

Resort Village of Aquadeo
BYLAW NO.09-2023
A BYLAW TO REGULATE THE PROCEEDING OF MUNICIPAL COUNCIL AND COUNCIL'S
COMMITTEES

The *Council* of the Resort Village of Aquadeo in the Province of Saskatchewan enacts as follows:

PART I – INTERPRETATION

1. SHORT TITLE

1.1 This bylaw may be cited as “The Procedure Bylaw”.

2. PURPOSE

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

3. DEFINITIONS

3.1 In this bylaw:

- (a) “**Act**” shall mean *The Municipalities Act*;
- (b) “**Acting Mayor**” shall mean the *Councillor* elected by *Council* to *Act* as the *Mayor* if a vacancy arises in that office;
- (c) “**Adjourn**” shall mean to suspend proceedings to another time or place;
- (d) “**Administration**” shall mean the *CAO* or an employee accountable to the *CAO*;
- (e) “**CAO**” means the person appointed as *CAO* pursuant to section 111 of *The Municipalities Act*.
- (f) “**Agenda deadline**” shall mean the time established in subsection 13.6 of this bylaw;
- (g) “**Amendment**” shall mean 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**” shall mean a day other than a Saturday, Sunday or holiday.
- (i) “**Chair**” shall mean a person who has the authority to preside over a meeting;
- (j) “**Committee**” shall mean a *committee*, board, authority or other body duly appointed by *Council*;
- (k) “**Communications**” include, but are not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article;
- (l) “**Consent agenda**” shall mean a portion of a meeting that lists items of business which are routine in nature and do not require substantial discussion and/or debate;
- (m) “**Consent motion**” shall mean a *motion* to adopt, without debate, the recommendations of several reports within a *consent agenda*;
- (n) “**Council**” shall mean the *Mayor* and *Councillors* of the *municipality* elected pursuant to the provisions of *The Local Government Election Act*;
- (o) “**Councillor**” shall mean the *Council member* duly elected in the *municipality* as a *Councillor*, in accordance with *The Local Government Election Act*;
- (p) “**Deputy mayor**” shall mean the *Councillor* who is appointed by *Council*, pursuant to Section 34 of this Bylaw, to *Act* as *Mayor* in the absence or incapacity of the *Mayor*;



- (q) **"Mayor"** shall mean the *Council member* duly elected in the *municipality* as the *Mayor* in accordance with *The Local Government Election Act*;
- (r) **"Member"** shall mean the *Mayor, Councillor* or an appointed individual to a *committee, commission* or board of *Council*;
- (s) **"Motion"** shall mean a formal proposal placed before a meeting in order that it may be debated to a conclusion;
- (t) **"Mover"** shall mean a person who presents or proposes a *motion* or *amendment*;
- (u) **"Municipality"** shall mean the Resort Village of Aquadeo;
- (v) **"Order of business"** shall mean the list of items comprising the agenda and the order in which those items appear on the agenda;
- (w) **"Point of order"** shall mean 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;
- (x) **"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;
 - 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 his or her position;
- (y) **"Point of procedure"** shall mean a question directed to the person presiding at a meeting to obtain information on the rules or procedures bearing on the business at hand;
- (z) **"Public hearing"** shall mean 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*;
- (aa) **"Quorum"** is, subject to section 98 of the *Municipalities Act*:
 - i. in the case of *Council*, a majority of the whole *Council*; and
 - ii. in the case of a *committee*, a majority of the *members* appointed to the *committee*;
- (bb) **"Recess"** shall mean 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;
- (cc) **"Resolution"** shall mean a formal determination made by *Council* or a *committee* based on a *motion*, duly placed before a regularly constituted meeting or a *special meeting* of *Council* or a *committee* for debate and decision, and is duly passed;

A handwritten signature in black ink, appearing to be 'A. B.', with the initials 'CB' written below it.

- (dd) **"Seconded"** shall mean a person who formally supports a *motion* or *amendment* at the time it is proposed;
- (ee) **"Special committee"** shall mean a *committee* appointed by *Council* at any time to deal with a specific issue(s) and exist for a length of time required to review the issue(s) and make recommendations to *Council*;
- (ff) **"Special meeting"** shall mean a meeting other than a regular scheduled meeting called pursuant to section 123 of The *Municipalities Act* or the provisions of this Bylaw;
- (gg) **"Subcommittee"** shall mean a *committee* established by a *committee*, Commission, or board to review and report on an aspect of the *committee*, Commission, or board's business;
- (hh) **"Unfinished business"** shall mean business which has been raised at the same, or a previous meeting, and which has not been completed; and
- (ii) **"Urgent business"** shall mean a time sensitive matter which requires *Council's* immediate and urgent consideration.

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, newly revised.
- 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 *Mayor* 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* shall be held within 31 days immediately following a general election.
- 5.2 At the first meeting of *Council*:
 - (a) the Returning Officer shall provide *Council* with a copy of the declaration of results with respect to the election;
 - (b) every *Council member* shall take the Oath of Office pursuant to the *Act*; and
 - (c) every *Council member* shall complete the Public Disclosure Statement, Appendix 1 of this Bylaw; and on the first meeting of each year during the term, review this disclosure statement and sign Appendix 2 of this Bylaw; when there are *amendments* to be made,



Appendix 3 must be completed and returned to the CAO immediately following any changes.

6. REGULAR MEETINGS

- 6.1 Regular meetings of *Council* shall be set each year at the July regular meeting;
- 6.2 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*, such meetings shall be held at the same time on the next day that the municipal office is scheduled to be open for business.
- 6.3 Annually the CAO 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 *Mayor* to reschedule a regular meeting of *Council* pursuant to the *Act* during a period to be specified within the *resolution*.

7. SPECIAL MEETINGS

- 7.1 The CAO shall call a *special meeting* of *Council*, whenever requested to do so, in writing, by the *Mayor* or a majority of the *members*.
- 7.2 The written request referred to in subsection 7.1 shall include all items of business to be transacted.
- 7.3 Form 1, appended hereto and forming a part of this Bylaw, shall be the form used to direct the CAO to call a *Special Meeting* of *Council*.
- 7.4 When a *special meeting* is to be held, the CAO 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 twenty-four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting.
- 7.5 Notwithstanding subsection 7.2, a *special meeting* may be held with less than twenty-four (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*.
- 7.6 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. MEETING THROUGH ELECTRONIC SHALL MEAN

- 8.1 One or more *members* of *Council* may participate in a *Council* meeting by means of a telephonic, electronic or other communication facility if:
 - (a) the *members* of *Council* provide the CAO with at least two (2) *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 *CAO* attends that place; and
 - (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 means of a communication facility 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 twenty-four (24) hours' notice of the change will be given to:
- (a) any *members* not present at the meeting at which the change was made; and,
 - (b) the public.

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 2, appended hereto and forming a part of this Bylaw, shall be the form used to request the *CAO* 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.

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:
 - (a) the *members* of *Council*;
 - (b) the *CAO* 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 *CAO* 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 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 *CAO* 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 *CAO* shall ensure that the *Council* agendas are delivered to each *member* no later than 5 p.m. on the Friday prior to the *Council* meeting.
- 13.4 The *CAO* shall ensure that the *Council* agendas are available to the public no later than no later than one business day immediately preceding the *Council* meeting.
- 13.5 If, for any reason, the *CAO* is unable to meet the deadline mentioned in subsection 13.3, the *CAO* 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 reports, communication from the public, requests, or any other material intended for inclusion in a *Council* agenda must be received by the *CAO* no later than 10 p.m., the Thursday immediately preceding the *Council* meeting.
- 13.7 *Council* may, on a majority vote, permit additional material on the agenda.

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 CAO.
- 14.2 In these circumstances, the *Administration* shall submit a report to the CAO including an explanation of the reasons and degree of urgency of the matter as soon as possible.
- 14.3 The CAO shall distribute any requests from the *Administration* to add a matter of *urgent business* to the agenda to the *members* as soon as they are available.
- 14.4 During the confirmation of the agenda, a *member* may move to add a report, communication, or delegation to the agenda if the matter arises from an unforeseeable situation of urgency.
- 14.5 *Council* may only consider a matter of *urgent business* by a majority vote of *members* present.

15. ORDER OF BUSINESS AT MEETINGS

- 15.1 The general *order of business* of every regular *Council* meeting shall be as follows:
 - (a) Call to order;
 - (b) Additions/Deletions to the Agenda;
 - (c) Approval of the Agenda;
 - (d) Approval of Minutes of Previous Meeting;
 - (e) Business Arising from the Minutes;
 - (f) Acknowledgements/Delegations/Public Presentations;
 - (g) Public Hearings;
 - (h) New Business, *Committee* Reports, Bylaws;
 - (i) Correspondence/Information Items;
 - (j) *Consent Agenda*;
 - (k) Mayor/ CAO /Councillor Reports;
 - (l) Mayor/ Councillor Forum;
 - (m) Any Other Matters;
 - (n) List of Meetings and Attendees; and
 - (o) *Adjournment*.
- 15.2 The business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:
 - (a) otherwise determined upon *motion* passed by a vote of the majority of the *members* present to approve the agenda and which vote shall be placed without debate; or
 - (b) the *Mayor* determines during the proceedings of *Council* that for public interest a matter be moved forward to be dealt with promptly.

16. COMMENCEMENT OF COUNCIL MEETING

- 16.1 At the hour set for the meeting, or as soon as all *members* of *Council* present, the *Mayor*, or in his or her absence the *Deputy Mayor*, shall take the *chair* and call the *members* to order.

- 16.2 In case neither the *Mayor* nor the *Deputy Mayor* is in attendance within fifteen (15) minutes after the hour appointed, and subject to a quorum being present, *Council* shall appoint an *Acting Mayor* pursuant to section 35 of this Bylaw who shall call the meeting to order and shall preside over the meeting until the arrival of the *Mayor* or the *Deputy Mayor*, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- 16.3 If a quorum is not present thirty (30) minutes after the time appointed for the meeting, the *CAO* 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.
- 16.4 Subject to the *Act*, if at any meeting the number of *members* is reduced to less than the number required for a quorum, *Council* shall stand *Adjourned*.
- 16.5 Any *unfinished business* remaining at the time of the *Adjournment*, due to the loss of the quorum, shall be considered at the next regular meeting, or it shall be placed on the agenda for a *special meeting* called for dealing with the unfinished items.
- 16.6 *Members* are to notify the *CAO* when the *member* is aware that he or she will be absent from any meeting of *Council*.

17. QUORUM

- 17.1 A *quorum* of *Council* is a majority of *members*.
- 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 *CAO* 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.
- 18.2 The names of the *members* present at the meeting are to be recorded in the minutes of every meeting.
- 18.3 Any *member* may make a *motion* amending the minutes to correct any mistakes.
- 18.4 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 *CAO* in accordance with the *Act*.

19. PROCLAMATIONS

- 19.1 All requests for proclamations shall be submitted to the *Mayor* for approval, outlining 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 at least fourteen (14) days prior to the proposed date for the proclamation. However, exceptions may be made in extenuating circumstances.

- 19.2 Subject to *The Saskatchewan Human Rights Code*, the *Mayor* may, in his or her sole discretion, approve the proclamation submitted pursuant to subsection 19.1, provided 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 libelous statement.
- 19.3 The *Mayor* may:
- (a) issue the proclamation:
 - i. in the words and form of the proclamation as submitted; or
 - ii. in words and form chosen by the *Mayor*; or
 - (b) forward the proclamation for consideration by *Council*.
- 19.4 Once the proclamation has been approved, the proclamation shall be noted on the appropriate *Council* agenda as information.
- 19.5 *Council*, having delegated the *Administration* of proclamations, shall not hear delegations related to proclamation requests, unless specifically approved by *Council*.
- 19.6 Each organization shall be responsible for any costs and the disseminating of the proclamation to the media and planning for the attendance of the *Mayor* or *Councillors* at the specific function or event.
- 19.7 The local media are requested:
- (a) not to publish any proclamation claiming to be proclaimed by the *Mayor* unless it bears his or her signature; and
 - (b) when publishing a proclamation by the *Mayor*, that the proclamation contains only the following:
 - i. the crest of the *municipality*;
 - ii. the name of the *municipality*; and
 - iii. the text of the proclamation.

20. PRESENTATIONS & RECOGNITIONS

- 20.1 Presentations shall be listed on the agenda when authorized by the *Mayor* and shall be intended to recognize an individual or group on behalf of *Council* for some award or similar honour which they have received or for a group or individual to present to *Council* some award or similar honour which the *municipality* has been awarded.

21. PUBLIC HEARING

- 21.1 If a *public hearing* is required by any *Act*, it shall be conducted in accordance with the provisions of this section.
- 21.2 The procedure by which the *public hearing* will be conducted or by which public input will be obtained shall be as follows:
- (a) the *Mayor* 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, 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, after 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 *Mayor* shall declare the hearing closed; and
 - (i) *Council* shall then consider the matter and after the deliberations, *Council* shall vote on the bylaw or *resolution* in accordance with the procedures contained in this bylaw.
- 21.3 The time allowed for each person making representations shall be ten (10) minutes.
- 21.4 A hearing may be *Adjourned* to a certain date.
- 21.5 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*.

22. COMMUNICATIONS – GENERAL

- 22.1 When a person wishes to have, a *communication(s)* 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 *communications*, must contain the name of the writer and both the mailing and electronic address of the writer.
- 22.2 A communication received by the CAO, which does not meet the conditions in subsection 22.1 or is abusive in nature, will not be added to the agenda.
- 22.3 A *communication* received by the CAO 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*.
- 22.4 Bound documents or studies in support of the delegation's notice shall, if sufficient copies are provided by the delegation, be circulated to *members*, but will not be reproduced.

23. COMMUNICATIONS – MATTERS ON COUNCIL AGENDA

- 23.1 A written *communication* pertaining to a matter already on a *Council* agenda must be received by the *CAO* no later than the *agenda deadline* to be included on the *Council* agenda.
- 23.2 A written *communication* received before the *agenda deadline* shall be placed by the *CAO* on the *Council* agenda and shall be dealt with when the matter is considered by *Council* at its meeting.
- 23.3 In the event that the *communication* to the *CAO* is received after the *agenda deadline*, regarding a subject which is on the agenda, the *CAO* will bring the request to the attention of *Council*:
 - (a) The individual will be advised by the *CAO* that the *communication* may not be considered by *Council* unless the majority of *members* vote to allow the *communication* within the *motion* to approve the agenda.

24. COMMUNICATIONS – MATTERS NOT ON COUNCIL AGENDA

- 24.1 A written *communication* received before the *agenda deadline* shall be placed by the *CAO* on the *Council* agenda and shall be dealt with when the matter is considered by *Council* at its meeting.
- 24.2 In the event that the *communication* to the *CAO* is received after the *agenda deadline*, regarding a subject which is not on the agenda, the *CAO* will bring the request to the attention of *Council*.
- 24.3 The individual will be advised by the *CAO* that the *communication* may not be considered by *Council* unless the majority of *members* vote to allow the *communication* within the *motion* to approve the agenda.

25. DELEGATIONS – MATTERS ON COUNCIL AGENDA

- 25.1 When a person wishes to speak to *Council* on a matter already on a *Council* agenda, for which a hearing is not required, that person shall notify the *CAO* in writing, which 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*.
- 25.2 A request to speak to *Council* pursuant to subsection 25.1 of this Bylaw must be received by the *CAO* no later than the *agenda deadline* to be included on the *Council* agenda.
- 25.3 In the event that a delegation makes an application to the *CAO* after the *agenda deadline*, regarding a subject which is on the agenda, the *CAO* will bring the request to the attention of *Council*:

- (a) Delegations will be advised by the *CAO* that they may not be heard by *Council* unless the majority of *members* vote to allow the delegation to speak within the *motion* to approve the agenda.
- 25.4 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.
- 25.5 A maximum of ten (10) minutes shall be allotted for each delegation to present his or her position of support or opposition.
- 25.6 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 *Mayor* shall after ten (10) minutes, inform the delegation that the time limit is up.
 - (c) Only upon a *motion* to extend the ten (10) minute limitation adopted by a majority of *members* shall the ten (10) minute limit be extended.
 - (d) Delegations will not be permitted to assume any unused time allocated to another delegation.
- 25.7 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 debate with the delegation respecting the presentation; and
 - (b) Once a *motion* has been moved and seconded, no further representation or questions of the delegation shall be permitted.

26. DELEGATIONS – MATTERS NOT ON COUNCIL AGENDA

- 26.1 When a person wishes to speak to *Council* on a matter not on a *Council* agenda, for which a hearing is not required, that person shall notify the *CAO* in writing, which 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*.
- 26.2 A request to speak to *Council* pursuant to subsection 26.1 of this Bylaw must be received by the *CAO* no later than the *agenda deadline* to be included on the agenda.
- 26.3 The *CAO*, who shall consult with the *Mayor*, may refuse to accept a request to speak to *Council* if *Council* has, within the six (6) months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by *resolution* or bylaw.
- 26.4 If a request to speak to *Council* is refused pursuant to subsection 26.3 of this Bylaw, a copy of the request and reply, shall be forwarded to *members* by the *CAO*.

- 26.5 In the event that a delegation makes an application to the *CAO* after the *agenda deadline*, regarding a subject which is not on the agenda, the *CAO* will bring the request to the attention of *Council*.
- (a) Delegations will be advised by the *CAO* that they may not be heard by *Council* unless the majority of *members* vote to allow the delegation to speak within the *motion* to approve the agenda.

27. MAYOR AND COUNCILLORS FORUM

- 27.1 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*.
- 27.2 All comments will be verbal only and shall not be recorded in the minutes of the meeting.

28. BYLAWS

- 28.1 Every proposed bylaw must have three (3) distinct and separate readings.
- 28.2 A proposed bylaw must not have more than two (2) readings at a *Council* meeting unless the *members* present unanimously agree to consider third reading.
- 28.3 A proposed bylaw will be considered by *Council* immediately following consideration of the report or item to which the bylaw relates.
- 28.4 Only the title or identifying number shall be read at each reading of the bylaw.
- 28.5 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.
- 28.6 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.
- 28.7 When a bylaw has been given three (3) readings by *Council*, it:
- (a) becomes a municipal enactment of the *municipality*; and
- (b) is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.
- 28.8 The *CAO* 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.
- 28.9 After passage, every bylaw shall be signed by the *Mayor* and the *CAO*, pursuant to the *Act* and marked with the corporate seal of the *municipality*.

29. PUBLIC FORUM

- 29.1 Any *member* of the public wishing to speak to *Council* on a municipal matter, may appear at a *Council* meeting, if they pre-register with the CAO prior to 9 a.m. on the day of the *Council* meeting so that their name may be placed on a speakers list.
- 29.2 The total time allowed to speak shall be not more than five (5) minutes per individual or delegation.

30. RECESS

- 30.1 The *Council* may *recess* at any time during the meeting.
- 30.2 A *motion* to *recess* must state the time of, duration of the *recess*, and must be passed by a majority of the *members* present.
- 30.3 The *Council* may reconvene sooner than the time mentioned in the *motion* of *recess* but must not reconvene later than ten (10) minutes after the time specified for reconvening or the meeting shall be deemed to be *Adjourned* due to a lack of quorum.

31. ADJOURNMENT

- 31.1 All regularly scheduled *Council* meetings shall stand *Adjourned* when the *Council* has completed all business as listed on the *order of business*.
- 31.2 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 dealing with the unfinished items.

32. EXTENSION OF TIME

- 32.1 Notwithstanding section 31 of this Bylaw, a majority of the *members'* present may extend a regularly scheduled *Council* meeting beyond normal hours by unanimous vote of all *members* present.
- 32.2 If *Council* extends its meeting pursuant to subsection 32.1 of this Bylaw, the meeting shall continue until:
 - (a) the business of the meeting is completed;
 - (b) a *motion* to *Adjourn* is passed; or
 - (c) a quorum is no longer present.

PART IV – CONDUCT AT COUNCIL MEETINGS

33. MAYOR

- 33.1 The *Mayor* 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.
- 33.2 The *Mayor* shall have the same rights and be subject to the same restrictions, when participating in debate, as all other *members*.

34. DEPUTY MAYOR

- 34.1 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 Mayor* who shall hold office for a term of one (1) year or for such longer period as the *Council* may decide, and in any event until a successor is appointed.
- 34.2 If the *Mayor*, for any reason, is unable to perform the duties of his or her office, the *Deputy Mayor* shall have all the powers of the *Mayor* during the inability.

35. ACTING MAYOR

- 35.1 *Council* shall, appoint a *member* to Act as *Mayor* if:
- (a) both the *Mayor* and the *Deputy Mayor*, if one has been appointed pursuant to section 35 of this Bylaw, are unable to perform the duties of his or her office; or
 - (b) the offices of both the *Mayor* and the *Deputy Mayor* are vacant.
- 35.2 The *member* to be appointed, pursuant to subsection 35.1 of this Bylaw, shall be elected by a majority of the *members* present.
- 35.3 Where two (2) *members* have an equal number of votes, the *CAO* 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 (1) of the sheets.
- 35.4 The *member* whose name is on the sheet withdrawn pursuant to subsection 35.3(d) of this Bylaw shall be declared elected.

36. PERSONS ALLOWED AT THE TABLE

- 36.1 No person, except *members*, the *CAO* and other *members* of *Administration* as authorized by the *CAO* and such persons as are permitted by the *Mayor* shall be allowed to be seated at the *Council* table during the sittings of the *Council*, without permission of the *Mayor* or other presiding *member*.

37. CONDUCT OF PUBLIC

- 37.1 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.

38. CONDUCT OF DELEGATIONS

- 38.1 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) 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 or using an immoderate tone, profane, vulgar or offensive language.

39. CONDUCT OF MEMBERS

- 39.1 *Members of Council* wishing to speak at a meeting shall ensure they do not interrupt another *member*.
- 39.2 If more than one *member* wishes to speak at a meeting at the same time, the *Mayor* shall indicate which *member* shall speak first.
- 39.3 When addressing a *Council* meeting, 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 referring 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 or using an immoderate tone, profane, vulgar or offensive language.
- 39.4 When a *member* is addressing the *Council*, all other *members* shall:
- (a) remain quiet and seated;
 - (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.
- 39.5 *Members* shall ensure that all electronic devices remain silent and do not interfere with the meeting.

40. IMPROPER CONDUCT

- 40.1 The *Mayor* 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 37 of this Bylaw, leave or be expelled from the meeting.
- 40.2 The *Mayor* may request that any delegation who addresses *Council* improperly as set out in section 38 of this Bylaw, leave or be expelled from the meeting.
- 40.3 No person shall refuse to leave a *Council* meeting when requested to do so by the *Mayor*.
- 40.4 Any person who refuses to leave when requested to do so may be removed.
- 40.5 If a person disturbs the proceedings of *Council* or refuses to leave when requested to do so, the *Mayor* may *recess* the meeting until the person leaves or *Adjourn* the meeting to another day.

41. LEAVING THE MEETING

- 41.1 Every *member* who leaves the *Council* meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the *CAO*.

42. POINT OF ORDER

- 42.1 A *member* may rise and ask the *Mayor* to rule on a *point of order*.
- 42.2 When a *point of order* is raised, the *member* speaking shall immediately cease speaking until the *Mayor* decides the *point of order* raised.
- 42.3 A *point of order* must be raised immediately at the time the rules of *Council* are breached.
- 42.4 The *member* against whom a *point of order* is raised may be granted permission by the *Mayor* to explain.
- 42.5 The *Mayor* may consult the *CAO* before ruling on a *point of order*.
- 42.6 A *point of order* is not subject to *amendment* or debate.

43. POINT OF PRIVILEGE

- 43.1 A *member* may rise and ask the *Mayor* to rule on a *point of privilege*.
- 43.2 After the *member*, has stated the *point of privilege*, the *Mayor* shall rule whether or not the matter raised is a *point of privilege*.
- 43.3 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.
- 43.4 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.
- 43.5 The *Mayor* may consult the *CAO* before ruling on a *point of privilege*.
- 43.6 A *point of privilege* is not subject to *amendment* or debate unless a *motion* regarding the *point of privilege* is put to *Council*.

44. POINT OF PROCEDURE

- 44.1 Any *member* may ask the *Mayor* for an opinion on a *point of procedure*.
- 44.2 When a *point of procedure* is raised, the *member* speaking shall immediately cease speaking until the *Mayor* responds to the inquiry.
- 44.3 After the *member*, has asked the *point of procedure*, the *Mayor* shall provide an opinion on the rules of procedure bearing on the matter before *Council*.
- 44.4 The *Mayor* may consult the *CAO* before providing an opinion on the *point of procedure*.
- 44.5 A *point of procedure* is not subject to *amendment* or debate.
- 44.6 The *Mayor's* answer to a *point of procedure* is not a ruling and cannot be appealed to the whole of *Council*.

45. APPEAL

- 45.1 Whenever a *member* wishes to appeal any ruling of the *Mayor* 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 *Mayor* may state the reason for the decision; and
 - (d) following which the question shall be put immediately without debate.
- 45.2 The *Mayor* shall be governed by the vote of the majority of the *members* present.
- 45.3 A ruling of the *Mayor* must be appealed immediately after ruling is made or the ruling will be final.

46. CALLING A MEMBER TO ORDER

- 46.1 When the *Mayor* calls a *member* to order, the *member* shall resume his or her seat, but may afterwards explain his or her position in making the remark for which he or she was called to order.
- 46.2 In the event that a *member* refuses to resume his or her seat when called to order, the *Mayor* shall request the *Deputy Mayor*, or if the *Deputy Mayor* 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 his or her unruly behavior, whichever shall be the shortest time.
- 46.3 When the majority of *Council* votes in favour of the *resolution*, the *Mayor* shall direct the unruly *member* to leave the *Council* chamber, and if the *member* refuses to leave, the *Mayor* 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*.

- 46.4 When *Council* has directed an unruly *member* to leave the *Council* chambers, and the *member* so directed makes an explanation and apology adequate and satisfactory to the *Council*, it may, by a majority vote of the remaining *members* present, allow the offending *member* to remain in his or her place if he or she has not left or been removed, or to retake his or her place.

PART V – MOTIONS

47. MOTIONS AND DEBATE

- 47.1 A *motion* shall express fully and clearly the intent of the *mover* and may be preceded by any preamble or whereas clauses.
- 47.2 A *motion* shall be considered when put forth by any *member* of the *Council*.
- 47.3 Any *member* may require the *motion* under debate to be read at any time during the debate, but not to interrupt a *member* while speaking.
- 47.4 When a *motion* is under debate no other *motion* may be made, except a *motion* to:
- (a) amend a *motion*;
 - (b) refer *motion* to a *Council committee* or *Administration* for a report back to *Council*;
 - (c) postpone a *motion* to a fixed date;
 - (d) request that a *motion* be put to a vote;
 - (e) extend the time for a *Council* meeting; or
 - (f) *Adjourn* the meeting.
- 47.5 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*.
- 47.6 Any *motions* allowed under subsection 47.4 of this Bylaw shall be considered in the order in which they were moved.

48. MOTION TO AMENDMENTS

- 48.1 Except as provided in subsection 48.12 of this Bylaw, any *motion* may be amended to:
- (a) add words within the *motion*;
 - (b) delete words within the *motion*; or
 - (c) change a word or words within the *motion*.
- 48.2 The amending *motion* must be:
- (a) relevant to the main *motion*;
 - (b) made while the main *motion* is under consideration; and
 - (c) consistent with the principle embodied in the main *motion*.
- 48.3 An amending *motion* may also be amended.

- 48.4 A sub *amendment* must be:
- (a) relevant to the original *amendment*;
 - (b) made while the original *amendment* is under consideration; and
 - (c) consistent with the intent of either the original *amendment* or the main *motion*.
- 48.5 Only two (2) *amendments* to a *motion*, an *amendment* and a sub *amendment*, are allowed at the same time. When one or both have been dealt with, a further *amendment* or sub *amendment* may be entertained.
- 48.6 There is no limit to the number of *amendments* or sub *amendments* that may be proposed.
- 48.7 An *amendment* may be introduced at any stage before the question is put on the main *motion* provided there is not more than one *amendment* and one sub *amendment* before the meeting at one time.
- 48.8 Any *member* wishing to move an *amendment* that is not in order at the time because there are already two *amendments* before the meeting may state the intention of the proposed *amendment*, as the proposal may affect the vote on those *motions* awaiting decision.
- 48.9 The main *motion* shall not be debated until all *amendments* to it have been put to a vote.
- 48.10 *Amendments* shall be put in the reverse order to the order in which they were moved.
- 48.11 When all *amendments* have been voted on, the main *motion* incorporating all *amendments* adopted shall be put to a vote.
- 48.12 No *amendments* shall be made to the following *motions*:
- (a) a *motion* to *Adjourn*;
 - (b) a *motion* to defer to a fixed date, except as to the date; and
 - (c) a *motion* requesting that a *motion* be put to a vote.

49. DIVIDING A MOTION INTO PARTS

- 49.1 A *member* may request, or the *Mayor* may direct that a *motion* be divided if the *motion* contains more than one separate and complete recommendation.
- 49.2 *Council* shall then vote separately on each recommendation.
- 49.3 A new *motion* to add a further recommendation is permitted provided:
- (a) the proposed recommendation is relevant to the original *motion*;
 - (b) the proposed recommendation does not alter in a significant way the principle embodied in the original *motion*; and
 - (c) the original *motion* has been dealt with.

50. MOTION ARISING

- 50.1 When a matter is before *Council*, a *motion* arising on the same matter is permitted provided:
- (a) the proposed *motion* is related to and rises from the item which has just been considered;
 - (b) the proposed *motion* does not alter in a significant way the principle embodied in the original *motion*; and

- (c) the proposed *motion* is made before the consideration of any other item of business at the meeting.

51. REQUEST THAT MOTION BE PUT TO VOTE

- 51.1 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*.
- 51.2 A *motion* requesting that a *motion* be put to a vote shall not be amended or debated.
- 51.3 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.
- 51.4 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.

52. MOTION TO ADJOURN

- 52.1 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.
- 52.2 A *motion* to *adjourn* shall be decided without debate.

53. CONSENT AGENDA

- 53.1 The *consent agenda* portion of a meeting is moved and voted upon without debate as one item regardless of the number of reports included.
- 53.2 If a *member* wishes to debate an item included in the *consent motion*, a request to remove the item from the *consent agenda* must be made before the *Mayor* calls the questions, and the item shall be removed from the *consent agenda* without further debate or vote.
- 53.3 Any items so removed shall be addressed immediately following approval of the *consent agenda*.
- 53.4 If an item is removed from the *consent agenda* pursuant to subsection 53.2 of this Bylaw a person may address *Council* on the item.

54. MOTION TO MOVE TO A CLOSED MEETING

- 54.1 A *member* may make a *motion* that a *Council* meeting move to a closed meeting.
- 54.2 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) 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.

54.3 No bylaw or *resolution* shall be passed during a closed meeting.

55. MOTION CONTRARY TO RULES

55.1 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*.

56. WITHDRAWAL OF MOTIONS

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

57. MOTION TO RECONSIDER

57.1 A *motion* to reconsider shall apply to *resolutions* only and shall not apply to bylaws passed by *Council*.

57.2 A *motion* to reconsider is in order whether the original *motion* passed or failed.

57.3 A *motion* to reconsider may only be made at the same *Council* meeting as the original *motion* was voted on.

57.4 A *motion* to reconsider must be moved by a *member* who voted with the prevailing side of the original *motion*.

57.5 When a *motion* loses on a tied vote, the prevailing side is those who voted against the *motion*.

57.6 A *motion* to reconsider may be seconded by any *member* regardless how the *member* voted on the original *motion*.

57.7 A *motion* to reconsider is debatable only if the *motion* being reconsidered is debatable.

57.8 A *motion* to reconsider cannot be amended.

57.9 A *motion* to reconsider shall require a majority vote of the *members* present at the meeting.

57.10 If a *motion* to reconsider is adopted, the original *motion* is immediately placed before *Council* to be reconsidered.

57.11 Once a vote on a *motion* to reconsider has taken place, there shall be no further *motion* to reconsider that *resolution*.

58. MOTION TO RESCIND

58.1 A *motion* to rescind shall apply to *resolutions* only and shall not apply to bylaws passed by *Council*.

58.2 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.

58.3 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.

- 58.4 A *motion* to rescind may be moved by any *Council member* regardless how they voted on the original *motion*.
- 58.5 A *motion* to rescind is debatable.
- 58.6 A *motion* to rescind may be amended.
- 58.7 A *motion* to rescind shall, in all cases, require a majority vote of all *Council members* to pass.
- 58.8 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.

59. MOTION TO POSTPONE

- 59.1 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.
- 59.2 Notwithstanding subsection 59.1 of this Bylaw, *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.
- 59.3 The only *amendment* allowed to a *motion* to postpone to a fixed date is to change the date.

60. MOTION TO REFER

- 60.1 A *motion* to refer a matter shall not be amended or debated except with respect to the conditions of the referral or the time required to carry out the review.
- 60.2 A *member* making a referral *motion* generally should include in the *motion*:
 - (a) the terms on which the *motion* is being referred; and
 - (b) the time when the matter is to be returned.

61. DEBATE ON MOTION

- 61.1 No *member* shall speak more than once to a *motion*, until each *member* has been provided an opportunity to speak on the *motion*, except to explain a material part of their speech which may have been misquoted or misunderstood.
- 61.2 The *mover* of the *motion* shall be given the first opportunity to speak.
- 61.3 The *mover* of the *motion* shall be allowed a reply after the debate.

62. LEGAL ADVICE

- 62.1 Where a majority of the *members* present at a *Council* meeting wish to receive legal advice in private, *Council* may *recess* for a period of time sufficient to receive legal advice.

63. VOTING OF COUNCIL

- 63.1 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*.
- 63.2 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.
- 63.3 The *CAO* shall ensure that each abstention is recorded in the minutes of the meeting.

64. VOTING OF MAYOR

- 64.1 The *Mayor* shall vote with the other *members* on all questions.

65. MAJORITY DECISION

- 65.1 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.

66. RECORDED VOTE

- 66.1 Before a vote is taken by *Council*, a *member* may request that the vote be recorded.
- 66.2 If a vote is recorded, the minutes must show the names of the *members* present and whether each voted for or against the proposal or abstained.

67. TIED VOTE

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

PART VI – COMMITTEES

68. PROCEDURE FOR APPOINTMENTS

- 68.1 The *CAO* shall utilize the following procedure for appointments to *committees*:
 - (a) Prior to November 1st, by advertisement, invite submissions from the public for appointments to which council is entailed to make appointments to in the ensuing term;
 - (b) Prior to November 1st, invite submissions from the various *committees* that *Council* is entitled to make appointments to in the ensuing term regarding the dates and times of their regular meetings and the attendance by *Council* appointed representatives in the previous term; and
 - (c) Compile all applications received and provide the compiled applications to *Council*.

69. TERM

- 69.1 Appointments to *committees* shall be for a one (1) year term beginning on January 1st to December 31st of the following year.

- 69.2 Notwithstanding subsection 69.1 of this Bylaw, in a general election year, the term of appointments shall be reduced to coincide with the day of the election.
- 69.3 Appointees may be reappointed from term to term to a maximum of two (2) terms on one (1) particular committee.
- 69.4 A member of any committee, excluding members of council, shall only be appointed to a maximum of two (2) committees at one (1) time.
- 69.5 The CAO 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) meetings, within a calendar year, council be advised to decide if the member should be removed from the committee.
- 69.6 *Council* may, in its discretion, revoke the *membership* of any individual whom has been appointed to a *committee*.

70. COMMITTEE PROCEDURES

- 70.1 *Council* may from time to time establish a *committee* in response to specific issues requiring immediate or long-term attention.
- 70.2 The *membership* and jurisdiction of a *committee* shall be as provided for in the enabling legislation or as directed by *Council*.
- 70.3 The *Mayor* is ex-officio voting *member* of all *committees* established by *Council* pursuant to *The Municipalities 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.
- 70.4 The *Mayor's* attendance shall not, however, be included for determining a quorum.
- 70.5 Municipal officials shall act only in an advisory capacity to *committees* of *Council* and shall not be considered voting *members* or have any voting privileges in respect to participation on any *committee* appointment.
- 70.6 All *Councillors* may attend the meetings of *committees* established pursuant to *The Municipalities Act* and may take part in the proceedings of the same, except that non-*committee members* shall not have a vote.
- 70.7 Each committee shall meet as soon as possible after it has been appointed and where a chair has not been appointed by council, members of that committee shall select a chair and vice-chair, and if required, decide the day and time for holding its regular meetings.
- 70.8 The *chair* shall preside at every meeting, participate in the debate, and shall vote on all *motions*.
- 70.9 In the absence of the *chair*, the *vice-chair* shall preside, and in the absence of both the *chair* and the *vice-chair*, one (1) of the other *members* of the *committee* shall be elected to preside, and shall discharge the duties of the *chair* during the meeting or until the arrival of the *chair* or *Vice-chair*.
- 70.10 An act or proceeding of a *committee* is not effective unless it is authorized or adopted by a *resolution* at a duly constituted public *committee* meeting.

- 70.11 Everyone has the right to be present at *committee* meetings that are conducted in public unless the *chair* expels a person for improper conduct.
- 70.12 Subject to subsection 14 of this Bylaw, *committees* shall conduct all *committee* meetings in public.
- 70.13 *Committees* may close all or part of the meeting if the matter to be discussed is within one (1) of the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- 70.14 Notice of regularly scheduled *committee* meetings is not required to be given.
- 70.15 If a *committee* changes the date, time or place of a regularly scheduled meeting, the Secretary shall give at least twenty-four (24) hours' notice of the change to:
- (a) any *members* of the *committee* not present at the meeting at which the change was made; and
 - (b) the public.
- 70.16 Notwithstanding subsection 70.15 of this Bylaw, a *committee* meeting may be held with less than twenty-four (24) hours' notice to all *members* and without notice to the public if all *committee members* agree to do so, in writing, immediately before the beginning of the meeting.
- 70.17 The consent to waive notice of a change in date, time or place of a meeting pursuant to subsection 70.16 of this Bylaw, may be given in person or by facsimile, electronic mail and other similar shall mean.
- 70.18 If a *committee* cancels its regularly scheduled meeting, the secretary of the *committee* shall give at least twenty-four (24) hours' notice of the change to:
- (a) all *members* not present at the meeting at which the decision to cancel was made; and
 - (b) the public.
- 70.19 The Secretary shall call a *special meeting* of a *committee* whenever requested to do so, in writing, by the *chair* or by a majority of the *committee members* in the same manner as set out in subsection 70.17 of this Bylaw.
- 70.20 For *committees* operating without regularly scheduled meeting, it shall be the duty of the *chair*, or in the *chair's* absence, the Secretary to call a meeting of the *committee* whenever requested in writing to do so by a majority of the *committee*.
- 70.21 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*.
- 70.22 Each *committee*, whom the CAO does not provide secretarial services to, will recommend to the CAO the appointment of a Secretary, who will be responsible for:
- (a) tracking the attendance;
 - (b) preparing meeting agendas and minutes; and
 - (c) reporting the *committee's* decisions to *Council*.
- 70.23 When a person, or a group of persons, wishes to bring any matter to the attention of a *committee* or appear as a delegation, a communication shall be addressed to the CAO or the secretary and will be subject to the requirements set out in sections 22 to 26 of this Bylaw.

- 70.24 Upon receipt of such communication, the *CAO* or Secretary shall place the communication on the agenda of the next meeting of the *committee* for its consideration.
- 70.25 All submissions to *committees* must be received by the *CAO* or Secretary within the established deadlines, usually four (4) *business days* prior to the meeting.
- 70.26 Reporting to *committees* shall be provided through the *CAO* or the secretary.
- 70.27 Any notice respecting a *committee* 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*, provided or sent to the *member* by ordinary mail, telephone or voice mail, facsimile or electronic mail or similar method at the number or address specified by the *member*.
- 70.28 Notice to the public of a *committee* meeting as required by subsections 70.16 to 70.19 of this Bylaw is sufficient if the notice is posted at the municipal office.
- 70.29 Any *unfinished business* remaining at the time of the *Adjournment* shall be considered at the next regular meeting of the *committee* or at a *special meeting* called for that purpose.
- 70.30 The Secretary shall record the minutes, without note or comment.
- 70.31 The minutes of the *committee* shall be distributed to each *member* at least twenty-four (24) hours before the next *committee* meeting for consideration.
- 70.32 After the minutes, have received approval of a majority of the *members* present, they shall be signed by the presiding *member* and secretary. Once signed, the original minutes shall be forwarded to the *CAO* for presentation to *Council* and for safekeeping.
- 70.33 All minutes, once approved, shall be open for inspection by the public.
- 70.34 No *member* shall release or otherwise make public any information considered at a closed meeting, including discussion of the content of such a meeting with persons other than with *members* of *Council* or with civic staff who are privy to that information:
- (a) unless authorized by *Council*; or
 - (b) until the matter is included on a public agenda of *Council*.
- 70.35 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 Provincial 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*.
- 70.36 The conduct of delegations or the public at *committee* meetings, which they are entitled to attend, shall be subject to the requirements as set out in section 38 of this Bylaw.
- 70.37 The conduct of *members* shall be subject to the requirements as set out in section 39 of this Bylaw.
- 70.38 The *chair* may request any individual to be expelled from a meeting, in accordance with the guidelines as set out in section 40 of this Bylaw.

PART VII – MISCELLANEOUS

