

BYLAW NO. 03/21
Council Procedures Bylaw

A **BYLAW** of the Rural Municipality of Lakeview No. 337, in the Province of Saskatchewan, to provide for the establishment of procedures within the Rural Municipality of Lakeview No. 337

THE COUNCIL FOR THE RURAL MUNICIPALITY OF LAKEVIEW IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

PART I – INTERPRETATION

1. Short Title

1.1 This bylaw may be cited as the “Council Procedures Bylaw”.

2. Purpose

2.1 The purpose of this bylaw is to establish clear, transparent, consistent and accessible procedures to follow for conducting business at council meetings, committee meetings and other bodies’ meetings.

3. Definitions

3.1 In this bylaw:

- a) “**Act**” means *The Municipalities Act [MA]*;
- b) “**Acting Reeve**” means the councillor elected by council to act as the reeve if a vacancy arises in that office;
- c) “**Adjourn**” means to suspend proceedings to another time or place;
- d) “**Administration**” means the administrator or an employee accountable to the administrator;
- e) “**Administrator**” means the person appointed as administrator pursuant to section 110 of *The Municipalities Act*;
- f) “**Agenda deadline**” means the time established in subsection 13.3 of this bylaw
- g) “**Amendment**” means an alteration of a main motion or an amendment by substituting, adding or deleting a word or words without materially altering the basic intent of the motion;
- h) “**Business day**” means a day other than a Saturday, Sunday or holiday;
- i) “**Chair**” means a person who has the authority to preside over a meeting;
- j) “**Communications**” include, but are not limited to, the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article;
- k) “**Contact information**” means:
 - i. The name of a person; and
 - ii. Whichever of the following options is considered by the sender to be most likely to affect receipt by the intended recipient:
 - a. Mailing address;
 - b. Street or civic address;
 - c. Email address;
 - d. Telephone number;

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- e. Fax number; or
- f. Any other prescribed option;
- l) **“Council”** means the Reeve and councillors of the municipality elected pursuant to the provisions of *The Local Government Election Act, 2015*;
- m) **“Council committee”** means a committee duly appointed by council and consisting of council members only;
- n) **“Councillor”** means the council member duly elected in the municipality as a councillor in accordance with *The Local Government Election Act, 2015*;
- o) **“Deputy Reeve”** means the councillor who is appointed by council, pursuant to section 27 of this bylaw, to act as Reeve in the absence or incapacity of the Reeve;
- p) **“Member”** means the Reeve, councillor or an appointed individual to a council committee or other body;
- q) **“Motion”** means a formal proposal placed before a meeting of council to be debated to a conclusion;
- r) **“Mover”** means a person who presents or proposes a motion or amendment;
- s) **“Municipality”** means the Rural Municipality of Lakeview No. 337;
- t) **“Order of business”** means the list of items comprising the agenda and the order in which those items appear on the agenda;
- u) **“Other body”** means a committee, board, authority, commission or other body duly appointed by council, but does not include a council committee;
- v) **“Point of order”** means the raising of a question by a member in a meeting claiming that the procedures of the meeting or of an individual council member are contrary to the procedural rules or practices;
- w) **“Point of privilege”** is the raising of a matter by a member which occurs while the council is in session, where:
 - i. The rights, privileges, decorum or dignity of the council collectively or the rights and privileges of a member individually have been affected; or
 - ii. When a member believes that another member has spoken disrespectfully toward them or the council; or
 - iii. When a member believes their comments have been misunderstood or misinterpreted by another member or members; or
 - iv. When a member believes that comments made by the member outside the council chamber have been misinterpreted or misunderstood by the community, the public or the news media in order to clarify their position;
- x) **“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;
- y) **“Public hearing”** means a meeting of council or that portion of a meeting of council which is convened to hear matters pursuant to
 - i. *The Municipalities Act*
 - ii. The Planning and Development Act, 2007;
 - iii. Any other act;
 - iv. A resolution or bylaw of council;

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- z) **“Quorum”** is (Pursuant to section 98 in *The Municipalities Act*)
 - i. In the case of council, a majority of the whole council;
 - ii. the case of a council committee, a majority of the members appointed to the council committee; and
 - iii. In the case of an other body, a majority of the members appointed to the other body;
- aa) **“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;
- bb) **“Reeve”** means the council member duly elected in the municipality as the Reeve in accordance with *The Local Government Election Act, 2015*;
- cc) **“Resolution”** means a formal determination made by council, a council committee or other body based on a motion duly placed before a regularly constituted meeting or a special meeting of council, a council committee or an other body for debate and decision and is duly passed;
- dd) **“Special meeting”** means a meeting other than a regular scheduled meeting called pursuant to section 123 of *The Municipalities Act* or the provisions of this bylaw;
- ee) **“Unfinished business”** means business which has been raised at the same meeting or a previous meeting and which has not been completed; and
- ff) **“Urgent business”** means a time sensitive matter which requires council’s immediate and urgent consideration.

4. Application

- 4.1 This bylaw applies to all meetings of council, council committees and other bodies.
- 4.2 Notwithstanding subsection 4.1, council may, by resolution or bylaw, allow a council committee or other body 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 the provisions of this bylaw and those contained in subsection 4.3, the provision of this bylaw shall apply.
- 4.5 Subject to subsection 4.3, any ruling of the Reeve or chair shall prevail, subject to the jurisdiction of council or the council committee to consider any appeals of those rulings.

PART II
MEETINGS

5. First Meeting of Council

- 5.1 The first meeting of council following an annual election will be held within 31 days after the date of the election.
- 5.2 The administrator shall determine the time, date and place of the meeting.
- 5.3 The administrator shall provide written notice of the time, date and place at least 24 hours prior to the meeting by personal service, delivery to the place of business or residence or at the request of the member by facsimile or electronic mail or message.

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- 5.4 Prior to commencement of the first meeting, every member of council shall take the oath or affirmation of office pursuant to the Act.
- 5.5 At the first meeting of council, the administrator shall provide council with a copy of the returning officer's declaration of results with respect to the election.

6. Regular Meetings of Council and Committees

- 6.1 Regular meetings of Council will be held on the 2nd Wednesday of the month, beginning at 9:00 a.m. in the Council Chamber of the R.M. of Lakeview Office with the exception of the months of May, June, July, August, September and October, which meetings will begin at 8:00 a.m.
- 6.2 Council shall ensure that the time between regularly scheduled council meetings does not exceed 60 days.
- 6.3 A council or committee meeting may be held with less than 24-hour notice to the council or committee members AND no notice to the public IF all members of council sign a waiver before the commencement of the meeting.
- 6.4 In the event of any meeting date falling on a statutory or civic holiday or any day appointed as a holiday by proclamation of the Governor-General of Canada, the Lieutenant Governor of Saskatchewan, or the mayor / reeve, such meeting shall be held at the same time on the next day that the municipal office is scheduled to be open for business
- 6.5 Notwithstanding the foregoing provisions, council may, by resolution, dispense with or alter the time of a regular meeting of council.

7. Special Meetings of Council

- 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 the members.
- 7.2 If the position of administrator is vacant or the administrator is unable to act, the assistant administrator or the administrator for the RM of Elfros No. 307 shall call a special meeting of the council whenever requested to do so in writing by the Reeve or a majority of the members, pursuant to section 81.1 of *The Municipalities Act*.
- 7.3 The written request referred to in subsection 7.1 shall include all items of business to be transacted.
- 7.4 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.
- 7.5 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 10 of this bylaw and to the public at least 24 hours prior to the meeting and, in general terms, the business to be transacted at the meeting.
No business other than that stated in the notice shall be transacted at a special meeting unless all the members are present and it is by unanimous consent.

8. Meetings Through Electronic Means

- 8.1 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 notification of the way in which the meeting is to be conducted.

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- b) The facilities enable the public to at least listen to the meeting at a place specified in that notice and the administrator is in attendance at that place; and
 - c) The facilities permit participants to communicate adequately with each other during the meeting.
- 8.2 Members of a council of council committee participating in a meeting held by means of communication facility are deemed to be present at the meeting.

9. Notice of Meetings

- 9.1 Notice of regularly scheduled council meetings is not required to be given.
- 9.2 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 not present at the meeting at which the change was made; and
 - b) The public.

10. Methods of Giving Notice

- 10.1 Notice of a council meeting is deemed to have been given to a member if the notice is:
- a) Delivered personally, verbally or electronically;
 - b) Left at the usual place of business or residence of the member; or
 - c) At the request of the member, provided or sent according to the member's contact information.
- 10.2 Notice of a council meeting is to be given to the public by posting a notice at the municipal office or on the municipality's website, social media account or in any other manner specified by council through bylaw.

11. Actions in Public

- 11.1 An act or proceeding of Council and/or Committee is not effective unless it is authorized or adopted by resolution or bylaw at a duly constituted meeting of the council that is open to the public.
- 11.2 Every person has the right to be present at council meetings that are conducted in public unless the person presiding at the council meeting expels a person for improper conduct.

12. Closed Sessions

- 12.1 Council may close all or any part of its meetings to the public if the matter to be discussed:
- a) Is within one of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*; or
 - b) Concerns long-range or strategic planning.
- 12.2 A resolution to move into closed session shall state in general terms the topic of discussion.
- 12.3 Where council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
- a) The members of council;

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- b) The administrator and other members of administration as the members of council may deem appropriate; and
 - c) The members of the public as the members of council may deem appropriate.
- 12.4 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:
- a) The time that the in-camera portion of the meeting commenced and concluded;
 - b) The names of the parties present; and
 - c) The legislative authority including 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.
- 12.5 No resolutions or bylaws may be passed during a closed meeting.
- 12.6 No business other than that described within the resolution pursuant to subsection 12.2 may be discussed.
- 12.7 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 for in this bylaw.

PART III
COUNCIL MEETING PROCEDURES

13. Agendas

- 13.1 The administrator shall prepare the agenda for all regular and special meetings of council.
- 13.2 The agenda shall include the order of business, all items of business and associated reports, bylaws or documents, and shall be set out in accordance with the order of business.
- 13.3 The administrator shall ensure that the council agendas are delivered to each member no later than 1 day preceding the council meeting.
- 13.4 The administrator shall ensure that the council agendas are available to the general public no later than 1 day immediately preceding the council meeting.
- 13.5 If, for any reason, the administrator is unable to meet the deadline mentioned in subsection 13.3, the administrator shall prepare and distribute the agenda as soon as reasonably possible to allow council members an opportunity to review the agenda prior to the council meeting.
- 13.6 All administrative reports, communication from the public, requests, or any other material intended for inclusion in a council agenda must be received by the administrator no later than 2 business days immediately preceding the council meeting.

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- 13.7 Council may permit additional material on the agenda after the commencement of the council meeting.

14. Urgent Business

- 14.1 The administration may request to add a matter to the agenda of a meeting as urgent business after the agenda has been prepared and distributed by the administrator.

15. Order of Business

- 15.1 The agenda containing the general order of business shall be presented to council at the beginning of the council or council committee meeting.
- 15.2 Business shall, in all cases, be taken up in the order in which it stands on the agenda, unless the Reeve determines during the proceedings of council that for public interest a matter be added or moved forward to be dealt with promptly.

16. Commencement of Council Meeting

- 16.1 At the hour set for the meeting, or as soon as all members of council are present, the Reeve, or in their absence the deputy Reeve, shall take the chair and call the members to order.
- 16.2 In case neither the Reeve nor the deputy Reeve is in attendance within 15 minutes after the hour appointed, and subject to a quorum being present, council shall appoint an acting Reeve pursuant to section 27 of this bylaw.
- 16.3 The person appointed pursuant to section 16.2 shall call the meeting to order and shall preside over the meeting until the arrival of the Reeve or the deputy Reeve, and all proceedings of such meeting shall be deemed to be regular and in full force and effect.
- 16.4 If a quorum is not present 15 minutes after the time appointed 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.
- 16.5 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 immediately stand adjourned.
- 16.6 Any unfinished business remaining at the time of the adjournment due to a loss of quorum shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting to be called for the purpose of dealing with the unfinished items.
- 16.7 Members are encouraged to notify the administrator when the member is aware that they will be absent from any meeting of council.

17. Quorum

- 17.1 A quorum of council is a majority of members.

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- 17.2 Any act or proceeding of council that is adopted at any council meeting at which a quorum is not present is invalid.

18. Minutes

- 18.1 The administrator shall record the minutes of each council meeting without note or comment and shall distribute copies of the minutes to each member at least 1 day prior to a subsequent council meeting.
- 18.2 Notwithstanding section 18.1, the administrator shall record in the minutes every declaration of a conflict of interest and the general nature and material details of the disclosure and any abstention or withdrawal.
- 18.3 The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- 18.4 Any member may make a motion amending the minutes to correct any mistakes.
- 18.5 The minutes of each meeting are to be approved at the next regular meeting of the council and signed by the presiding member and the administrator in accordance with the Act.
- 18.6 All minutes, once approved, shall be open for inspection by the public.

19. Public Hearing

- 19.1 If a public hearing is required by any act, it shall be conducted in accordance with the provisions of this section.
- 19.2 The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:
- a) Reeve shall declare the hearing open and the Administrator shall present a report on any written comments, if any have been received.
 - b) If a hearing is required pursuant to another Act - a different person may be required to make a presentation.
 - c) The time allowed for each presentation will be 3 minutes and may be adjourned to a further date.
 - d) The Reeve shall declare the hearing closed; and
 - e) 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.
- 19.3 A member of Council shall use his/her discretion when voting on the matter if the member was not present for the entire hearing.

20. Communications - General

- 20.1 When a person wishes to have a communication considered by council, it shall be addressed to council, and:
- a) Clearly set out the matter at issue and the request; and

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- b) For written communications, must be printed, typewritten or legibly written, contain the contact information of the writer and be signed with the name of the writer; or
 - c) For electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.
- 20.2 A written communication pertaining to a matter must be received by the administrator no later than 1 business day preceding the agenda deadline in order to be included on the council agenda.
- 20.3 A written communication received no later than 1 business day 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.
- 20.4 In the event that the communication to the administrator is received after the agenda deadline, the administrator will bring the request to the attention of council:
- a) 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 by resolution of council.

21. Delegations

- 21.1 When a person wishes to speak to council on a matter on the agenda, for which a hearing is not required, that person shall notify the administrator either verbally or in writing, the notice shall include the following:
- a) Whom will be attending the meeting and who wishes to speak.
 - b) The subject matter to be discussed and the request being made of council.
- 21.2 A request to speak to council pursuant to subsection 21.1 must be received by the administrator no later than 1 day before the agenda deadline in order to be included on the council agenda.
- 21.3 In the event 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:
- a) 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 through resolution of council
- 21.4 A maximum of 15 minutes shall be allotted for each delegation.
- 21.5 Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views.
- 21.6 Upon the completion of a presentation to council, any dialogue between members and the delegation shall be limited to members asking questions for clarification and obtaining additional or relevant information only:
- a) Members shall not enter into debate with the delegation respecting the presentation; and

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- b) Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.

22. Reeve and Councillor's Forum

- 22.1 Council members shall include the sharing of the following information:
 - a) Proposed projects, subjects, and/or concerns of ratepayers needing to be considered and/or addressed by council; and/or
 - b) events, activities or community functions attended; and/or general work of members on behalf of council colleagues, constituents and the municipality.
- 22.2 All comments will be verbal only and shall not be recorded in the minutes of the meeting, unless a motion is put forth for voting.

23. Bylaws

- 23.1 Every proposed bylaw must have three distinct and separate readings.
- 23.2 A proposed bylaw must not have more than two readings at a council meeting unless the members present unanimously agree to consider a third reading.
- 23.3 A proposed bylaw will be considered by council immediately following consideration of the report or item to which the bylaw relates.
- 23.4 Only the title or identifying number is to be read at each reading of the bylaw.
- 23.5 Each member present at the meeting at which the 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 the first reading.
- 23.6 Each member present at the meeting at which the third reading is to take place must, before the proposed bylaw receives the third reading, be given or have had the opportunity to review the full text of the proposed bylaw and any amendments that were passed after the first reading.
- 23.7 When a bylaw has been given three readings by council, it:
 - a) Becomes a municipal enactment of the municipality; and
 - b) Is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.
- 23.8 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.
- 23.9 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.

24. Recess

- 24.1 The council may recess at any time during the meeting.
- 24.2 A motion to recess must state the time of duration of the recess and must be passed by a majority of the members present.

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- 24.3 The council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than 120 minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.

25. Adjournment

- 25.1 All regularly scheduled council meetings shall stand adjourned when council has completed all business as listed on the order of business.
- 25.2 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

26. Reeve

- 26.1 The Reeve shall:
- a) Preside at all council meetings;
 - b) Preserve order at council meetings;
 - c) Enforce the rules of council;
 - d) Decide points of privilege and points of order; and
 - e) Advise on points of procedure.
- 26.2 The Reeve shall have the same rights and be subject to the same restrictions when participating in debate as all other members.
- 26.3 The Reeve shall have the same rights and be subject to the same restrictions as all other members to make a motion.

27. Deputy Reeve

- 27.1 At the first meeting of council held after the annual election or as soon as conveniently possible Council shall name a Deputy Reeve
- 27.2 A Deputy Reeve acts as Reeve if the Reeve is unable to perform the duties of Reeve or if the office of Reeve is vacant.
- 27.3 The appointment of Deputy Reeve may be changed by resolution of council at any meeting or special meeting of council.

28. Acting Reeve

- 28.1 Council shall appoint a member to act as Reeve if:
- a) Both the Reeve and the deputy Reeve are unable to perform the duties of their office; or

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- b) The offices of both the Reeve and the deputy Reeve are vacant.
- 28.2 The member to be appointed pursuant to subsection 28.1 shall be appointed through resolution of council.

29. Conduct of Public

- 29.1 All persons in the public gallery at a council meeting shall:
 - a) Refrain from addressing council or a member unless permitted to do so;
 - b) Maintain quiet and order;
 - c) Refrain from disturbing the proceedings by words, gestures or actions including applauding, displaying flags, placards or similar material;
 - d) Refrain from talking on cellular telephones;
 - e) Refrain from making audio or video recordings of council proceedings; and
 - f) Ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

30. Conduct of Delegations

- 30.1 When addressing members at a council meeting, a delegation shall refrain from:
 - a) Speaking disrespectfully of the federal government, the provincial government, another municipal council, or any official representing them;
 - b) Using offensive words in reference to a member, an employee of the municipality or a member of the public; or
 - c) Shouting, using an immoderate tone, or profane, vulgar or offensive language.

31. Conduct of Members

- 31.1 Members of council shall ensure they do not interrupt another member.
- 31.2 If more than one member wishes to speak at a meeting at the same time, the Reeve shall indicate which member shall speak first.
- 31.3 When a member is addressing the council, the member shall refrain from:
 - a) Speaking disrespectfully of the federal government, the provincial government, another municipal council, or any official representing them;
 - b) Using offensive words in reference to a member, an employee of the municipality or a member of the public;
 - c) Reflecting on a vote of council except when moving to rescind or reconsider it;
 - d) Reflecting on the motives of the members who voted on the motion or the mover of the motion; or
 - e) Shouting, using an immoderate tone, or profane, vulgar or offensive language.
- 31.4 When a member is addressing the council, all other members shall:
 - a) Remain quiet and seated;

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- b) Refrain from interrupting the speaker, except on a point of order or point of procedure; and
 - c) Refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- 31.5 Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

32. Improper Conduct

- 32.1 The Reeve may request that any person in the public gallery who disturbs the proceedings of council or acts improperly at a council meeting, as set out in section 29, leave or be expelled from the meeting.
- 32.2 The Reeve may request that any delegation who addresses council improperly, as set out in section 30, leave or be expelled from the meeting.
- 32.3 No person shall refuse to leave a council meeting when requested to do so by the Reeve.
- 32.4 Any person who refuses to leave when requested to do so may be removed.
- 32.5 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.
- 32.6 The Reeve may direct that law enforcement officials be engaged to assist in the removal of a person in the public gallery or any delegation acting improperly

33. Leaving the Meeting

- 33.1 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.
- 33.2 The administrator shall make a notation in the minutes of the name of any member leaving the meeting pursuant to section 33.1, and the time the member did so.

34. Point of Order

- 34.1 A member may rise and ask the Reeve to rule on a point of order.
- 34.2 When a point of order is raised, the member speaking shall immediately cease speaking until the Reeve decides the point of order raised.
- 34.3 A point of order must be raised immediately at the time the rules of council are breached.
- 34.4 The member against whom a point of order is raised may be granted permission by the Reeve to explain.
- 34.5 The Reeve may consult the administrator before ruling on a point of order.
- 34.6 A point of order is not subject to amendment or debate.

35. Point of Privilege

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- 35.1 A member may rise and ask the Reeve to rule on a point of privilege.
- 35.2 After the member has stated the point of privilege, the Reeve shall rule whether the matter raised is a point of privilege.
- 35.3 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.
- 35.4 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.
- 35.5 The Reeve may consult the administrator before ruling on a point of privilege.
- 35.6 A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to council.

36. Point of Procedure

- 36.1 Any member may ask the Reeve for an opinion on a point of procedure.
- 36.2 When a point of procedure is raised, the member speaking shall immediately cease speaking until the Reeve responds to the inquiry.
- 36.3 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.
- 36.4 The Reeve may consult the administrator before providing an opinion on the point of procedure.
- 36.5 A point of procedure is not subject to amendment or debate.
- 36.6 The Reeve's answer to a point of procedure is not a ruling and cannot be appealed to the whole of council.

37. Appeal

- 37.1 Whenever a member wishes to appeal any ruling of the Reeve or a point of order or point of privilege to the whole of council:
 - a) The motion of appeal "that the decision of the chair be overruled" shall be made;
 - b) The member may offer a brief reason for the challenge;
 - c) The Reeve may state the reason for the decision; and
 - d) Following which the question shall be put immediately without debate.
- 37.2 The Reeve shall be governed by the vote of the majority of the members present.
- 37.3 A ruling of the Reeve must be appealed immediately after the ruling is made or the ruling will be final.

38. Calling a Member to Order

- 38.1 When the Reeve calls a member to order, the member shall resume their seat but may, afterwards, explain their position in making the remark for which they were called to order.

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- 38.2 In the event that a member refuses to resume their seat when called to order, the Reeve shall request the deputy Reeve, or if the deputy Reeve is absent or is the unruly member, any other member of council to move a resolution to remove the unruly member either:
- a) For the balance of the meeting;
 - b) Until a time, which shall be stated in the motion; or
 - c) Until the member makes an apology acceptable to council for their unruly behavior, whichever shall be the shortest time.
- 38.3 When the majority of council votes in favour of the resolution, the Reeve shall direct the unruly member to leave the council chamber, and if the member refuses to leave, the Reeve may:
- a) Recess the meeting until the person leaves or adjourn the meeting to another day;
 - b) Direct that law enforcement officials be engaged to assist in the removal of the unruly member.
- 38.4 When council has directed an unruly member to leave the council chambers pursuant to subsection 38.3, and the member 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 their place if they have not left or been removed.

PART V
MOTIONS

39. Motions and Debate

- 39.1 Motions are not required to be seconded.
- 39.2 When a motion is under debate no other motion may be made, except:
- a) To refer the motion to a Council committee or the administration;
 - b) To amend a motion;
 - c) To defer a motion to a fixed date;
 - d) To request the motion be put to a vote; or
 - e) To adjourn the meeting.
- 39.3 Notwithstanding any other provisions of this bylaw, the member who moved a motion may, with the consent of council:
- a) On their own initiative while they are 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.
- 39.4 Any motions allowed under subsection 39.2 shall be considered in the order in which they were moved.

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40. Motion to Amend

- 40.1 A motion to amend shall not:
 - a) Reverse the affirmative or negative intent of the original motion
 - b) Substantially change the intent of the motion.
 - c) Once a motion to amend has been made, the original motion is set aside until the amendment has been decided.
- 40.2 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.
- 40.3 Amendments shall be put to council in the reverse order in which they were moved.

41. Request that Motion Be Put to Vote

- 41.1 A motion requesting that a motion be put to a vote shall not be moved or seconded by a member who has spoken to the original motion.
- 41.2 A motion requesting that a motion be put to a vote shall not be amended or debated.
- 41.3 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.
- 41.4 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.

42. Motion to Adjourn

- 42.1 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 a recorded vote is being taken;
 - d) It has been requested that a motion be put to a vote;
 - e) When Council is in the Committee of the Whole or in Camera;
 - f) A previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- 42.2 A motion to adjourn shall be decided without debate.

43. Motion to Move to a Closed Meeting

- 43.1 A member may make a motion that a council meeting move to a closed meeting.
- 43.2 The motion to move to a closed meeting must:
 - a) Be in accordance with The Local Authority Freedom of Information and Protection of Privacy Act;
 - b) Include in general terms the subject of the item(s) to be discussed; and
 - c) Include the reason for moving to a closed meeting.

44. Motion Contrary to Rules

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

45. Withdrawal of Motions

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

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46. Motion to Reconsider

- 46.1 A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by council.
- 46.2 A motion to reconsider is in order whether the original motion passed or was defeated.
- 46.3 A motion to reconsider may only be made at the same council meeting at which the original motion was considered.
- 46.4 A motion to reconsider must be moved by a member who voted on the winning side of the original motion.
- 46.5 When the original motion lost on a tie vote, the winning side is those who voted against the motion.
- 46.6 A motion to reconsider is debatable only if the original motion was debatable.
- 46.7 A motion to reconsider cannot be amended.
- 46.8 A motion to reconsider shall require a majority vote of the members present at the meeting.
- 46.9 If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.
- 46.10 Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

47. Motion to Rescind

- 47.1 A motion to rescind shall apply to resolutions only and shall not apply to bylaws passed by council.
- 47.2 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.
- 47.3 A motion to rescind may be made at any time following the council meeting at which the original motion was voted on regardless of the time that has elapsed since the original vote was taken.
- 47.4 A motion to rescind may be moved by any council member regardless how they voted on the original motion.
- 47.5 A motion to rescind is debatable.
- 47.6 A motion to rescind may be amended.
- 47.7 A motion to rescind shall, in all cases, require a majority vote of all council members to pass.
- 47.8 A motion cannot be rescinded:
 - a) When the making or calling up of a motion to reconsider is in order;
 - b) When action on the motion has been carried out in a way that cannot be undone;
or
 - c) When a resignation has been accepted or actions electing or expelling a person for/from membership or office have been taken.

48. Motion to Postpone

- 48.1 Where a majority of all members decide to postpone a motion to a fixed date, the motion cannot be considered by council until the fixed date.
- 48.2 Notwithstanding subsection 48.1, 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.

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48.3 The only amendment allowed to a motion to postpone to a fixed date is to change the date.

49. Voting of Council

- 49.1 A member attending a council meeting shall vote on a matter before council unless the member is required to abstain from voting pursuant to the Act or any other act.
- 49.2 If a member is not required to abstain from voting on a matter before council pursuant to subsection 49.1 and abstains from voting, the council member is deemed to have voted in the negative.
- 49.3 The administrator shall ensure that each abstention is recorded in the minutes of the meeting.
- 49.4 The Reeve shall vote with the other members on all questions.

50. Majority Decision

- 50.1 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.

51. Recorded Vote

- 51.1 Before a vote is taken by council, a member may request that the vote be recorded.
- 51.2 If a vote is recorded, the minutes must show the names of the members present and whether each voted for or against the motion or abstained.

52. Tied Vote

- 52.1 If there are an equal number of votes for and against a motion or bylaw, the motion or bylaw is defeated.

PART VI
COUNCIL COMMITTEES

53. Procedures for Appointments and Terms

- 53.1 Council Member Boards and Committees shall be appointed by resolution of Council.
- 53.2 Annually, council shall review appointments to council committees.
- 53.3 Appointments to council committees shall be for a one-year term beginning on January 1st and ending December 31st of the following year.
- 53.4 Notwithstanding subsection 53.3 in a general election year, the term of appointment shall be reduced to coincide with the day of election.
- 53.5 Appointees may be reappointed from term to term.
- 53.6 A member of any committee, excluding members of council, shall only be appointed to a maximum of twenty (20) committees at on (1) time.
- 53.7 The administrator or committee secretary shall advise council of any members absent for more than two (2) meetings within a calendar year, and request that a warning correspondence be forwarded to the member, as well, if the member misses three (3)

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meetings, within a calendar year, council be advised to decide if the member should be removed from the committee.

- 53.8 Council may, in its discretion, revoke the membership of any individual whom has been appointed to a committee.

54. Council Committee Procedures

- 54.1 Council may from time to time establish a committee in response to specific issues requiring immediate or long-term attention.
- 54.2 The membership and jurisdiction of a committee shall be as provided for in the enabling legislation or as directed by council.
- 54.3 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, possesses all of the rights, privileges, powers and duties of other members, whether elected or appointed.
- 54.4 The reeve's attendance shall not, however, be included for the purpose of determining a quorum.
- 54.5 The business of committees shall be conducted in accordance with the rules governing the procedure of council or as otherwise established by council for the committee or established by the committee.
- 54.6 Every committee shall report to council, and no action of any committee shall be binding on the municipality unless:
- a) power to take such action is expressly conferred on the committee by legislation, bylaw or resolution of council; or,
 - b) council has considered the report of the committee and if adopted, shall become the resolve of council.

PART VII
OTHER BODIES

55. Procedures for Appointments and Terms

- 55.1 Council Member appointments to other bodies shall be done through resolution of Council.
- 55.2 Annually, council shall review appointments to other bodies.
- 55.3 Appointments to other bodies shall be for a one-year term beginning on January 1st and ending December 31st of the following year.
- 55.4 Notwithstanding subsection 55.3 in a general election year, the term of appointment shall be reduced to coincide with the day of election.
- 55.5 Appointees may be reappointed from term to term.
- 55.6 A member of any other body, excluding members of council, shall only be appointed to a maximum of twenty (20) other bodies at on (1) time.
- 55.7 The other body secretary shall advise council of any members absent for more than two (2) meetings within a calendar year, and request that a warning correspondence be forwarded to the member, as well, if the member misses three (3) meetings, within a calendar year, council be advised to decide if the member should be removed from the other body.

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55.8 Council may, in its discretion, revoke the membership of any individual whom has been appointed to an other body.

56. Other Body Procedures

- 56.1 Council may from time to time join an other body in response to specific issues requiring immediate or long-term attention.
- 56.2 The membership and jurisdiction of an other body shall be as provided for in any enabling legislation or rules as directed by that other body.
- 56.3 The business of other bodies shall be conducted in accordance with the rules governing those other bodies or as otherwise established by those other bodies.
- 56.4 Other bodies may report to council, and no action of any other body shall be binding on the municipality unless:
 - a) power to take such action is expressly conferred on the other body by legislation, bylaw or resolution of council; or,
 - b) council has considered the report of the other body and if adopted, shall become the resolve of council.

PART VIII
MISCELLANEOUS

57. Repeal of Bylaws

57.1 Bylaw No. 10/05 is hereby repealed.

{Seal}

(Reeve Signature)

(Administrator Signature)

Section 81.1 of *The Municipalities Act*

Read a third time and adopted
this ____ day of _____.

(Administrator Signature)

BYLAW NO. 03/21
Council Procedures Bylaw

Form 1 – Request for a Special Meeting

Date: _____

To: _____, Administrator, Rural Municipality of Lakeview No. 337

Pursuant to section 123 of *The Municipalities Act I* / we hereby request you to call a special meeting of the council of the Rural Municipality of Lakeview No. 337 to discuss the following matter(s):

1. _____
2. _____
3. _____

Meeting Details:

Location: _____

Date: _____

Time: _____

Dated this _____ day of _____, 20_____.

SIGNED:

Name: _____

Name: _____

Name: _____

Name: _____

Office Use Only:

- Members provided notice pursuant to subsection 124(1) of *The Municipalities Act*
- Notice not provided pursuant to subsection 123(3) of *The Municipalities Act*

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Form 2 – Request for Method of Providing Notice

Date: _____

To: _____, Administrator, Rural Municipality of Lakeview No. 337

From: _____ (Name of council member)

Pursuant to clause 124(1)(c) of *The Municipalities Act*, I hereby request notice of council or committee meetings be provided to me by the alternate means:

(Check one of the following)

- By regular mail to: _____
- By telephone or voice mail to: _____
- By facsimile to: _____
- By email to: _____

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 Member)