

Rural Municipality of Round Hill No. 467

BYLAW 1-16

A Bylaw to Provide for the Establishment of Council Procedures

The council for the Rural Municipality of Round Hill No. 467 in the Province of Saskatchewan enacts as follows:

1. Short Title

This Bylaw may be cited as the Procedure Bylaw.

2. Purpose and Scope

This bylaw is intended to provide for:

- (a) Establish Committees and any other bodies necessary.
- (b) Define the specific functions, including the delegation of authority, if any, for each committee or other body.
- (c) Provide for the orderly conduct of the business of Council and any committees established by council.
- (d) Establish rules and procedures to be used by Council and Committees and administration regarding Council and Committee meetings.
- (e) If a matter arises that is not covered by the provisions of the bylaw, Robert's Rules of Order, current edition, shall govern.

3. Definitions

For the purpose of this Policy the following terms and words shall have the following meanings:

- (a) 'Act' means The Municipalities Act
- (b) 'Amendment' means an alteration of a main motion or an amendment by substituting, adding or deleting a word(s) without altering the basic intent of the motion.
- (c) 'Committee of the Whole' means members present at a meeting of Council sitting in committee.
- (d) 'Member of Council' means the Reeve; or a Councillor
- (e) 'Motion to Receive' means a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration, and having the item, report or recommendation placed in the records of the municipality for future reference, with no additional action taken at this time.
- (f) 'Point of Order' means the raising of a question by a member, with the view of calling attention to any departure from the Procedural Bylaw or the customary proceedings in debate or in the conduct of the Council's business.
- (g) 'Point of Procedure' means a question to the Reeve or Chairperson to obtain information on a matter of procedure in order to assist a member to make an appropriate motion, raise a point of order or understand the effect of a motion.
- (h) 'Quorum' is the majority of the members of council or committee. (Pursuant to Section 98 in the Municipalities Act)

PART 1

MEETINGS OF COUNCIL

4. First Meeting of Council (*The Municipalities Act 121*)

- (a) The first meeting of council following a general election for a rural municipality will be held within 31 days after the date of the election.
- (b) The administrator shall determine the time, date and place of the meeting.
- (c) The administrator shall provide written notice of the time, date and place at least 24 hours prior to the meeting by personal service, delivery to the place of business or residence or at the request of the member by facsimile or electronic mail.

5. Regular Meetings of Council and Committees (*The Municipalities Act 122*)

- (a) Council may wish to set regularly scheduled council meetings stating the time, day and place that they will be held. When meetings are regularly scheduled public notice is not required. If Council is not scheduling regular meetings Notice must be given to the public and all members of council at least 24 hours prior to the meeting.
- (b) Council may also wish to indicate that a council or committee meeting may be held with less than 24 hour notice to the council or committee members AND no notice to the public IF all members of council sign a waiver before the commencement of the meeting.

6. Special Meetings of Council (The Municipalities Act 123)

- (a) The administrator shall call a special meeting of council whenever requested by the Reeve or a majority of council by giving at least 24 hours notice to the members of council and the public stating the purpose of the meeting and the date, time and place the meeting is to be held.
- (b) A Special meeting may be called with less than 24 hours notice to the members of council and no notice to the public if all members sign a waiver of notice before the commencement of the meeting.
- (c) No business other than that stated in the notice may be transacted at the special meeting, unless all members of council are present and agree unanimously to transact other business.

7. Change of Meetings (The Municipalities Act 122)

If a Council or Committee changes the date, time or place of a regularly scheduled meeting, the council shall give notice to any members of the Council or Committee not present at the meeting at which the change was made and to the public at least 24 hours before the changed meeting;

8. Methods of Giving Notice (The Municipalities Act 124)

- (a) When notice is required for regular or special meetings of council or committees, it will be provided personally, electronically or postal service.
- (b) Public Notice as set out in the municipality's Public Notice Policy Bylaw No. 1-05.

9. Meetings Through Electronic Means (The Municipalities Act 125)

A Council may at their discretion conduct a Council meeting by means of telephonic, electronic or other communication facility providing all the provisions of section 125 of the Municipalities Act.

10. Actions in Public (The Municipalities Act 119)

An act or proceeding of Council and/or Committee is not effective unless it is authorized or adopted by resolution or bylaw at a duly constituted meeting of the council that is open to the public.

11. Meetings to be in Public (The Municipalities Act 120)

- (a) Council and Council committees are required to conduct the meetings in public.
- (b) Council and Council committees may close all or part of their meetings to the public if the matter being discussed is within one of the exemptions in Part III of The Local Authority Freedom of Information and Protection of Privacy Act or concerns long-range or strategic planning.

12. Improper Conduct (The Municipalities Act 119)

Meeting of Council or Committee are open to the public at all times except:

- (a) Members of the public shall be removed from meetings for improper conduct which includes physical and/or verbal abuse and/or intoxication of drugs and/or alcohol.
- (b) Should a member of the public, Council or Committee fail to adhere to the request of the Reeve or Chairperson to cease the improper conduct, the meeting shall be adjourned.

13. Long Range or Strategic Planning Meetings (The Municipalities Act 120)

A long range or strategic planning meeting may be called by resolution of Council and shall in accordance with The Municipalities Act be closed to the public;

**PART II
COUNCIL PROCEDURE**

14. Reeve (The Municipalities Act 93)

- (a) The Reeve shall preside, when in attendance, at a council meeting unless The Municipalities Act or other Act or a bylaw of this council provides that another member of Council is required or permitted to preside.
- (b) The Reeve is a member of all council and committees and bodies established by council pursuant to the Municipalities Act, unless council provides otherwise.
- (c) The Reeve shall enforce the rules of council taking part in debate.

15. Deputy Reeve (The Municipalities Act 91)

- (a) Council shall name a Deputy Reeve and establish the length of time the Deputy is being appointed for if it is shorter than one year. This shall be done at the first meeting after the annual election or as soon as conveniently possible.
- (b) Deputy Reeve acts as Reeve if the Reeve is unable to perform the duties of the Reeve or the office of Reeve is vacant.
- (a) A Council may appoint an Acting Reeve if both the Reeve and Deputy Reeve is unable to perform their duties or both the office of Reeve and Deputy Reeve are vacant

16. Order of Business and Agenda

A Council may wish to establish a standard order of business and/or other procedures to be followed in the form of Guidelines.

17. Submissions/Correspondence to Council

- (a) Written submissions/correspondence must be received at least seven (7) days prior to the next regular council meeting.
- (b) Administrator may be expected to research the item prior to the meeting.
- (c) Late submissions/correspondence may be delayed from placement on the guidelines.
- (d) Administrator and Reeve or Deputy Reeve have absolute discretion to delay or remove a submissions from the guidelines.

18. Delegations

- (a) Delegations wishing to appear before Council shall make application to the Administrator with written submissions seven (7) days prior to a regular council meeting.
- (b) The number per delegation to be present before council at a regular meeting shall not exceed three (3) people.
- (c) Delegation with more than one (1) individual involved shall appoint a spokesperson to make the presentation.
- (d) Delegation shall be allowed twenty (20) minutes to make its presentation. Presentation may be extended at discretion of the Reeve or Chair.
- (e) A person wishing to speak to council on an item not on the guidelines may be heard with council's approval.
- (f) Council may refuse to receive any delegation, notwithstanding the guidelines above, or may waive the rules and hear any delegation on short notice; however, such actions are considered unusual and require the consent of all Council members.

19. Public Hearing

- (a) Reeve or Administrator shall declare the hearing open, Administration shall present a report, if the hearing is required pursuant to another Act
- (b) The time allowed is maximum Three (3) minutes for each presentation.
- (c) Hearing may be adjourned to a further date.
- (d) Member of council shall be informed verbally and/or in writing before putting to vote.

20. Quorum (*The Municipalities Act 98*)

- (a) The quorum of a council is the majority of members of council.
- (b) No act or proceeding that is adopted at any meeting of council in which a quorum is not present is valid.
- (c) Any meeting that quorum is not present, no Act or Proceeding is Valid.

21. Voting (*The Municipalities Act 99 & 100*)

- (a) A Council member has one vote each time a vote is held.
- (b) Every member of council attending a council meeting shall vote on every matter put before council unless the member is required or permitted to abstain from voting pursuant to this or any other Act.
- (c) If a member is not required or permitted to abstain from voting and abstains from voting, the member is deemed to have voted in the negative.
- (d) The administrator shall ensure that each abstention and the reasons for the abstentions are recorded in the minutes of the meeting.
- (e) All questions are to be decided by the majority of the votes, unless the council requires a greater percentage of votes.

22. Recorded and Tied Vote (*The Municipalities Act 101*)

- (a) Prior to the vote being taken on a matter, any member of Council may request that the vote on that matter be recorded.
- (b) If there is an equal number of votes for or against a resolution or bylaw, the resolution or bylaw is defeated.

23. Motions-General

- (a) Motions are not required to be seconded.
- (b) When a motion is under debate no other motion may be made, except:
 - To refer the motion to a Council committee or the administration;
 - To amend the motion;
 - To defer the motion to a fixed date;
 - To request the motion to be put to a vote or table;

24. Motion to Defer to a Fixed Date

If a majority of Council decides to defer a motion to a fixed date, the motion cannot be considered until the fixed date.

25. Request that Motion be put to a Vote

- (a) A motion requesting that a motion be put to a vote can not be moved or seconded by a member of Council who has spoken to the original motion.
- (b) A motion requesting that a motion be put to a vote can not be amended or debated.
- (c) 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.
- (d) 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.

26. Motion to Adjourn

- (a) A motion to adjourn is allowed at any time during a Council meeting, except:
 - When a member of Council is speaking;
 - When the members of Council are voting on a motion;
 - When a recorded vote is being taken
 - When it has been requested that a motion be put to a vote;
 - When Council is in the Committee of the Whole or in Camera
- (b) A motion to adjourn shall be decided without debate.

27. Motion to Amend

- (a) A motion to amend shall not:
 - Reverse the affirmative or negative intent of the original motion
 - Substantially change the intent of the motion
- (b) Once a motion to amend has been made, the original motion is set aside until the amendment has been decided.
- (c) Any member of Council may make a motion to amend, but only one amendment to an amendment shall be allowed until the amended motions are voted on.
- (d) Amendments shall be put to council in the reverse order to the order in which they were moved.

28. Motion to Rescind or Reconsider

- (a) A motion to rescind or reconsider a resolution shall only be considered by Council if at least one of the following conditions are met:
 - Written notice has been given to each Council member, of the proposed motion to rescind or reconsider, at least 24 hours prior to the meeting;
 - By unanimous vote of all members of Council;
 - A Council Committee or the administration recommends that the Council consider a motion to rescind or reconsider.
- (b) Any question may be reconsidered if a change has occurred in any material fact relied upon by Council in deciding the question or in the event that new information is made available to members of Council, which was not available at the time of Council's decision.
- (c) A motion to reconsider shall require majority of Council members to pass, regardless of the number of members present.

29. Withdrawal of Motions

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

30. Point of Order

- (a) When any member of Council believes that another member of Council has not followed the rules of procedure of Council, they may ask that the Reeve rule on a point of order.
- (b) A Point of Order must be raised immediately at the time the rules of procedure are breached.
- (c) The member of Council against whom the point of order is raised may be granted permission by the Reeve to explain.
- (d) A point of order is not subject to amendment or debate.

31. **Question of Privilege**

- (a) Any member of Council may make a request to the Reeve on any matter related to the rights and privileges of Council or individual councillors and as that the Reeve rule on a question of privilege.
- (b) The Reeve shall rule whether or not the matter raised is a question of privilege.
- (c) If the matter is determined to be a question of privilege, the member of council who raised the question shall be permitted to speak to the matter.
- (d) If the question of privilege concerns a situation, circumstance or event which arose between meetings of Council, then member shall raise the matter immediately after the adoption of the minutes of the previous meeting.
- (e) A question of privilege is not subject to amendment or debate

32. **Bylaws (The Municipalities Act 103)**

- (a) Every Bylaw must have three distinct and separate readings
- (b) Each member of Council must be given an opportunity to read the full text.
- (c) A proposed bylaw must not have more than two readings at a council meeting unless the members of council present unanimously agree to consider the third reading .
- (d) Proposed bylaws will be circulated to Council members 24 hours previous to the commencement of the meeting.

**PART III
COUNCIL COMMITTEES**

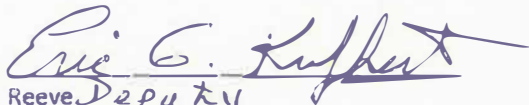
33. **Committees**

Each Committee established shall include a list of the powers and duties granted by council, which may include any of the following, but is not limited to the following:

- (a) Council shall appoint a minimum of three (3) members to a standing or special committee;
- (b) The Reeve shall be ex-officio member of all standing and special committees created by Council;
- (c) Committee appointments shall not exceed four (4) two (2) year terms consecutively, one (1) shall be appointed for a one (1) year term, two (2) shall be appointed for a two (2) year term
THEREAFTER: each member shall be appointed for a period of two years;
- (d) Council shall by resolution state the functions and authority of committee which shall include some or all of the following powers:
 - Provide advice to council;
 - May set policies on matters specific to their committee delegated;
 - Recommend operating and capital budget to be forwarded to council;
 - Supervision of various departments;
 - Make recommendations on policy to council;
 - Increase public awareness
 - Receive , investigate and make recommendation upon concerns;
 - Meeting frequency or schedules;
 - Filing of minutes;

PART IV
MISCELLANEOUS

34. **Suspension of Rules**
Procedural rules set out in this bylaw may be set aside or suspended if:
 (a) All members are in attendance and agree when such a situatuion arises;
 (b) Emergency situations;
35. **Procedure for Repeal or Amendment of this Bylaw**
Procedures for repeal or amendment of this bylaw shall be in accordance with section 33 of this policy.
36. **Effective Date**
This bylaw becomes effective on date of passing.


Reeve Deputy


Administrator

Certified a true copy
adopted by Council on
the 8th day of January, 2016




Administrator