chamber during a Council meeting:
- (a) may not address Council, unless otherwise listed on the agenda, without permission of the Council;
- (b) shall maintain order and quiet;
- (c) shall not applaud, or otherwise interrupt any speech or action of the members, or any other person addressing Council;
- (d) shall not display or have in their possession, picket signs or placards which would distract the proceedings or interfere in the decorum of Council.

PART III

ORDER OF BUSINESS

18. (1) The order of business for every regular meeting of Council shall be as follows:
- (a) **Call to Order**, which shall proceed according to Section 21 of this bylaw;
- (b) **Adoption of Agenda**, during which Council shall amend, if necessary, and adopt the agenda for the current meeting;
- (c) **Adoption of Minutes**, during which Council shall correct, if necessary, and adopt the minutes of the last regular meeting of Council, together with any special meetings of Council which have occurred since the last regular meeting;
- (d) **Business Arising From the Minutes**, any additional information that may be reported from the minutes presented at the meeting;
- (e) **Public Hearings and Public Notice Matters**, during which Council shall hear any persons wishing to make a presentation for a matter that is before Council for a Public Hearing or for a matter where Public Notice was required to be given in accordance with *The Act* or any other Act, or the City's Public Notice Policy as outlined in Section 22 of this Bylaw;
- (f) **Delegations**, during which Council shall hear delegations in accordance with Section 23 of this Bylaw;
- (g) **Reports/Minutes**, Council members may report on any City related matters that they have participated in outside of the Council meetings, and representatives and/or designated staff shall present to Council any matters necessary for Council's information. Minutes of any boards or committees of Council shall also be presented for information;
- (h) **Proclamations**, during which any proclamations issued by the Mayor shall be presented for information in accordance with Section 25 of this Bylaw;

- (i) **Correspondence**, during which correspondence addressed to the Mayor and Council members which does not request action of Council shall be presented to Council for information;
 - (j) **Council Enquiries**, during which members of Council may ask verbal questions pursuant to Section 27 of this Bylaw;
 - (k) **Old Business**, during which items of unfinished business from previous Council meetings shall be listed and dealt with, if appropriate;
 - (l) **New Business**, passing of accounts and other financial considerations, notices, correspondence addressed to the Mayor and Council members which is requesting action of Council, development applications or proposals, business of various boards and committees may be presented, bylaws to be presented for consideration. Also, any new items not already listed on the agenda may be dealt with at this time;
 - (m) **Motion to Move to a Closed Meeting**, during which Council may make a motion to close the meeting in accordance with Section 14 of this Bylaw;
 - (n) **Adjournment**, at which time a motion will be made to adjourn the meeting.
- (2) The business of Council shall be taken up in the order in which it stands on the agenda unless otherwise determined by a vote of a majority of members present.

PART IV COUNCIL MEETINGS

Duration of Council Meeting

19. Every regular meeting of Council shall automatically adjourn after a period of four hours, unless otherwise determined by unanimous vote of the members present.

Agendas

20. (1) The City Clerk shall prepare the agenda for all regular and special meetings of Council in accordance with the order of business set out in Section 18.
- (2) The City Clerk shall ensure copies of the agenda, plus supporting documentation, are distributed to each member of Council and City Administration at least seventy-two (72) hours preceding the meeting of Council for which it was prepared.
- (3) The City Clerk shall ensure that the agenda is made available to the news media and posted on the City website.
- (4) Subject to other provisions of this Bylaw, every communication, report, summaries of delegations, or other written application shall be submitted in writing to the City Clerk before 12:00 p.m. of regular office hours on the Thursday in the week preceding the meeting of Council at which it is desired to be presented to Council.
- (5) No item of business placed on an agenda shall be discussed publicly by the City Administration, any Council member or the news media until after the item has been considered by Council.

Commencement of a Council Meeting

21. (1) At the time 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.

- (2) If neither the Mayor nor Deputy Mayor is present within five (5) minutes of the time specified for the meeting and a quorum is present, the next designated Deputy Mayor shall take the chair and commence the meeting until the arrival of the Mayor or Deputy Mayor.
- (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.
- (4) Subject to *The Act*, or any other statutory provision, if at any meeting the number of members is reduced to less than the number required for a quorum, Council shall stand adjourned.
- (5) Any unfinished business remaining at the time of the adjournment, due to the loss of the quorum, shall be considered at the next regular meeting, or it shall be the agenda for a special meeting called for that purpose.

Public Hearing and Public Notice Matters

22. (1) If a Public Hearing is required by any Act or if Public Notice is required in accordance with the City's Public Notice Policy, a Hearing shall be conducted in accordance with the provisions of this section.
- (2) The order of every Public Hearing shall be as follows:
 - (a) the Mayor or presiding officer shall declare the Hearing open;
 - (b) the City Clerk shall read any written communications that have been received regarding the matter under consideration;
 - (c) 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;
 - (d) The applicant shall be given an opportunity to respond to the representations of other people;
 - (e) Council may request further information from Administration or any persons in attendance;
 - (f) The Mayor shall declare the Hearing closed; and
 - (g) Council shall consider the bylaw or resolution at the same meeting, as listed on the agenda, unless the matter is referred to Administration for further review.
- (3) The time allowed for each person making representation shall be five (5) minutes.
- (4) A Hearing may be adjourned to a specified later date.

Delegations

23. (1) Delegations wishing to speak to Council shall submit a written application to the City Clerk by 12:00 p.m. of regular office hours on the Thursday before the next regularly scheduled Council meeting at which the delegation wishes to speak. Such communication shall outline concisely the subject matter which the delegation wishes to place before Council.
- (2) Spokesperson for any one delegation shall be limited to one, except where Council otherwise permits.
- (3) Each delegation shall be limited to a maximum of 15 minutes to make its presentation, but the delegation shall be permitted a reasonable time to reply to any questions or concerns raised following the presentation.

- (4) The City Clerk may refuse to place any request to speak on the agenda of Council if subsection (1) is not followed.
- (5) If the written presentation deals with an administrative matter, the presentation and the ratepayer shall be referred to the appropriate member of Administration.
- (6) If the written presentation deals with a policy matter requiring action by Council, the written presentation will be provided to Council. Council will have the option to invite the presenters to speak to the matter if Council deems it advisable or helpful in making its decisions. Council will retain the option of making a decision without inviting verbal representations.
- (7) Notwithstanding Subsections (1) if, in the opinion of the City Clerk, a communication or an application to speak to Council, is scandalous, criminal or offensive to the accepted rules of addresses to an elected body, the City Clerk shall refer the matter to a meeting of Council in camera for direction as to its disposition.

Reports

24. Staff reports to Council shall be submitted to the City Clerk by 12:00 p.m. of regular office hours on the Wednesday before the next regularly scheduled Council meeting at which the report is to be presented.

Proclamations

25. (1) All requests for proclamations shall be submitted to the Mayor for approval and must outline the date to be proclaimed, specific name of day, week or month requested, the reason for the proclamation and information about the group, including contact person and telephone number. Requests must be received at least fourteen (14) days prior to the proposed date for the proclamation, although exceptions may be made for extenuating circumstances.
- (2) The Mayor may, in his or her sole discretion, approve the request for proclamation provided that, in the judgement of the Mayor, the proclamation does not;
 - (a) Promote any commercial business, unless, at the discretion of the Mayor, the proclamation provides a significant benefit to the community;
 - (b) Involve any person or organization which promotes hatred of any person or class of persons, or otherwise involves illegal activity; or
 - (c) Contain any inflammatory, obscene or libellous statement.
- (3) The Mayor may:
 - (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; or
 - (b) Forward the proclamation for consideration by City Council
- (4) Once the proclamation has been approved, the proclamation shall be noted on the agenda of the next regular Council meeting.
- (5) The City shall not be responsible for any costs associated with proclamation by the Mayor including publication of the proclamation.
- (6) The local print media are requested;
 - (a) Not to publish any proclamation purporting to be proclaimed by the Mayor unless it bears his or her original signature; and

- (b) When publishing a proclamation by the Mayor, that the publication contain only:
 - (i) the name of the City of Meadow Lake, and
 - (ii) the text of the proclamation.

Communications

- 26. (1) Communications which are addressed directly to Council, but which do not request an opportunity to speak to Council, shall be dealt with by the City Clerk in the following manner:
 - (a) All communications which specifically seek action of Council shall be referred to the next Council meeting providing:
 - (i) the communication is received by 12:00 p.m. on the Monday prior to the date of the Council meeting, to give sufficient time for review;
 - (ii) the communication, with the exception of e-mail, is duly signed. E-mail communications must have the name of the individual sending the communication listed in the communication;
 - (iii) the communication identifies a means of contacting the author;
 - (iv) the communication contains a description or a summary of the action or actions requested from Council by the author;
 - (v) the communication does not contain offensive or disparaging remarks respecting the City of Meadow Lake, Council as a whole, any member of Council, any City employee or any other person;
 - (b) Whenever appropriate and possible, the City Clerk shall prepare or cause to be prepared a request for decision as to the appropriate action to be taken with respect to the correspondence, a report or letter of transmittal for the benefit of members of Council to accompany all communications and, for the purpose of obtaining such additional information, the City Clerk may delay placing a communication on the agenda of Council until such information is available unless directed to do so otherwise by the Mayor or City Manager.
 - (c) All communications merely for the purpose of providing information without seeking action of Council, shall be provided by the City Clerk to members of Council for their information and shall be listed under "Correspondence".
 - (d) All other communications shall be referred by the City Clerk, in consultation with the City Manager:
 - (i) to a specific Director of the Administration; or
 - (ii) a regularly scheduled Council meeting.
- (2) Communications being listed on the Council agenda will not be read at the meeting unless requested otherwise by a Council member.
- (3) When a communication has been referred directly to the Administration, the City Clerk shall report this action to Council.
- (4) Council may change or cancel the referral of any communication to Administration.
- (5) In order to be referred to the next regularly scheduled Council meeting, a communication not requiring a decision by Council must be received by the City Clerk on or before 12:00 p.m. of regular office hours of the Thursday before the regularly scheduled Council meeting.

- (6) Communication requesting an opportunity for a delegation to speak to Council shall be dealt with in accordance with Section 23.

Enquiries

27. (1) A member of Council may make an enquiry to the Administration regarding any matter during a Council meeting.
- (2) The Mayor may rule that any enquiry is out of order as not constituting a proper enquiry and refuse to put forward the enquiry.
- (3) Where practical, the member shall advise the City Manager in advance of the meeting where the inquiry may be raised, to allow Administration an opportunity to investigate the matter and report the details at the meeting where the inquiry is made.
- (4) All inquiries from a member, unless answered sufficiently by Administration at that Council meeting, shall be referred to the City Manager's office, and responses provided electronically to all members.

Adjournment

28. (1) A motion to adjourn the meeting may be made at any time, and the motion must be put forward immediately without debate. If the motion to adjourn is passed by a majority of the members present the meeting shall stand adjourned.
- (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.

Conduct of Council Meetings

29. (1) The Mayor, or in his or her absence, the Deputy Mayor or his or her designate, shall preside at all meetings of Council and shall preserve order and enforce the rules of Council.
- (2) 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 asking the question, "Are you ready for 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.
- (3) (a) The Mayor, or presiding officer, may participate in debate on any matter before Council without relinquishing the chair.
- (b) The Mayor, or presiding officer, may make a motion on any matter on the agenda but before doing so the Mayor must relinquish the chair to the Deputy Mayor until the vote on the motion has been taken.
- (4) No person, except Council members, the City Manager, the City Clerk, and Senior Directors shall be allowed to come within the Bar during the sittings of Council, without permission of the Mayor or other presiding officer.

- (5) When Council members wish to speak at a Council meeting, they shall raise their hand and shall obtain the approval of the Mayor or presiding officer before doing so, and upon approval the member shall address all comments to the Mayor or presiding officer of the Council meeting.
- (6) When Council members are addressing the Mayor or presiding officer, every other member shall:
 - (a) remain quiet and seated;
 - (b) not interrupt the speaker, except on a point of order; and
 - (c) not carry on a private conversation which disturbs the member speaking.
- (7) When Council members are addressing the Mayor or presiding officer, they shall:
 - (a) not use offensive words in referring to any Council member, or to any official of the City, or member of the public;
 - (b) not reflect on any vote of Council, except when moving to rescind it, and when so doing, shall not reflect on the motives of the members who voted for the motion, or the mover of the motion;
 - (c) not shout or immoderately raise their voice or use profane, vulgar, or offensive language.
- (8) When Council members wish to leave the Council Chamber while a meeting of Council is in progress, they shall rise and be acknowledged by the Mayor or presiding officer before leaving their place.
- (9) No Council member shall leave the Council Chamber after a question is put to a vote, until the vote is taken.

Motions

30. (1) No notice need be given of any motion to be made before the Council.
- (2) All motions must be seconded.
- (3) When a motion is under debate no other motions may be made, except:
 - (a) to extend the time of a Council meeting in accordance with Section 19;
 - (b) to amend the motion;
 - (c) to defer the motion to a fixed date;
 - (d) to request that the motion be put to a vote; or
 - (e) to adjourn the meeting.
- (4) Any motions allowed under subsection (1) shall be considered in the order in which they were moved.
- (5) When a motion is not seconded, the motion is considered "lost".
- (6) Notwithstanding any other provisions of this bylaw, the member, who moved a motion after a motion is under debate, may, with the consent of council:
 - (a) on his 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.
- (7) The Chair may allow debate on a matter to be held before a motion is given.

Motion to Defer to a Fixed Date

31. (1) If a majority of Council decides to defer a motion to a fixed date, the motion cannot be considered by Council until the fixed date.

- (2) Notwithstanding subsection (1), Council may consider a deferred motion before the fixed date if the majority of Council agrees that the motion may be considered before that date.
- (3) The only amendment allowed to a motion to defer to a fixed date is to change the date.

Request That Motion be Put to Vote

32. (1) A motion requesting that a motion be put to a vote cannot be moved or seconded by a member of Council who has spoken to the original motion.
- (2) A motion requesting that a motion be put to a vote cannot be amended or debated.
- (3) If a motion requesting that a motion be put to a vote is passed by Council, the original motion shall immediately be put to a vote of Council without any amendment or debate.
- (4) If a motion requesting that a motion be put to a vote is not passed by Council, the original question may be amended or debated.

Motion to Adjourn

33. (1) A motion to adjourn is allowed at any time during a Council meeting except:
 - (a) when a member of Council is speaking;
 - (b) when the members of Council are voting on a motion;
 - (c) when it has been requested that a motion be put to a vote;
- (2) A motion to adjourn shall be decided without debate.

Motion to Amend

34. (1) Any motion may be amended except:
 - (a) a motion requesting that a motion be put to a vote; or
 - (b) a motion to adjourn the Council meeting.
- (2) A motion to amend a motion shall not:
 - (a) reverse the affirmative or negative intent of the original motion; or
 - (b) substantially change the intent of the original motion.
- (3) Once a motion to amend has been made, the original motion is set aside until the amendment has been decided.
- (4) Any member of Council may make a motion to amend, but only one amendment to an amendment shall be allowed until the amended motions are voted on by Council.
- (5) Amendments shall be put to Council in the reverse order to the order in which they were moved.

Motions Contrary to Rules

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

Motion to Rescind or Reconsider

36. (1) A motion to rescind or reconsider a resolution or bylaw shall only be considered by Council if at least one of the following conditions are met:
 - (a) a member of Council provides written notice to all members of Council in accordance with Subsection 12(1) of the proposed motion to rescind or

- reconsider at least 24 hours before the meeting at which the motion is to be considered;
- (b) by unanimous vote of all members of Council, Council agrees to consider a motion to rescind or reconsider; or
- (c) a Council Committee or the Administration recommends that Council consider a motion to rescind or reconsider.
- (2) Notice of a motion to rescind or reconsider a resolution or bylaw shall not be required if more than six months has passed since the resolution or bylaw was considered.
- (3) A motion to rescind or reconsider a resolution shall require at least four (4) votes to pass, regardless of the number of Council members present and voting at the meeting.

Withdrawal of Motion

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

Distinct Propositions

38. When a motion under consideration contains distinct propositions, the vote upon each proposition may be taken separately, if requested by a member of Council.

Point of Order

39. (1) When any member of Council believes that another member of Council has not followed the rules of procedure of Council, they may stand and ask that the Mayor rule on a point of order.
- (2) When a point of order is raised, the member of Council speaking shall immediately be seated and shall remain seated until the Mayor decides the point of order raised.
- (3) A point of order must be raised immediately at the time the rules of procedure of Council are breached.
- (4) The member of Council against whom a point of order is raised may be granted permission by the Mayor to explain.
- (5) A point of order is not subject to amendment or debate.

Question of Privilege

40. (1) Any member of Council may make a request to the Mayor on any matter related to the rights and privileges of Council or individual Councillors and ask that the Mayor rule on a question of privilege.
- (2) After the member of Council has stated the question of privilege, the Mayor shall rule whether the matter raised is a question of privilege.
- (3) If the matter is determined to be a question of privilege, the member of Council who raised the question of privilege shall be permitted to speak to the matter.
- (4) If the question of privilege concerns a situation, circumstance, or event which arose between meetings of Council, the member shall raise the question of privilege immediately after adoption of the minutes of the previous meeting.
- (5) A question of privilege is not subject to amendment or debate unless a motion regarding the question of privilege is put to Council.

Bylaws

41. (1) Every proposed bylaw must have three distinct and separate readings.
- (2) A proposed bylaw must not have more than two readings at a Council meeting unless the members of Council present unanimously agree to consider third reading.
- (3) (a) After a Member of Council has made a motion for second reading of a bylaw, Council may:
- i) debate the substance of the bylaw; and
 - ii) propose and consider amendments to the bylaw.
- (b) 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.
- (c) When all amendments have been accepted or rejected, a motion for second reading of the bylaw, as amended shall be put.
- (4) The City Clerk shall be empowered to correct any typographical error without changing the substance or meaning of the bylaw 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.

Voting of Council

42. (1) A member of Council attending a Council meeting shall vote at the meeting on a matter before Council unless the member is required or permitted to abstain from voting pursuant to *The Act* or any other Act.
- (2) If a member is not required to abstain from voting on a matter before Council and does not vote in the affirmative, the member is deemed to have voted in the negative.
- (3) If there are an equal number of votes for and against a motion, the motion is defeated.
- (4) If a member of Council is attending a Council meeting by electronic means, in accordance with Section 15, the attending member must hear the proceedings and their vote must also be heard.

Recorded Vote

43. (1) A recorded vote shall be requested before the vote has been taken.
- (2) The minutes must show the names of the members of Council present and whether each member voted for or against the motion.
- (3) If a member is excused from voting on any question, it shall be so recorded in the minutes.

Speaking

44. (1) All members of Council shall have the privilege of speaking to any issue properly before Council.
- (2) No member of Council shall:
- (a) speak more than three times to the same motion, except to explain a material portion of his or her speech which may have been misquoted or misunderstood; or
 - (b) speak for longer than five (5) minutes on the same motion.

- (3) The member of Council who has moved the motion under debate may reply once to the speeches given by the other members of Council regarding the motion.
- (4) All members of Council shall, when speaking to a matter or question before Council address the presiding officer and make all inquiries of and through the presiding officer.

Presiding Officer's Participation In Proceedings or Vote

- 45. (1) If the presiding officer wishes to participate in the debate, he or she shall call upon another member of Council to temporarily preside over the meeting until he or she resumes the Chair.
- (2) The presiding officer shall vote on all matters properly before Council unless the member is required or permitted to abstain from voting pursuant to *The Act* or other applicable law.

Suspension of Rules

- 46. Any or all of the rules contained in this bylaw may be suspended for any one meeting by a unanimous vote of all the members of Council.

Conflict of Interest and Pecuniary Interest

- 47. (1) In accordance with *The Act*, a member of Council must declare the general nature of any conflict of interest or pecuniary interest before any consideration of the matter takes place.
- (2) The nature of the conflict of interest or pecuniary interest shall be recorded in the meeting minutes.
- (3) The member of Council declaring the conflict of interest or pecuniary interest must remove themselves from the meeting until all discussion and/or voting is complete.
- (4) Failure to declare a conflict of interest or pecuniary interest may result in Ministerial authority suspending a member of Council during an inquiry or investigation which may result in grounds for disqualification in accordance with *The Act*.

PART V

REPEAL & COMING INTO FORCE

- 48. This Bylaw shall come into force and have effect from and after the date of the final passing thereof.
- 49. Bylaw 3/2011 is hereby repealed.

INTRODUCED AND READ a first time this 22nd day of June, 2015.

READ a second time this 27th day of July, 2015.

READ a third time and finally passed this 27th day of July, 2015.

Acting City Clerk

Mayor

SCHEDULE "A"**List of Exemptions in Part III of *The Local Authority
Freedom of Information and Protection of Privacy Act***

The following information is confidential and the proceedings of Council or any committee of Council may be held in-camera for the purpose of obtaining or discussing such information:

1. Information obtained in confidence either implicitly or explicitly from another level of government or another local authority.
2. Information, the release of 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 which include personal information.
5. Records which may contain:
 - (1) advice, proposals, recommendations, analysis or policy options developed by or for a local authority;
 - (2) consultations or deliberations involving officers or employees of the local authority;
 - (3) positions, plans, procedures, criteria or instructions developed for contractual or other negotiations by or on behalf of the local authority;
 - (4) plans that relate to the management of personnel or the administration of the local authority which have not been implemented; and
 - (5) information including proposed plans, policies or projects which may reasonably expect to result in disclosure of a pending policy or Works & Utilities decision.
6. A record which could reasonably be expected to disclose:
 - (1) trade secrets;
 - (2) proprietary information;
 - (3) information obtained through research by an employee, the disclosure of which, could be reasonably expected to deprive the employee of priority of publication;
 - (4) information, the disclosure of which, could reasonably be expected to interfere with contractual or other negotiations;
 - (5) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations;
 - (6) information, the disclosure of which, could reasonably be expected to prejudice the economic interest of the local authority; and
 - (7) 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.