

# RURAL MUNICIPALITY OF CANA NO. 214

## BYLAW NO. 1/2021

### A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL AND COUNCIL'S COMMITTEES

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The Council of the Rural Municipality of Cana No. 214 in the Province of Saskatchewan enacts as follows:

#### 1. Short Title

This bylaw may be cited as "The Council Procedures Bylaw, 2021".

#### 2. Definitions

- (1) "Act" means *The Municipalities Act*.
- (2) "Acting Reeve" means the councilor elected to act as the reeve if a vacancy arises in that office.
- (3) "Administration" means the administrator or an employee accountable to the administrator.
- (4) "Administrator" means the person appointed as administrator pursuant to section 110 of the Act.
- (5) "Agenda deadline" means the time established in subsection 7(1)(c) of this bylaw.
- (6) "Business day" means a day other than a Saturday, Sunday or holiday.
- (7) "Committee" means a committee, board, authority or other body duly appointed by council.
- (8) "Communications" include, but are not limited to the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure or newspaper/magazine article.
- (9) "Council" means the reeve and councilors of the municipality elected pursuant to the provisions of *The Local Government Election Act*.
- (10) "Councillor" means the council member duly elected in the municipality as a councillor, in accordance with *The Local Government Election Act*.
- (11) "Deputy Reeve" means the councilor who is appointed by council, pursuant to section 16 of this bylaw, to act as reeve in the absence or incapacity of the reeve.
- (12) "Member" means the reeve, councilor or an appointed individual to a committee, commission or board of council.
- (13) "Motion" means a formal proposal placed before a meeting in order that it may be debated to a conclusion.
- (14) "Municipality" means the Rural Municipality of Cana No. 214.
- (15) "Order of business" means the list of items comprising the agenda and the order in which those items appear on the agenda.
- (16) "Reeve" means the council member duly elected in the municipality as the Reeve in accordance with *The Local Government Election Act*.
- (17) "Resolution" means a formal determination made by council or a committee on the basis of a motion, duly placed before a regularly constituted meeting or a special meeting of council or committee for debate and decision, and is duly passed.
- (18) "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.
- (19) "Unfinished Business" means business which has been raised at the same, or a previous meeting, and which has not been completed.

#### 3. Application

- (1) This bylaw applies to all meetings of council.
- (2) Boards or committees appointed by council shall establish their own rules for meeting procedures.
- (3) When any matter relating to proceeding arise which is not covered by a bylaw, the matter shall be decided by reference to Robert's Rules of Order.

#### **4. Actions in Public**

- (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.
- (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.
- (3) Council may restrict physical public access during a Provincial State of Emergency or other circumstances deemed a risk to public safety with the following conditions:
  - a) The meeting shall be made accessible by electronic or other means; and
  - b) Notice shall be given to the public at least twenty-four (24) hours prior to the meeting and shall include meeting particulars on how the public may access the meeting electronically or by other means.

#### **5. Regular Meetings**

- (1) Regular meetings of council shall be held on the second Tuesday of each month commencing at 8:00 a.m. from May to October and 9:00 a.m. from November to April at the municipal office located at 110 – 5th Avenue East, Melville, Saskatchewan.
- (2) Notwithstanding the foregoing provision, council may by resolution amend the day time and place of a regular scheduled council meeting.

#### **6. Special Meetings**

- (1) The administrator shall call a special meeting of council whenever requested to do so by the reeve or a majority of members.
- (2) Should the position of administrator be vacant or should the administrator be unable to act, the most senior member of administration after the administrator shall be designated to call a special meeting in accordance with subsection 6(1).
- (3) When a special meeting is to be held, the administrator shall provide notice of the time, date, and place of the meeting and, in general terms, of the business to be transacted at the meeting to all members of council and to the public at least twenty-four (24) hours prior to the meeting.
- (4) Form 1, appended hereto and forming part of this bylaw, shall be the method of providing notice to all members of council.
- (5) Notwithstanding subsection 6(3), 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.
- (6) No business, other than that stated in the notice, shall be transacted at a special meeting, unless all the members present and, by unanimous consent, they authorize other business to be transacted.

#### **7. Agenda**

- (1) The administrator shall prepare the agenda for all regular and special meetings of council.
- (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.
- (3) The administrator shall ensure that the council agendas are delivered to each member no later than two business days immediately preceding the council meeting.
- (4) The administrator shall ensure that the council agendas are available to the general public once the meeting has been called to order.
- (5) If, for any reason, the administrator is unable to meet the deadline mentioned in subsection 7(3), the administrator shall prepare and distribute the agenda as soon as reasonably possible to allow council members an opportunity to review the agenda prior to the council meeting.
- (6) All administrative reports, communication from the public, requests, or any other material intended for inclusion in a council agenda must be received by the

administrator no later than two business days immediately preceding the council meeting.

- (7) Council may, if a majority agrees, permit additional material on the agenda.
- (8) Meeting agenda items, submissions, communications and documents which contain or relate to personal information shall be dealt with in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act*.
- (9) Requests made by members of the public for copies of agenda items, submissions, communications and documents shall be made in accordance with Office Fee Schedule Policy No. 200-03 and *The Local Authority Freedom of Information and Protection of Privacy Act*, as applicable.

## **8. Order of Business**

- (1) The general order of business of every regular council meeting shall be as follows:
  - a) Call to Order;
  - b) Adoption of Minutes;
  - c) Proclamations, Presentations and Recognitions when required;
  - d) Public Hearings when required;
  - e) Delegations;
  - f) Financial Reports;
  - g) Accounts for Payment;
  - h) Correspondence and Communications;
  - i) Bylaws;
  - j) Reports of Administration and Committees;
  - k) New and Unfinished Business;
  - l) Reeve and Council Member Reports and Forum; and
  - m) Adjourn.

## **9. Quorum**

- (1) A quorum of council is a majority of members.
- (2) Any act or proceeding of council that is adopted at any council meeting at which a quorum is not present is invalid.

## **10. Commencement of Council Meeting**

- (1) At the hour set for the meeting, or as soon as all members of council are present, the reeve, or in his or her absence the deputy reeve, shall take the chair and call the members to order.
- (2) In case neither the reeve or deputy reeve is in attendance within twenty (20) minutes after the hour appointed, and subject to a quorum being present, council shall appoint an acting reeve pursuant to section 17 of this bylaw who shall call the meeting to order and preside over the meeting until the arrival of the reeve or deputy reeve, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- (3) If a quorum is not present twenty (20) minutes after the time appointed for the meeting, the administrator shall record the names of members present at the expiration of such time and announce the council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.
- (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.
- (5) Any unfinished business remaining at the time of adjournment, due to the loss of quorum, shall be considered at the next regular meeting, or it shall be placed on the agenda for a special meeting called for the purpose of dealing with unfinished business.

## **11. Conduct for Members of Council**

- (1) Members of council wishing to speak at a meeting shall ensure they do not interrupt another member.
- (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.
- (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.
- (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 a point of procedure; and
  - c) Refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- (5) Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

## **12. Delegations, Presentations and Submissions**

- (1) When a person wishes to speak to council on a matter for which a hearing is not required, that person shall notify the administrator in writing, by Form 2 appended here to & forming part of this bylaw, 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) An e-mail address if preferred as method of communication;
  - d) Originally signed, except when submitted by facsimile or e-mail;
  - e) Clearly setting out the subject matter to be discussed and the request being made of council; and
  - f) Any supporting documentation to be presented as part of the delegation.
- (2) A request to speak to council and any supporting documentation pursuant to subsection 12(1) must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.
- (3) In the event that a delegation fails to make an application or submit supporting documentation to the administrator by the agenda deadline, the administrator will bring the request to the attention of council:
- a) Delegations will be advised by the administrator that they may not be heard by council and any supporting documentation may not be presented to council unless the majority of members vote to allow the delegation to speak and/or present the supporting documentation
- (4) The administrator, who shall consult with the reeve, 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.
- (5) If a request to speak to council is refused pursuant to subsection 12(4), a copy of the request and reply, shall be forwarded to members by the administrator.
- (6) 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.
- (7) A maximum of 15 minutes shall be allotted for each delegation to present his or her position of support or opposition:
- a) Only upon a motion to extend the 15 minute limitation adopted by a majority of members shall the 15 minute limit be extended.
- (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 15 minutes, inform the delegation that the time limit is up.
  - c) Only upon a motion to extend the 15 minute limitation adopted by a majority of members shall the 15 minute limit be extended.

- d) Delegations will not be permitted to assume any unused time allocated to another delegation.
- (9) Upon the completion of a presentation to council by a delegation, any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only:
  - a) Members shall not enter into debate with the delegation respecting the presentation; and
  - b) Once a motion has been moved, no further representation or questions of the delegation shall be permitted.
- (10) Bound documents or studies in support of the delegation's presentation shall, if sufficient copies are provided by the delegations, be circulated to members, but will not be reproduced.

### **13. Closed Sessions**

- (1) Council may close all or any part of its meeting 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.
  - c) Any supporting documentation to be presented as part of the delegation.
- (2) A resolution to move into closed session shall state, in general terms, the topic of discussion.
- (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) Such members of the public as may be allowed to attend by the council.
- (4) Where council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the administrator shall record in the minutes thereto:
  - a) The time that the in-camera portion of the meeting commenced and concluded;
  - b) The names of the parties present; and
  - c) The legislative authority 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.
- (5) No resolutions or bylaws may be passed during a closed meeting.
- (6) No business other than that described within the resolution pursuant to subsection 13(2) may be discussed.
- (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.

### **14. Conduct of Public**

- (1) All persons in the council chambers 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.

### **15. Improper Conduct**

- (1) The reeve may request that any person in the public gallery who disturbs the proceedings of council or acts improperly at a council meeting, as set out in section 14, leave or be expelled from the meeting.
- (2) Any person who refuses to leave when requested to do so may be removed.

- (3) 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.

#### **16. Deputy Reeve**

- (1) The council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the councillors a deputy reeve who shall hold office for a term of one year or for such longer period as the council may decide, and in any event until a successor is appointed.
- (2) If the reeve, for any reason, is unable to perform the duties of his or her office, the deputy reeve shall have all the powers of the reeve during the inability.

#### **17. Acting Reeve**

- (1) Council shall appoint a member to act as reeve if:
  - a) both the reeve and the deputy reeve, if one has been appointed pursuant to section 16, are unable to perform the duties of his or her office; or
  - b) the offices of both the reeve and the deputy reeve are vacant.
- (2) The member to be appointed pursuant to subsection 17(1) shall be elected by a majority of the members present.
- (3) Where two (2) members have an equal number of votes, the administrator shall:
  - a) Write the names of those members separately on blank sheets of paper of equal size, colour and texture;
  - b) Fold the sheets in a uniform manner so the names are concealed;
  - c) Deposit them in a receptacle; and
  - d) Direct a person to withdraw one (1) of the sheets.
- (4) The member whose name is on the sheet withdrawn pursuant to subsection 17(3)(d) shall be declared elected.

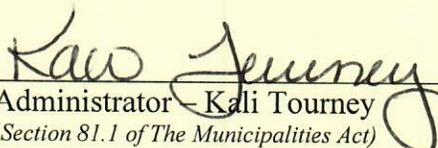
#### **18. Repeal of Bylaws & Resolutions**

- (1) Bylaw No. 6/2016 and all amendments thereto are hereby repealed.

#### **19. Coming into Force**

- (1) This bylaw shall come into force and take effect on February 9, 2021.

  
\_\_\_\_\_  
Reeve – Brian Reinson

  
\_\_\_\_\_  
Administrator – Kali Tourney  
(Section 81.1 of The Municipalities Act)



Read a third time and adopted this  
9<sup>th</sup> day of February, 2021

**Bylaw No. 1/2021**  
**Form 1 – Request for Method of Providing Notice**  
**RM of Cana No. 214**

Date: \_\_\_\_\_

To: \_\_\_\_\_, Administrator R.M. of Cana No. 214  
(name of Administrator)

From: \_\_\_\_\_  
(name of council member)

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

By regular mail \_\_\_\_\_  
(address)

By telephone or voice mail \_\_\_\_\_  
(telephone number)

By facsimile \_\_\_\_\_  
(fax number)

By email \_\_\_\_\_  
(email address)

**Check one of the above**

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(signature of member)

1

\_\_\_\_\_  
Retain this form in the member's file.

**Bylaw No. 1/2021**  
**Form 2 – Request for Delegation**  
**RM of Cana No. 214**

Date:	Name:
Mailing Address:	

Please check your preferred method of communication:

<input type="checkbox"/>	Telephone (Daytime):	
<input type="checkbox"/>	E-mail:	

Note: If "Telephone" is selected all written communications will be sent by mail.

**Subject:**


**Supporting Documentation:**


Note: This application and any supporting documentation must be received by the Administrator at least two (2) business days prior to a Council meeting. Any delegation that does not meet this deadline may not be heard by council and any supporting documentation not received by the deadline may not be presented to council unless the majority of members vote to allow the delegation to speak and/or present the supporting documentation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
*OFFICE USE ONLY*      Council Meeting Date: \_\_\_\_\_