

Council Procedures Bylaw

R.M. of Lake Lenore No. 399

Bylaw No. 05/2024

I HEREBY CERTIFY THAT THIS IS A TRUE AND
EXACT COPY OF THE ORIGINAL DOCUMENT.
Certified by Lynsi Parkin
this 9th day of May, 2024.

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COUNCIL PROCEDURES BYLAW

BYLAW NO. 05/2024

RM OF LAKE LENORE No. 399

A BYLAW TO REGULATE THE MEETING PROCEDURES OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES

The Council of the Rural Municipality of Lake Lenore No. 399 in the Province of Saskatchewan enacts as follows:

PART I – INTERPRETATION

1. Short Title

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

2. Purpose

2.1 The purpose of this bylaw is to establish clear, transparent, consistent and accessible procedures to follow for conducting business in general, with employees, with contractors, and at council meetings, committee meetings and other meetings.

3. Definitions

3.1 In this bylaw:

- a) **“Act”** means The Municipalities Act;
- b) **“Acting reeve”** means the councilor 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 The Municipalities Act;
- f) **“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;
- g) **“Business day”** means a day other than a Saturday, Sunday or holiday;
- h) **“Chair”** means a person who has the authority to preside over a meeting;
- i) **“Communications”** include, but are not limited to, the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article;
- j) **“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) Any other prescribed option;
- k) **"Council"** means the reeve and councilors of the municipality elected pursuant to the provisions of *The Local Government Election Act, 2015*;
 - l) **"Committee"** means a committee duly appointed by council;
 - m) **"Councilor"** means the council member duly elected in the municipality as a councilor in accordance with *The Local Government Election Act, 2015*;
 - n) **"Deputy reeve"** means the councilor who is appointed by council to act as reeve in the absence or incapacity of the reeve;
 - o) **"Member"** means the reeve, councilor or an appointed individual to a council committee or other body;
 - p) **"Motion"** means a formal proposal placed before a meeting of council to be debated to a conclusion;
 - q) **"Mover"** means a person who presents or proposes a motion or amendment;
 - r) **"Municipality"** means the Rural Municipality of Lake Lenore No. 399;
 - s) **"Order of business"** means the list of items comprising the agenda and the order in which those items appear on the agenda;
 - t) **"Point of order"** means the raising of a question by a member in a meeting claiming that the procedures of the meeting or of an individual council member are contrary to the procedural rules or practices;
 - u) **"Point of privilege"** is the raising of a matter by a member which occurs while the council is in session, where:
 - i. The rights, privileges, decorum or dignity of the council collectively or the rights and privileges of a member individually have been affected; or
 - ii. When a member believes that another member has spoken disrespectfully toward them or the council; or
 - iii. When a member believes their comments have been misunderstood or misinterpreted by another member or members; or
 - iv. When a member believes that comments made by the member outside the council chamber have been misinterpreted or misunderstood by the community, the public or the news media in order to clarify their position;
 - v) **"Point of procedure"** means a question directed to the person presiding at a meeting to obtain information on the rules or procedures bearing on the business at hand;
 - 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 sections 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; and

- 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*;
 - 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 another body for debate and decision and is duly passed;
 - bb) **"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;
 - cc) **"Unfinished business"** means business which has been raised at the same meeting or a previous meeting and which has not been completed; and
 - dd) **"Urgent business"** means 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 council committee or other body to establish its own procedures.
- 4.3 When any matter relating to proceedings arise which is not covered by a provision of this bylaw, the matter shall be decided by reference to *Robert's Rules of Order*.
- 4.4 In the event of any conflict between the provisions of this bylaw and those contained in subsection 4.3, the provision of this bylaw shall apply.
- 4.5 Subject to subsection 4.3, any ruling of the reeve or chair shall prevail, subject to the jurisdiction of council or the council committee to consider any appeals of those rulings.

PART II – MEETINGS

All meetings of council shall be held at the Municipal Office, unless specified in advance to all parties with proper notice as identified in this bylaw.

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.
- 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, where they will pass a resolution to accept them.

6. Regular Meetings

- 6.1 Regular meetings of council shall generally be held on the second Wednesday of each month commencing at 13:00 November through March and commencing at 8:00 May through October.
- 6.2 Council shall ensure that the time between regularly scheduled council meetings does not exceed 60 days.
- 6.3 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 council, such meeting shall be held at the same time on the next day that the municipal office is scheduled to be open for business.
- 6.4 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.
- 6.5 Notwithstanding the foregoing provisions, council may, by resolution, dispense with or alter the time of a regular meeting of council.
- 6.6 Council authorizes the reeve to reschedule a regular meeting of council pursuant to the Act during the seasons of seeding and harvest to accommodate members that may actively farm.

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 acting administrator or office assistant 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 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 and the public at least 24 hours prior to the meeting and, in general terms, the business to be transacted at the meeting.
- 7.6 Notwithstanding subsection 7.4, 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 before the beginning of the special meeting.
- 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 it is by unanimous consent.

8. Meeting Through Electronic Means

- 8.1 One or more members of council may participate in a council meeting by electronic means if:
 - a) The members of council provide the administrator with at least two (2) business days' notice of their intent to participate in this manner;
 - b) The facilities enable the public to at least listen to the meeting at a place specified in that notice and the administrator attends that place;

- c) The facilities permit all participants to communicate adequately with each other during the council meeting; and
 - d) The member has not electronically participated in more than 1 previous meeting in a calendar year, unless authorized by council resolution.
- 8.2 Members participating in a council meeting by electronic means are deemed to be present at the council meeting if they are participating for over 75% of the meeting duration.

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) At the request of the member, provided or sent according to the member's contact information.
- 10.2 Form 2, appended hereto and forming a part of this bylaw, shall be the form used to request the administrator to use an alternate method of providing notice of meetings.
- 10.3 Notice of a council meeting is to be given to the public by posting a notice at the municipal office or on the municipality's website or in any other manner specified by council.

11. Actions in Public

- 11.1 An act or proceeding of council is not effective unless it is authorized or adopted by bylaw or 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.
- 11.3 Only council as a whole and no single member has the authority to direct employees, or interfere with work being carried out on behalf of the Municipality, unless appointed to do so by council.

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 administrator and other members of administration as the members of council may deem appropriate; and
 - c) The members of the public as the members of council may deem appropriate.

- 12.4 Where council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the administrator shall record in the minutes:
 - a) The time that the in-camera portion of the meeting commenced and concluded;
 - b) The names of the parties present; and
 - c) The legislative authority including the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* relied upon for authority to close the meeting to the public.
- 12.5 No resolutions or bylaws may be passed during a closed meeting.
- 12.6 No business other than that described within the resolution pursuant to subsection 12.2 may be discussed.
- 12.7 Matters discussed or to be discussed in a closed meeting are to be kept in confidence until discussed at a public meeting of council.

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 general order of business, all items of business and associated reports, bylaws or documents, and shall be set out in accordance with the order of business.
- 13.3 Council may, on a majority vote, permit additional material on the agenda.
- 13.4 The agenda deadline will be one day immediately preceding the meeting date and if there is sufficient time for the agenda item to be addressed.

14. Urgent Business

- 14.1 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) Public Hearings;
 - c) Conflict of interest declarations;
 - d) Approval of minutes;
 - e) Accounts for Approval;
 - f) Financial Statements and Bank Reconciliation;
 - g) Delegations;
 - h) General business;
 - i) Correspondence;
 - j) Council Round Table; and
 - k) Adjournment.
- 15.2 Business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:
 - a) The reeve or chair 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 are present, the reeve, or in their absence the deputy reeve, shall take the chair and call the members to order.
- 16.2 In case neither the reeve nor the deputy reeve is in attendance within ten minutes after the hour appointed, and subject to a quorum being present, council shall appoint an acting reeve pursuant to section 35 of this bylaw.
- 16.3 The person appointed pursuant to section 16.2 shall call the meeting to order and shall preside over the meeting until the arrival of the reeve or the deputy reeve, and all proceedings of such meeting shall be deemed to be regular and in full force and effect.
- 16.4 If a quorum is not present 20 minutes after the time appointed for the meeting, the administrator shall record the names of the members present at the expiration of such time and announce that council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.
- 16.5 Subject to the Act, if at any meeting the number of members is reduced to less than the number required for a quorum, council shall immediately stand adjourned.
- 16.6 Any unfinished business remaining at the time of the adjournment due to a loss of quorum shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting to be called for the purpose of dealing with the unfinished items.
- 16.7 Members are encouraged to notify the administrator when the member is aware that they will be absent from any meeting of council.

17. Quorum

- 17.1 A quorum of council is a majority of members; for the RM of Lake Lenore No. 399 quorum is four 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 administrator shall record the minutes of each council meeting without note or comment.
- 18.2 Notwithstanding section 18.1, the administrator shall record in the minutes every declaration of a conflict of interest and the general nature and material details of the disclosure and any abstention or withdrawal.
- 18.3 The names of the members present at the meeting are to be recorded in the minutes of every meeting.
- 18.4 Any member may make a motion amending the minutes to correct any mistakes.
- 18.5 The minutes of each meeting are to be approved at the next regular meeting of the council and signed by the presiding member and the administrator in accordance with the Act.
- 18.6 All minutes, once approved, shall be open for inspection by the public.

19. Public Hearing

- 19.1 If a public hearing is required by any act, it shall be conducted in accordance with the provisions of this section.

- 19.2 The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:
- a) 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, 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.
- 19.3 The time allowed for each person making representations shall be fifteen minutes.
- 19.4 A hearing may be adjourned to a certain date.
- 19.5 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.
- 19.6 The administrator 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. Communications - General

- 20.1 When a person wishes to have a communication considered by council, it shall be addressed to council, and:
- a) Clearly set out the matter at issue and the request; and
 - b) For written communications, must be printed, typewritten or legibly written, contain the contact information of the writer and be signed with the name of the writer; or
 - c) For electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.
- 20.2 A communication received by the administrator which does not meet the conditions in subsection 20.1 or is abusive in nature, shall be forwarded to the reeve for review and disposition.
- 20.3 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*.

21. Communications - Matters on Council Agenda

- 21.1 A written communication pertaining to a matter already on a council agenda must be received by the administrator by the agenda deadline (section 13.4) in order to be included on the council agenda.
- 21.2 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.

22. Communications - Matters Not on Council Agenda

- 22.1 A written communication received before the agenda deadline shall be placed by the administrator on the council agenda or onto the next regular meeting of council agenda and shall be dealt with when the matter is considered by council at its meeting.
- 22.2 The individual will be advised by the administrator that the communication may not be considered by council unless the majority of members vote to allow the communication within the motion to approve the agenda, or is urgent business, see section 14.

23. Delegations - Matters on Council Agenda

- 23.1 When a person wishes to speak to council on a matter already on a council agenda, for which a hearing is not required, that person shall notify the administrator in writing, by completing Form 3, appended hereto and forming a part of this bylaw, including:
 - 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) Original signature, except when submitted by facsimile or email; and
 - d) The subject matter to be discussed and the request being made of council.
- 23.2 A request to speak to council must be received by the administrator no later than the agenda deadline in order to be considered to be included on the council agenda.
- 23.3 In the event a delegation makes an application to the administrator after the agenda deadline regarding a subject which is on the agenda, the administrator will bring the request to the next possible regular meeting, unless it is of urgent business, see section 14.
- 23.4 The administrator, who shall consult with council, who may refuse to accept a request to speak to council if council has, within the six months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.
- 23.5 If a request to speak to council is refused, a copy of the request and reply shall be forwarded to members by the administrator.
- 23.6 Delegations speaking before council shall address their remarks to the stated business:
 - a) Will be limited to speaking only once; and
 - b) Rebuttal or cross-debate with other delegations shall not be permitted.
- 23.7 A maximum of fifteen minutes shall be allotted for each delegation to present their position of support or opposition.
- 23.8 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 fifteen minutes, inform the delegation that the time limit is up;
 - c) Only upon a motion to extend the fifteen-minute limitation adopted by a majority of members shall the fifteen-minute limit be extended; and
 - d) Delegations will not be permitted to assume any unused time allocated to another delegation.
- 23.9 Upon the completion of a presentation to council, any dialogue between members and the delegation shall be limited to members asking questions for clarification and obtaining additional or relevant information only:
- a) Members shall not enter into debate with the delegation respecting the presentation; and
 - b) Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted.

24. Delegations - Matters Not on Council Agenda

- 24.1 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 follow the same guidelines as laid out in Section 23 of this Bylaw.

25. Councilor's Round Table

- 25.1 Statements shall include the sharing of the following information:
- a) Meetings or functions attended; and
 - b) General work of members on behalf of council colleagues, constituents and the municipality.
- 25.2 All comments will be verbal only and shall not be recorded in the minutes of the meeting.

26. Bylaws

- 26.1 Every proposed bylaw must have three distinct and separate readings.
- 26.2 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.
- 26.3 A proposed bylaw will be considered by council immediately following consideration of the report or item to which the bylaw relates.
- 26.4 Only the title or identifying number is to be read at each reading of the bylaw.
- 26.5 Each member present at the meeting at which the first reading is to take place must be given or have had the opportunity to review the full text of the proposed bylaw before the bylaw receives the first reading.
- 26.6 Each member present at the meeting at which the third reading is to take place must, before the proposed bylaw receives the third reading, be given or have had the opportunity to review the full text of the proposed bylaw and any amendments that were passed after the first reading.
- 26.7 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.

- 26.8 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.
- 26.9 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.

27. Recess

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

28. Adjournment

- 28.1 All regularly scheduled council meetings shall stand adjourned when council has completed all business as listed on the order of business or upon the arrival of 16:00.
- 28.2 If a member is speaking upon arrival of the time mentioned in subsection 28.1, the reeve shall wait until that person is done speaking before asking council to consider whether it wants to extend the time of the meeting.
- 28.3 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.

29. Extension of Time

- 29.1 Notwithstanding section 28, a regularly scheduled council meeting may be extended beyond 16:00 by a majority vote of the members present.
- 29.2 If council extends its meeting pursuant to subsection 28.1, 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

30. Reeve

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

- 30.3 The reeve shall have the same rights and be subject to the same restrictions as all other members to make a motion.

31. Deputy Reeve

- 31.1 The council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the councilors a deputy reeve who shall hold office for a term of 4 years to coincide with the reeve, or such longer period as the council may decide, and in any event until a successor is appointed.
- 31.2 If the reeve for any reason is unable to perform the duties of their office, the deputy reeve shall have all of the powers of the reeve during the inability.

32. Acting Reeve

32.1 Council shall appoint a member to act as reeve if:

- a) Both the reeve and the deputy reeve are unable to perform the duties of their office; or
- b) The offices of both the reeve and the deputy reeve are vacant.

32.2 The member to be appointed shall be elected by a majority of the members present.

32.3 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, color 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.

32.4 The member whose name is on the sheet withdrawn pursuant to subsection 35.3(d) shall be declared elected.

33. Persons Allowed at the Table

33.1 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 without permission of the council.

34. Conduct of Public

34.1 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.

35. Conduct of Delegations

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

36. Conduct of Members

- 36.1 Members of council shall ensure they do not interrupt another member.
- 36.2 If more than one member wishes to speak at a meeting at the same time, the reeve shall indicate which member shall speak first.
- 36.3 When a member is addressing the council, the member shall refrain from:
- a) Speaking disrespectfully of the federal government, the provincial government, another municipal council, or any official representing them;
 - b) Using offensive words in reference to a member, an employee of the municipality or a member of the public;
 - c) Reflecting on a vote of council except when moving to rescind or reconsider it;
 - d) Reflecting on the motives of the members who voted on the motion or the mover of the motion; or
 - e) Shouting, using an immoderate tone, or profane, vulgar or offensive language.
- 36.4 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.
- 36.5 Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

37. Improper Conduct

- 37.1 The reeve may request that any person in the public gallery who disturbs the proceedings of council or acts improperly at a council meeting leave or be expelled from the meeting.
- 37.2 The reeve may request that any delegation who addresses council improperly leave or be expelled from the meeting.
- 37.3 No person shall refuse to leave a council meeting when requested to do so by the reeve.
- 37.4 Any person who refuses to leave when requested to do so may be removed.
- 37.5 If a person disturbs the proceedings of council or refuses to leave when requested to do so, the reeve may recess the meeting until the person leaves or adjourn the meeting to another day.
- 37.6 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.

38. Leaving the Meeting

- 38.1 Every member who leaves the council meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the administrator.
- 38.2 The administrator shall make a notation in the minutes of the name of any member leaving the meeting and the time the member did so.

39. Point of Order

- 39.1 A member may rise and ask the reeve to rule on a point of order.
- 39.2 When a point of order is raised, the member speaking shall immediately cease speaking until the reeve decides the point of order raised.
- 39.3 A point of order must be raised immediately at the time the rules of council are breached.
- 39.4 The member against whom a point of order is raised may be granted permission by the reeve to explain.
- 39.5 The reeve may consult the administrator before ruling on a point of order.
- 39.6 A point of order is not subject to amendment or debate.

40. Point of Privilege

- 40.1 A member may rise and ask the reeve to rule on a point of privilege.
- 40.2 After the member has stated the point of privilege, the reeve shall rule whether the matter raised is a point of privilege.
- 40.3 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.
- 40.4 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.
- 40.5 The reeve may consult the administrator before ruling on a point of privilege.
- 40.6 A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to council.

41. Point of Procedure

- 41.1 Any member may ask the reeve for an opinion on a point of procedure.
- 41.2 When a point of procedure is raised, the member speaking shall immediately cease speaking until the reeve responds to the inquiry.
- 41.3 After the member has asked the point of procedure, the reeve shall provide an opinion on the rules of procedure bearing on the matter before council.
- 41.4 The reeve may consult the administrator before providing an opinion on the point of procedure.
- 41.5 A point of procedure is not subject to amendment or debate.
- 41.6 The reeve's answer to a point of procedure is not a ruling and cannot be appealed to the whole of council.

42. Appeal

- 42.1 Whenever a member wishes to appeal any ruling of the reeve or a point of order or point of privilege to the whole of council:
 - a) The motion of appeal "that the decision of the chair be overruled" shall be made;

- b) The member may offer a brief reason for the challenge;
 - c) The reeve may state the reason for the decision; and
 - d) Following which the question shall be put immediately without debate.
- 42.2 The reeve shall be governed by the vote of the majority of the members present.
- 42.3 A ruling of the reeve must be appealed immediately after the ruling is made or the ruling will be final.

43. Calling a Member to Order

- 43.1 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.
- 43.2 In the event that a member refuses to resume their seat when called to order, the reeve shall request the deputy reeve, or if the deputy reeve is absent or is the unruly member, any other member of council to move a resolution to remove the unruly member either:
- a) For the balance of the meeting;
 - b) Until a time, which shall be stated in the motion); or
 - c) Until the member makes an apology acceptable to council for their unruly behavior, whichever shall be the shortest time.
- 43.3 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.
- 43.4 When council has directed an unruly member to leave the council chambers, 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.

44. Conflict of Interest of Members and Public Disclosure

- 44.1 As per section 142 of the Act, every council member shall within 30 days of being elected, and annually thereafter, file a public disclosure statement with the Administrator by November 30.
- 44.2 Every council member is required to amend their public disclosure statement within 30 days after a material change to their disclosure occurs.
- 44.3 As per section 144 of the Act, if a member has a conflict of interest in a matter on the agenda, the member shall if present:
- (a) Declare they have a conflict of interest before any considerations or discussions on the matter
 - (b) Disclose the general nature of the conflict or details that could be seen to affect the members impartiality in the exercise of their office
 - (c) Abstain from voting or take part in any discussion of the matter
 - (d) Leave the chambers until discussions and voting conclude.
- 44.4 The disclosure, reason, and absenteeism shall be recorded in the minutes.

- 44.5 No member shall attempt, in any way, whether before, during, or after the meeting, to influence the discussion on voting on any decision, recommendation, or other action to be taken involving a matter in which the member has a conflict of interest.

PART V – MOTIONS

45. Motions and Debate

- 45.1 A motion shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- 45.2 Debate and discussions on an item of business may be made prior to, or after a motion has been made, but ceases once the motion has been voted on.

46. Motion to Amend

- 46.1 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.
- 46.2 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.
- 46.3 There is no limit to the number of amendments or sub amendments that may be proposed.

47. Dividing a Motion into Parts

- 47.1 A member may request or the reeve may direct that a motion be divided if the motion contains more than one separate and complete recommendation.
- 47.2 Council shall then vote separately on each recommendation.
- 47.3 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.

48. Motion Arising

- 48.1 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.

49. Request that Motion Be Put to Vote

- 49.1 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.
- 49.2 A motion requesting that a motion be put to a vote shall not be amended or debated.
- 49.3 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.
- 49.4 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.

50. Motion to Adjourn

- 50.1 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) 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.
- 50.2 A motion to adjourn shall be decided without debate.

51. Motion to Move to a Closed Meeting

- 51.1 A member may make a motion that a council meeting move to a closed meeting.
- 51.2 The motion to move to a closed meeting must:
 - a) Be in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*;
 - b) Include in general terms the subject of the item(s) to be discussed; and
 - c) Include the reason for moving to a closed meeting.
- 51.3 No resolution or bylaw shall be passed during a closed meeting.

52. Motion Contrary to Rules

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

53. Withdrawal of Motions

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

54. Motion to Reconsider

- 54.1 A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by council.
- 54.2 A motion to reconsider is in order whether the original motion passed or was defeated.

- 54.3 A motion to reconsider may only be made at the same council meeting at which the original motion was considered.
- 54.4 A motion to reconsider must be moved by a member who voted on the winning side of the original motion.
- 54.5 When the original motion lost on a tie vote, the winning side is those who voted against the motion.
- 54.6 A motion to reconsider is debatable only if the original motion was debatable.
- 54.7 A motion to reconsider cannot be amended.
- 54.8 A motion to reconsider shall require a majority vote of the members present at the meeting.
- 54.9 If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.
- 54.10 Once a vote on a motion to reconsider has taken place, there shall be no further motion to reconsider that resolution.

55. Motion to Rescind

- 55.1 A motion to rescind shall apply to resolutions only and shall not apply to bylaws passed by council.
- 55.2 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.
- 55.3 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.
- 55.4 A motion to rescind may be moved by any council member regardless how they voted on the original motion.
- 55.5 A motion to rescind is debatable.
- 55.6 A motion to rescind may be amended.
- 55.7 A motion to rescind shall, in all cases, require a majority vote of all council members to pass.
- 55.8 A motion cannot be rescinded:
 - a) When the making or calling up of a motion to reconsider is in order;
 - b) When action on the motion has been carried out in a way that cannot be undone; or
 - c) When a resignation has been accepted or actions electing or expelling a person for/from membership or office have been taken.

56. Motion to Postpone

- 56.1 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.
- 56.2 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.
- 56.3 The only amendment allowed to a motion to postpone to a fixed date is to change the date.

57. Motion to Refer

- 57.1 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.

57.2 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.

58. Debate on Motion

- 58.1 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.
- 58.2 The mover of the motion shall be given the first opportunity to speak.
- 58.3 The mover of the motion shall be allowed a reply at the conclusion of the debate.

59. Legal Advice

- 59.1 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.

60. Voting of Council

- 60.1 A member attending a council meeting shall vote on a matter before council unless the member is required to abstain from voting pursuant to the Act or any other act.
- 60.2 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.
- 60.3 The administrator shall ensure that each abstention is recorded in the minutes.
- 60.4 The reeve shall vote with the other members on all questions.

61. Majority Decision

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

62. Recorded Vote

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

63. Tied Vote

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

PART VI – COMMITTEES

64. Procedures for Appointments and Terms

- 64.1 Annually, council shall review appointments to committees.
- 64.2 Council may in its discretion revoke the membership of any individual who has been appointed to a committee.

- 64.3 Council will nominate councilors or employees for internal committees that they think are best suited to represent council, make decisions, have the best knowledge and or skill for the committee, and will be appointed by resolution of council.
- 64.4 Council may in its discretion appoint a member of the public to a committee by resolution.

65. Committee Procedures

- 65.1 Council may from time to time establish a committee in response to specific issues requiring immediate or long-term attention.
- 65.2 The membership and jurisdiction of a committee shall be provided for in the enabling legislation or as directed by council.
- 65.3 The reeve is ex-officio voting member of all committees established by council pursuant to the Act unless council provides otherwise, and when in attendance, possesses all the rights, privileges, powers and duties of other members whether elected or appointed.
- 65.4 All councilors may attend the meetings of committees established pursuant to the Act and may take part in the proceedings of the same except that non-appointed councilors shall not have a vote.
- 65.5 An act or proceeding of a committee is not effective unless it is authorized or adopted by a resolution at a council meeting.
- 65.6 Any decision of the committee will be reported to council upon request.
- 65.7 Notice of regularly scheduled council committee meetings is not required to be given.
- 65.8 Any reporting to committees shall be provided through the administrator.

PART VII – POLICY

66. Policy for the Rural Municipality

- 66.1 All policy shall be brought forward to the council to be adopted by resolution and then kept up to date at the municipal office available for inspection.
- 66.2 Policy that affects employees will be provided to them and will:
 - (a) set our clear and reasonable job expectations
 - (b) provide reasonable training and supervision to meet expectations
 - (c) allow for time and opportunity to meet job expectations
- 66.3 All members of council, employees, and rate payers shall follow and adhere to the adopted policies.
- 66.4 Policy shall be reviewed when necessary or brought to the attention of council for request to review by a member, employee, or rate payer.
- 66.5 These policies include but are not limited to:
 - (a) Council Code of Conduct
 - (b) Employee Code of Conduct
 - (c) Workplace Violence Prevention Policy
 - (d) Workplace Harassment Policy
 - (e) Chain of Command Policy
 - (f) Purchasing and Tender Policies
- 66.6 Any member or employee that is not in adherence to the stipulations laid out in policy shall be subject to disciplinary action as outlined in Section VIII Disciplinary Measures.

- 66.7 Rate payers that do not adhere to policies may also be enforced under the Nuisance Abatement Bylaw and General Penalty Bylaw.

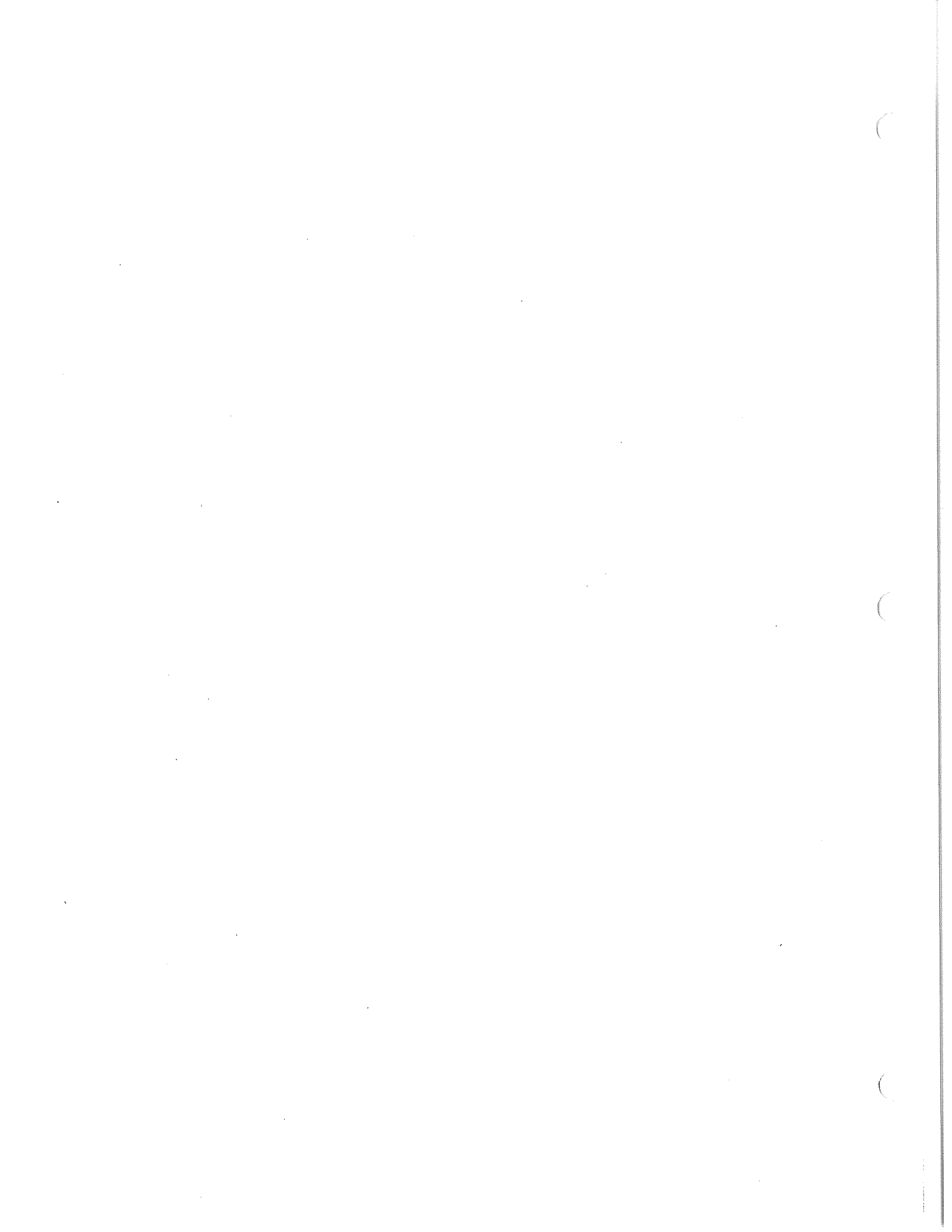
PART VIII – DISCIPLINARY MEASURES

67. Progressive Discipline for Employees

- 67.1 Complaints regarding employees not following policy or meeting standards shall be reported to the Administrator.
- 67.2 Complaints will be investigated, reviewed, substantiated, and determined whether they are of merit or simply malicious and may involve the collection of relevant facts and information from other employees or witnesses.
- 67.3 Complaints of merit will be documented and brought to the attention of council in camera to determine if progressive discipline shall begin, seek legal advice, or engage a third-party investigation.
- 67.4 Measures shall be taken to follow employment standards and will generally:
- (a) give the employee the opportunity to explain their side of the misconduct.
 - (b) give the employee a documented verbal warning.
 - (c) give the employee a documented written warning indicating the failure to meet required standards and warn that employees shall be dismissed if they fail to meet the standards within a reasonable time.
 - (d) suspend the employee for a documented specified period.
 - (e) as a final step, dismiss the employee

68. Progressive Discipline for Members

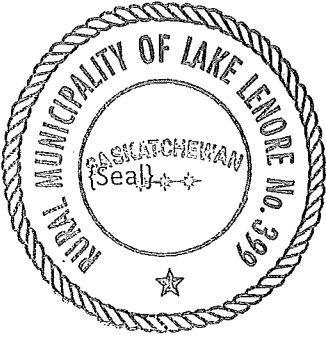
- 68.1 Complaints regarding members not following policy or meeting standards shall be reported to the Administrator.
- 68.2 Complaints will be investigated, reviewed, substantiated, and determined whether they are of merit or simply malicious and may involve the collection of relevant facts and information from other members, employees, contractors, or witnesses.
- 68.3 Complaints of merit will be documented and brought to the attention of the council in camera to determine if progressive discipline shall begin, seek legal advice, or engage a third-party investigation.
- 68.4 Members can request that the member under review be removed from discussion.
- 68.4 Disciplinary action will be determined by council resolution and will generally include progressive action including but not limited to:
- (a) requiring of a written and documented apology.
 - (b) removal of member from committee appointments.
 - (c) limiting communication to employees or members to be in writing or electronic mail only.
 - (d) revoking remuneration for a specified period.
 - (e) not permitting attendance to seminars or permitting reimbursement of travel expenses.
 - (f) revoking access to municipal property with the exception of paying municipal taxes or attending meetings of council.
 - (g) revoking access to project or construction sites.
 - (h) requiring mandatory training be completed by a specified date.
 - (i) denying eligibility of member to be appointed to committees, planning committees, or to role of deputy or acting reeve.



PART VII – MISCELLANEOUS

69. Repeal of Bylaws

69.1 Bylaw No.03/2018 is hereby repealed.



[Signature]
(Mayor / Reeve Signature)

[Signature]
(Administrator Signature)

Section 81.1 of the Act

Read a third time and adopted

this 15th day of May 2024

[Signature] LYNSI PARKIN
(Administrator Signature)

