

Rural Municipality of Wellington No. 97

BYLAW NO. 3-2021

COUNCIL PROCEDURES BYLAW



A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL

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A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL

The Council of the Rural Municipality of Wellington No. 97 in the Province of Saskatchewan, enacts as follows:

PART I – INTERPRETATION

1. Short Title

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

2. Purpose

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

3. Definitions

3.1 In this bylaw:

- a. **Act** means *The Municipalities Act*,
- 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 13.6 of this bylaw.
- g. **Amendment** means an alteration to a main motion by substituting, adding or deleting a word or words without materially altering the basic intent of the motion.
- h. **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.
- l. **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;
 - e. Fax number; or
 - f. Any other prescribed option;
- m. **Council** means the reeve and councillors of the municipality elected



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- pursuant to the provisions of *The Local Government Election Act, 2015*.
- n. **Council Committee** means a committee duly appointed by council and consisting of council members only.
 - o. **Councillor** means the council member duly elected in the municipality as a councillor in accordance with *The Local Government Election Act, 2015*.
 - p. **Deputy reeve** means the councillor who is appointed by council, pursuant to section 34 of this bylaw, to act as reeve in the absence or incapacity of the reeve.
 - q. **Member** means the reeve, councillor or an appointed individual to a council committee, or other body.
 - r. **Motion** means a formal proposal placed before a meeting of council to be debated to a conclusion.
 - s. **Mover** means a person who presents or proposes a motion or amendment.
 - t. **Municipality** means the Rural Municipality of Wellington No. 97.
 - u. **Order of business** means the list of items comprising the agenda and the order in which those items appear on the agenda.
 - v. **Other body** means a committee, board, authority, commission, or other body duly appointed by council, but does not include a council committee;
 - w. **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; or
 - iv. a resolution or bylaw of council.
 - x. **Quorum** is, subject to section 98 of the Act:
 - i. in the case of council, a majority of the whole council,
 - ii. in the case of a committee, a majority of the members appointed to the committee.
 - iii. in the case of an other body, a majority of the members appointed to the other body;
 - y. **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.
 - z. **Reeve** means the council member duly elected in the municipality as the Reeve in accordance with *The Local Government Election Act, 2015*.
 - aa. **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.
 - bb. **Second** means a person who formally supports a motion or amendment at the time it is proposed.



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- cc. **Special meeting** means a meeting other than a regular scheduled meeting called pursuant to section 123 of the Act or the provisions of this bylaw.
 - dd. **Unfinished Business** means business which has been raised at the same, or a previous meeting, and which has not been completed
- 3.2 A reference in this bylaw to an enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment as amended from time to time.

4. Application

- 4.1 This bylaw applies to all meetings of council and committees.
- 4.2 Notwithstanding subsection 4.1, council may by resolution or bylaw allow a board and committee to establish its own procedures.
- 4.3 When any matter relating to proceedings arise which is not covered by a provision of this bylaw, the matter shall be decided by reference to Robert's Rules of Order.
- 4.4 In the event of any conflict between the provisions of this bylaw and those contained in any of the other authorities set out above, the provision of this bylaw shall apply.
- 4.5 Subject to subsection 4.3, any ruling of the reeve or chair shall prevail, subject, however, to the jurisdiction of council or the committee to consider any appeals of those rulings.

PART II – MEETINGS

5. First Meeting

- 5.1 The first meeting of council following a general election shall be held within 31 days after the date of the election at a time, date and place determined by the administrator (section 121 of *The Municipalities Act*).
- 5.2 Prior to commencement of the first meeting, every member of council shall take the oath or affirmation of office pursuant to the Act.
- 5.3 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

- 6.1 Regular meetings of council shall be held on the 1st Wednesday of each month commencing at 8:00 a.m., unless otherwise called.
- 6.2 In the event of any meeting falling on a statutory or civic holiday, such meetings shall be held at such time and date as fixed by council at the meeting previous to the regularly scheduled meeting (eg. A regular meeting falling on the July 1st civic holiday must be rescheduled during June regular meeting.)



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- 6.3 Annually the administrator shall submit a regular schedule of council meetings to council for approval as set out in subsections 6.1 and 6.2, or may recommend alternate meeting dates.
- 6.4 Notwithstanding the foregoing provisions, council may, by resolution, dispense with or alter the time of a regular meeting of council.
- 6.5 Council may, by resolution, authorize the reeve to reschedule a regular meeting of council pursuant to the Act during a period of time to be specified within the resolution, ie. during harvest and seeding time.
- 6.6 If during the month it's known quorum won't be available at the next scheduled regular meeting, Council shall follow the guidelines set out under Section 7, Special Meetings of this bylaw.

7. Special Meetings

- 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 administrator of the Rural Municipality of Fillmore No. 96 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 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, of the business to be transacted at the meeting.
- 7.6 Notwithstanding subsection 7.5, a special meeting may be held with less than 24 hours' notice to members, and without notice to the public, if all members agree to do so, in writing, immediately before the beginning of the special meeting by using Form 2, appended hereto and forming a part of this bylaw.
- 7.7 No business, other than that stated in the notice, shall be transacted at a special meeting, unless all the members are present and, by unanimous consent, they authorize other business to be transacted.

8. Meetings through Electronic Means

- 8.1 One or more members of council may participate in a council meeting by electronic means:
 - (a) the members of council provide the administrator with at least two business days' notice of their intent to participate in this manner;
 - (b) notice of the council meeting is given to the public including the way in which the council meeting is to be conducted;
 - (c) the facilities enable the public to at least listen to the meeting at a place specified in that notice and the administrator is in attendance at that place; and



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- (d) the facilities permit all participants to communicate adequately with each other during the council meeting.
- 8.2 Members participating in a council meeting held by electronic means are deemed to be present at the council 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. Method of Giving Notice

- 10.1 Notice of a council meeting is deemed to have been given to a member if the notice is:
 - (a) delivered personally;
 - (b) left at the usual place of business or residence of the member; or
 - (c) at the request of the member, sent by ordinary mail, telephone or voice mail, facsimile or electronic mail or similar method at the number or to the address specified by the member.
- 10.2 Form 3, appended hereto and forming a part of this bylaw, shall be the form used to request the administrator to use an alternate method of providing notice of meetings.
- 10.3** Notice of a council meeting is to be given to the public by posting notice of the meeting at the municipal office and on the municipality's website.

11. Actions in Public

- 11.1 An act or proceeding of council is not effective unless it is authorized or adopted by bylaw or a resolution at a duly constituted public meeting of council.
- 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:



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- (a) the members of council;
 - (b) the administrator and other members of administration as the members of council may deem appropriate; and
 - (c) such members of the public as may be allowed to attend by the council.
- 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 thereto:
- (a) the time that the in-camera portion of the meeting commenced and concluded;
 - (b) the names of the parties present; and
 - (c) the legislative authority, pursuant to Section 120 of The Municipalities Act, 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 and 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 at the beginning of each regularly scheduled meeting.
- 13.4 The administrator shall ensure that the council agendas are available to the general public at the beginning of each regularly scheduled meeting.
- 13.5 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 24 hours prior to the meeting.
- 13.6 Council may, on a majority vote, permit additional material on the agenda at the beginning of the meeting.

14. Order of Business at Meetings

- 14.1 The general order of business of every regular council meeting shall be as follows:
 - (a) Call to Order;
 - (b) Additions



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- (c) Reports:
 - i. Foreman
 - ii. Reeve and Councillor
 - iii. Administration;
 - (d) Delegations and/or Public Hearings;
 - (e) Presentation of Monthly Payables;
 - (f) Presentation of Monthly Financial Statement & Bank Reconciliation;
 - (g) Approval of Minutes;
 - (h) Business - Old & New
 - (i) Correspondence;
 - (j) Adjournment
- 14.2 The business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:
- (a) the reeve determines during the proceedings of council that for public interest a matter be moved forward to be dealt with promptly.

15. Commencement of Council Meeting

- 15.1 At the hour set for the meeting, or as soon as all members of council are present, the reeve, or in his or her absence the deputy reeve, shall take the chair and call the members to order.
- 15.2 In case neither the reeve nor the deputy reeve is in attendance within 30 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.
- 15.3 The person appointed pursuant to section 15.2 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.
- 15.4 If a quorum is not present 60 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.
- 15.5 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 stand adjourned.
- 15.6 Any unfinished business remaining at the time of the adjournment, due to the loss of the quorum, shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting called for the purpose of dealing with the unfinished items.
- 15.7 Members are encouraged to notify the administrator when the member is aware that he or she will be absent from any meeting of council.

16. Quorum

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



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17. Minutes

- 17.1 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 twenty-four (24) hours prior to a subsequent council meeting.
- 17.2 Notwithstanding section 17.1, 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.
- 17.3 The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- 17.4 Any member may make a motion amending the minutes to correct any mistakes.
- 17.5 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.
- 17.6 All minutes, once approved, shall be open for inspection by the public.

18. Public Hearing

- 18.1 If a public hearing is required by any Act, it shall be conducted in accordance with the provisions of this section.
- 18.2 The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:
 - (a) the reeve shall declare the hearing on the matter open;
 - (b) the administration shall present a report on the bylaw or resolution under consideration including the administration recommendations;
 - (c) if it is a hearing that involves an applicant (under the Planning and Development Act, Road Closure, etc.) the applicant shall be given an opportunity to make representations on the matter under consideration;
 - (d) after the applicant, any person or group of persons or spokesperson acting on behalf of another person or group shall be given an opportunity to make representations on the matter under consideration;
 - (e) if it is a hearing that involves an applicant, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
 - (f) council may request further information from administration;
 - (g) council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
 - (h) the reeve shall declare the hearing closed; and
 - (i) council shall then consider the matter and at the conclusion of the deliberations, council shall vote on the bylaw or resolution in accordance with the procedures contained in this bylaw.
- 18.3 The time allowed for each person making representations shall be 15 minutes.
- 18.4 A hearing may be adjourned to a certain date.



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18.5 A member shall abstain from taking part in the debate or voting on the bylaw or resolution, which is the subject of the hearing if the member was absent from any part of the public hearing.

19. Communications

19.1 When a person wishes to have a communication considered by council, it shall be addressed to council, and:

- (a) clearly set out the matter in issue and the request; and
- (b) for written communications, must be printed, typewritten or legibly written, contain the mailing address of the writer and be signed with the name of the writer; or
- (c) for electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.

19.2 A written communication received before the agenda deadline shall be placed by the administrator on the council agenda and shall be dealt with when the matter is considered by council at its meeting.

19.3 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. 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 at the beginning of the meeting.

19.4 A communication received by the administrator, which does not meet the conditions in subsection 19.1 or is abusive in nature, shall be forwarded to Council for review and disposition.

19.5 A communication received by the administrator which contains or relates to personal information shall be dealt with in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.

19.6 Bound documents or studies in support of the delegation's notice shall, if sufficient copies are provided by the delegation, be circulated to members, but will not be reproduced.

20. Delegations

20.1 When a person wishes to speak to council, for which a hearing is not required, that person shall notify the administrator in writing. The notice shall include the following:

- (a) the name and correct mailing address of the spokesperson;
- (b) telephone number where the representative of the delegation can be reached during the day;
- (c) originally signed, except when submitted by facsimile or e-mail; and
- (d) clearly setting out the subject matter to be discussed and the request being made of council.

20.2 A request to speak to council pursuant to subsection 20.1 must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.



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- 20.3 In the event that a delegation makes an application to the administrator after the agenda deadline, regarding a subject which is on the agenda, the administrator will bring the request to the attention of council.
- 20.4 Delegations will be advised by the administrator that they may not be heard by council unless the majority of members vote at the beginning of the meeting to allow the delegation to speak.
- 20.5 The administrator, who shall consult with the reeve, may refuse to accept a request to speak to council if council has, within the six months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.
- 20.6 If a request to speak to council is refused pursuant to subsection 20.5, a copy of the request and reply, shall be forwarded to members by the administrator.
- 20.7 Delegations speaking before council shall address their remarks to the stated business:
- (a) delegations will be limited to speaking only once; and
 - (b) rebuttal or cross debate with other delegations shall not be permitted.
- 20.8 A maximum of 30 minutes shall be allotted for each delegation to present his or her position of support or opposition.
- 20.9 Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views:
- (a) delegations are encouraged not to repeat information presented by an earlier delegation.
 - (b) the reeve shall at the conclusion of 30 minutes, inform the delegation that the time limit is up.
 - (c) only upon a motion to extend the 30 minute limitation adopted by a majority of members shall the 30 minute limit be extended.
 - (d) delegations will not be permitted to assume any unused time allocated to another delegation.
- 20.10 Upon the completion of a presentation to council by a delegation, any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only:
- (a) members shall not enter into debate with the delegation respecting the presentation.

21. Reeve and Councillors Reports

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

22. Bylaws

- 22.1 Every proposed bylaw must have three distinct and separate readings.



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- 22.2 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.
- 22.3 A proposed bylaw will be considered by council immediately following consideration of the report or item to which the bylaw relates.
- 22.4 Only the title or identifying number has to be read at each reading of the bylaw.
- 22.5 Each member present at the meeting at which first reading is to take place must be given or have had the opportunity to review the full text of the proposed bylaw before the bylaw receives first reading.
- 22.6 Each member present at the meeting at which third reading is to take place must, before the proposed bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed bylaw and of any amendments that were passed after first reading.
- 22.7 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.
- 22.8 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.
- 22.9 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.

23. Recess

- 23.1 The council may recess at any time during the meeting.
- 23.2 A motion to recess must state the time of duration of the recess, and must be passed by a majority of the members present.
- 23.3 The council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than thirty (30) minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.

24. Adjournment

- 24.1 All regularly scheduled council meetings shall stand adjourned when the council has completed all business as listed on the agenda.
- 24.2 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.



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PART IV – CONDUCT AT COUNCIL MEETINGS

25. Reeve

- 25.1 The reeve shall:
- (a) preside at all council meetings;
 - (b) preserve order at council meetings;
 - (c) enforce the rules of council.
- 25.2 The reeve shall have the same rights and be subject to the same restrictions, when participating in debate, as all other members.
- 25.3 The reeve shall have the same rights and be subject to the same restrictions as all other members to make a motion.

26. Deputy Reeve

- 26.1 The council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the councillors a deputy reeve who shall hold office for a term expiring at the next general election or equal to the balance of the term remaining of the previous deputy reeve. The appointment of deputy reeve shall be reviewed by council annually.
- 26.2 If the reeve, for any reason, is unable to perform the duties of his or her office, the deputy reeve shall have all of the powers of the reeve during the inability.

27. Acting Reeve

- 27.1 Council shall, appoint a member to act as acting reeve if:
- (a) both the reeve and the deputy reeve are unable to perform the duties of his or her office; or
 - (b) the offices of both the reeve and the deputy reeve are vacant.
- 27.2 The member to be appointed, pursuant to subsection 27.1, shall be elected by a majority of the members present.
- 27.3 Where two members have an equal number of votes, the administrator shall:
- (a) write the names of those members separately on blank sheets of paper of equal size, colour and texture;
 - (b) fold the sheets in a uniform manner so the names are concealed;
 - (c) deposit them in a receptacle; and
 - (d) direct a person to withdraw one of the sheets.
- 27.4 The member whose name is on the sheet withdrawn pursuant to subsection 27.3(d) shall be declared elected.

28. Persons Allowed at the Table

- 28.1 No person, except members, the administrator and other staff as authorized by the council, are permitted to be seated at the council table during sittings of the 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;



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- (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;
- (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 or another municipal council, or any official representing them;
 - (b) using offensive words in referring to a member, an employee of the municipality or a member of the public;
 - (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, a member shall refrain from:
- (a) speaking disrespectfully of the federal government, the provincial government or another municipal council, or any official representing them;
 - (b) using offensive words in 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;
 - (b) refrain from interrupting the speaker; 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.



A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL

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, with the intention to not return, 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. Calling a Member to Order

- 34.1 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.
- 34.2 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 (not beyond the current meeting); or
 - (c) until the member makes an apology acceptable to council for their unruly behavior, whichever shall be the shortest time.
- 34.3 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; or
 - (b) direct that law enforcement officials be engaged to assist in the removal of the unruly member.



A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL

- 34.4 When council has directed an unruly member to leave the council chambers, pursuant to subsection 34.3, 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

35. Motions and Debate

- 35.1 All matters requiring a decision of Council are commonly debated prior to a motion being put forth for a vote.
- 35.2 A motion shall express fully and clearly the intent of the mover.
- 35.3 Motions do not need a seconder

36. Motion to Adjourn

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

37. Motion to Move to a Closed Meeting

- 37.1 A member may make a motion that a council meeting move to a closed meeting.
- 37.2 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) outline the titles or subject of the item(s) to be discussed; and
 - (c) include the reason for the council meeting to be held in a closed meeting.
- 37.3 No bylaw or resolution shall be passed during a closed meeting.

38. Motion Contrary to Rules

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

39. Withdrawal of Motions

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



A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL

40. Motion to Reconsider

- 40.1 A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by council.
- 40.2 A motion to reconsider is in order whether the original motion passed or failed.
- 40.3 A motion to reconsider may only be made at the same council meeting as the original motion was voted on.
- 40.4 A motion to reconsider must be moved by a member who voted with the prevailing side of the original motion.
- 40.5 When a motion loses on a tied vote, the prevailing side is those who voted against the motion.
- 40.6 A motion to reconsider is debatable only if the motion being reconsidered is debatable.
- 40.7 A motion to reconsider cannot be amended.
- 40.8 A motion to reconsider shall require a majority vote of the members present at the meeting.
- 40.9 If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.
- 40.10 Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

41. Motion to Rescind

- 41.1 A motion to rescind shall apply to resolutions only, and shall not apply to bylaws passed by council.
- 41.2 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.
- 41.3 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.
- 41.4 A motion to rescind may be moved by any council member regardless how they voted on the original motion.
- 41.5 A motion to rescind is debatable.
- 41.6 A motion to rescind may be amended.
- 41.7 A motion to rescind shall, in all cases, require a majority vote of all council members to pass.
- 41.8 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 from membership or office have been taken.

42. Debate on Motion

- 42.1 Each member shall be given equal opportunity to speak on a matter requiring a decision of Council.

A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL
COUNCIL

43. Voting of Council

- 43.1 A member attending a council meeting shall vote at the meeting on a matter before council unless the member is required to abstain from voting pursuant to the Act or any other Act.
- 43.2 If a member is not required to abstain from voting on a matter before council and abstains from voting, the council member is deemed to have voted in the negative.
- 43.3 The administrator shall ensure that each abstention is recorded in the minutes of the meeting.

44. Voting of Reeve

- 44.1 The reeve shall vote with the other members on all matters before council.

45. Majority Decision

- 45.1 Unless a greater percentage of votes is required by any provision of this bylaw, at every council meeting, all matters before council are to be decided by a majority vote of the members present.

46. Recorded Vote

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

47. Tied Vote

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

PART VI – MISCELLANEOUS

48. Repeal of Bylaw

- 48.1 Bylaw No. 1-2016 is hereby repealed.

49. Coming Into Force

- 49.1 This bylaw shall come into effect on the day of its final passing.



Ernie Boy
Reeve

Deather Wauro
Administrator

Read a third time and adopted this 3 day of November, 2021.

Certified to be a true copy of Bylaw No. 3-2021 adopted by Council for the RM of Wellington No. 97 on November 3, 2021.

Deather Wauro





Bylaw 3-2021

Form 1 – Request for a Special Meeting

Date: _____, 20____

To: The Administrator for the Rural Municipality of _____ No. ____

Pursuant to section 123 of the Act, I / we hereby request you to call a special meeting of the Council of the Rural Municipality of Wellington No. 97 to discuss the following matter(s):

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |

Meeting Details:

Location: Council Chambers, Municipal Office, Cedoux, Saskatchewan.

Date: _____, 20____

Time: _____

Dated this _____ day of _____, 20____

SIGNED:

Reeve: _____

Division 1: _____

Division 2: _____

Division 3: _____

Division 4: _____

Office Use Only:

Members provided notice pursuant to subsection 123(2) of the Act

Notice not provided pursuant to subsection 123(3) of the Act (Form 2 of this bylaw is required to be signed)



Bylaw 3-2021

Form 2 – Waiver of Notice for a Special Meeting

Waiver of Notice of a Special Meeting of Council called under the authority of Section 123(3) of *The Municipalities Act*.

We the undersigned members of the council of the Rural Municipality of Wellington No. 97 hereby waive notice of a special meeting as outlined by Form 1 hereto attached.

SIGNED:

Reeve: _____

Division 1: _____

Division 2: _____

Division 3: _____

Division 4: _____

Date: _____



Bylaw 3-2021

Form 3 – Request for Method of Providing Notice

Date: _____, 20____

To: The Administrator for Rural Municipality of Wellington No. 97

From: _____
(Name of Council Member)

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

By regular mail – (address) _____

By telephone or voice mail – (no.) _____

By facsimile - (fax number) _____

By email - (email address) _____

Check one of the above

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

Dated this _____ day of _____, 20____.

(Signature of Council Member)