VILLAGE OF FROBISHER

BYLAW NO. 1-2022

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

The Council of the Village of Frobisher 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 at council meetings, and other bodies' meetings.

3. Definitions

3.1 In this bylaw:

a) **"Act"** means *The Municipalities Act [MA];*

b) **"Acting mayor"** means the councillor elected by council to act as the mayor if a vacancy arises in that office;

c) **"Adjourn"** means to suspend proceedings to another time or place;

d) **"Administration"** means the administrator or an employee accountable to the administrator;

e) **"Administrator"** means the person appointed as administrator pursuant to section 110 of *The Municipalities Act*;

f) **"Agenda deadline"** means the time established in subsection 13.6 of this bylaw;

g) **"Amendment"** means an alteration to a main motion by substituting, adding, or deleting a word or words without materially altering the basic intent of the motion;

h) **"Business day"** means a day other than a Saturday, Sunday or holiday;

i) **"Chair"** means a person who has the authority to preside over a meeting;

j) **"Communications"** include, but are not limited to, the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, or newspaper/magazine article;

k) **"Contact information"** means:

   i. The name of a person; and

   ii. Whichever of the following options is considered by the sender to be most likely to affect receipt by the intended recipient:

      (A) Mailing address;

      (B) Street or civic address;

      (C) Email address;

      (D) Telephone number;

      (E) Fax number; or

      (F) Any other prescribed option;

l) **"Council"** means the mayor and councillors of the municipality elected pursuant to the provisions of *The Local Government Election Act, 2015*;

m) **"Councillor"** means the council member duly elected in the municipality as a councillor in accordance with *The Local Government Election Act, 2015;*

n) **"Mayor"** means the council member duly elected in the municipality as the mayor in accordance with *The Local Government Election Act, 2015;*

o) **"Member"** means the mayor, councillor, or an appointed individual;
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 Village of Frobisher;
s) **"Order of business"** means the list of items comprising the agenda and the order in which those items appear on the agenda;
t) **"Other body"** means a committee, board, authority, commission, or other body duly appointed by council, but does not include a council committee;
u) **"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;
v) **"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;
w) **"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;
x) **"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;
y) **"Quorum"** is subject to section 98 of the Act:
    i. In the case of council, a majority of the whole council; and
    ii. In the case of an other body, a majority of the members appointed to the other body;
z) **"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;
aa) **"Resolution"** means a formal determination made by council or other body based on a motion duly placed before a regularly constituted meeting or a special meeting of council, or an other body for debate and decision and is duly passed;
bb) **"Seconder"** means a person who formally supports a motion or amendment at the time it is proposed;
cc) **"Special meeting"** means a meeting other than a regular scheduled meeting called pursuant to section *123* of *The Municipalities Act* or the provisions of this bylaw;
dd) **"Unfinished business"** means business which has been raised at the same meeting or a previous meeting and which has not been completed; and
ee) **"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 other bodies.

4.2 Notwithstanding subsection 4.1, council may, by resolution or bylaw, allow an 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 mayor or chair shall prevail, subject to the jurisdiction of council to consider any appeals of those rulings.

PART II – MEETINGS

5. First Meeting

5.1 The first meeting of council following a general election shall be held within 31 days after the date of the election at a time, date and place determined by the administrator.

5.2 Prior to commencement of the first meeting, every member of council shall take the oath or affirmation of office pursuant to the Act.

5.3 At the first meeting of council, the administrator shall provide council with a copy of the returning officer's declaration of results with respect to the election.

6. Regular Meetings

6.1 Regular meetings of council shall be held on the third Tuesday of each month commencing at 6:00 p.m.

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 or the Lieutenant Governor of Saskatchewan 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 may, by resolution, authorize the mayor to reschedule a regular meeting of council pursuant to the Act during a period of time to be specified within the resolution.

7. Special Meetings

7.1 The administrator shall call a special meeting of council whenever requested to do so in writing by the mayor or a majority of the members.

7.2 If the position of administrator is vacant or the administrator is unable to act, the administrator of the Rural Municipality of Coalfields No. 4 shall call a special meeting of the council whenever requested to do so in writing by the mayor or a majority of the members, pursuant to section 81.1 of the Act. *(In this circumstance, council must also appoint a person as acting administrator for the purpose of taking the minutes for at least this meeting. It may or may not be the same person used to call the meeting.)*

7.3 The written request referred to in subsection 7.1 shall include all items of business to be transacted.

7.4 Form 1, appended hereto and forming a part of this bylaw, shall be the form used to direct the administrator to call a special meeting of council.

7.5 When a special meeting is to be held, the administrator shall provide written notice of the time, date, and place of the meeting to all members pursuant to section 10 of this bylaw and to the public

at least 24 hours prior to the meeting and, in general terms, 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 six (6) hours notice of their intent to participate in this manner;

b) Notice of the council meeting is given to the public including the way in which the council meeting is to be conducted;

c) The facilities enable the public to at least listen to the meeting at a place specified in that notice and the administrator attends that place; and

d) The facilities permit all participants to communicate adequately with each other during the council meeting.

8.2 Members participating in a council meeting by electronic means are deemed to be present at the council meeting.

9. Notice of Meetings

9.1 Notice of regularly scheduled council meetings is not required to be given.

9.2 If council changes the date, time or place of a regularly scheduled meeting, at least 24 hours' notice of the change will be given to:

a) Any members not present at the meeting at which the change was made; and

b) The public.

10. Method of Giving Notice

10.1 Notice of a council meeting is deemed to have been given to a member if the notice is delivered via the preferred method chosen by each member using Form 2, appended hereto and forming a part of this bylaw.

10.2 Notice of a council meeting is to be given to the public by posting a notice at the municipal office.

11. Actions in Public

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

11.2 Every person has the right to be present at council meetings that are conducted in public unless the person presiding at the council meeting expels a person for improper conduct.

12. Closed Sessions

12.1 Council may close all or any part of its meetings to the public if the matter to be discussed:

a) Is within one of the exemptions of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act;* or

b) Concerns long-range or strategic planning.

12.2 A resolution to move into closed session shall state in general terms the topic of discussion.

12.3 Where council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:

a) The members of council;

b) The 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 unless otherwise provided for in this bylaw.

PART III – COUNCIL MEETING PROCEDURES

13. Agendas

13.1 The administrator shall prepare the agenda for all regular and special meetings of council.

13.2 The agenda shall include the order of business, all items of business and associated reports, bylaws or documents, and shall be set out in accordance with the order of business.

13.3 The administrator shall ensure that the council agendas are available to each member no later than 4:00 p.m. on the Friday prior to the council meeting.

13.4 The administrator shall ensure that the council agendas are available to the general public no later than the start of the scheduled meeting.

13.5 If, for any reason, the administrator is unable to meet the deadline mentioned in subsection 13.3, 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.

13.6 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 4:00 p.m. on the Friday prior to the scheduled meeting of council.

13.7 Council may, on a majority vote, permit additional material on the agenda.

14. Order of Business at Meetings

14.1 The general order of business of every regular council meeting shall be as follows:

a) Call to order;
b) Conflict of interest declarations;
c) Approval of agenda;
d) Approval of minutes;
e) Correspondence;
f) Delegations;
g) Reports of administration and other bodies *(includes payment of accounts)*;
h) Old business;
i) New business;
j) Next meeting; and
k) Adjournment.

14.2 Business shall, in all cases, be taken up in the order in which it stands on the agenda, unless:

a) The mayor determines during the proceedings of council that for public interest a matter be moved forward to be dealt with promptly.

15. Commencement of Council Meeting

15.1 At the hour set for the meeting, or as soon as all members of council are present, the mayor, or in their absence a councillor, shall take the chair and call the members to order.

15.2 If a quorum is not present thirty (30) minutes after the time appointed for the meeting, the administrator shall record the names of the members present at the expiration of such time and announce that council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.

15.3 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 and any unfinished business remaining at the time of the adjournment 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.

15.4 Members are encouraged to notify the administrator as soon as possible when the member is aware that they will be absent from any meeting of council.

16. Quorum

16.1 A quorum of council is a majority of members.

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

17. Minutes

17.1 The administrator shall record the minutes of each council meeting without note or comment and shall make available copies of the minutes to each member no later than 4:00 p.m. on the Friday prior to the council meeting.

17.2 Notwithstanding section 17.1, the administrator shall record in the minutes every declaration of a conflict of interest and the general nature and material details of the disclosure and any abstention or withdrawal.

17.3 The names of the members present at the meeting are to be recorded in the minutes of every meeting.

17.4 Any member may make a motion amending the minutes to correct any mistakes.

17.5 The minutes of each meeting are to be approved at the next regular meeting of the council and signed by the presiding member and the administrator in accordance with the Act.

17.6 All minutes, once approved, shall be open for inspection by the public.

18. Public Hearing

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

18.2 The procedure by which the public hearing will be conducted or by which public input will be obtained shall be as follows:

a) The mayor shall declare the hearing on the matter open;

b) The administration shall present a report on the bylaw or resolution under consideration including the administration recommendations;

c) If it is a hearing that involves an applicant, the applicant shall be given an opportunity to make representations on the matter under consideration;

d) After the applicant, any person or group of persons or spokesperson acting on behalf of another person or group shall be given an opportunity to make representations on the matter under consideration;

e) If it is a hearing that involves an applicant, 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 mayor shall declare the hearing closed; and
i) Council shall then consider the matter and, at the conclusion of the deliberations, council shall vote on the bylaw or resolution in accordance with the procedures contained in this bylaw.

18.3 The time allowed for each person making representations shall be fifteen (15) minutes.

18.4 A hearing may be adjourned to a certain date.

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

19. Communications - General

19.1 When a person wishes to have a communication considered by council, it shall be addressed to council, and:
a) Clearly set out the matter 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.

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

19.3 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*.

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

20. Communications - Matters on Council Agenda

20.1 A written communication pertaining to a matter already on a council agenda must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.

20.2 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.

20.3 In the event that the communication to the administrator is received after the agenda deadline, regarding a subject which is on the agenda, the administrator will bring the request to the attention of council:
a) 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.

21. Communications - Matters Not on Council Agenda

21.1 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.

21.2 In the event that the communication to the administrator is received after the agenda deadline, regarding a subject which is not on the agenda, the administrator will bring the request to the attention of council.

21.3 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.

22. Delegations

22.1 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, the notice shall include the following:

a) The name and correct mailing address of the spokesperson;
b) Telephone number where the representative of the delegation can be reached during the day;
c) Original signature, except when submitted by facsimile or email; and
d) The subject matter to be discussed and the request being made of council.

22.2 A request to speak to council pursuant to subsection 22.1 must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.

22.3 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 attention of council:

a) Delegations will be advised by the administrator that they may not be heard by council unless the majority of members vote to allow the delegation to speak within the motion to approve the agenda.

22.4 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.

22.5 A maximum of fifteen (15) minutes shall be allotted for each delegation to present their position of support or opposition.

22.6 Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views:

a) Delegations are encouraged not to repeat information presented by an earlier delegation;
b) The mayor shall at the conclusion of fifteen (15) minutes, inform the delegation that the time limit is up;
c) Only upon a motion to extend the fifteen (15) minute limitation adopted by a majority of members shall the fifteen (15) minute limit be extended; and
d) Delegations will not be permitted to assume any unused time allocated to another delegation.

22.7 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.

23. Bylaws

23.1 Every proposed bylaw must have three distinct and separate readings.

23.2 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.

23.3 A proposed bylaw will be considered by council immediately following consideration of the report or item to which the bylaw relates.

23.4 Only the title and identifying number is to be read at each reading of the bylaw.

23.5 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.

23.6 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.

23.7 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.

23.8 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.

23.9 After passage, every bylaw shall be signed by the mayor and the administrator pursuant to the Act and marked with the corporate seal of the municipality.

24. Recess

24.1 The council may recess at any time during the meeting.

24.2 A motion to recess must state the time of duration of the recess and must be passed by a majority of the members present.

24.3 The council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than fifteen (15) minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum.

25. Adjournment

25.1 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.

PART IV – CONDUCT AT COUNCIL MEETINGS

26. Mayor

26.1 The mayor shall:

a) Preside at all council meetings;
b) Preserve order at council meetings;
c) Enforce the rules of council;
d) Decide points of privilege and points of order; and
e) Advise on points of procedure.

26.2 The mayor shall have the same rights and be subject to the same restrictions when participating in debate as all other members.

26.3 The mayor shall have the same rights and be subject to the same restrictions as all other members to make a motion.

27. Acting Mayor

27.1 Council shall appoint a member to act as mayor if:

a) The mayor is unable to perform the duties of their office; or
b) The office of mayor is vacant.

27.2 The member to be appointed pursuant to subsection 27.1 shall be elected by a majority of the members present.

27.3 Where two members have an equal number of votes the administrator shall:

a) Write the names of those members separately on blank sheets of paper of equal size, colour and texture;
b) Fold the sheets in a uniform manner so the names are concealed;
c) Deposit them in a receptacle; and
d) Direct a person to withdraw one of the sheets.

27.4 The member whose name is on the sheet withdrawn pursuant to subsection 27.3(d) shall be declared elected.

28. Persons Allowed at the Table

28.1 No person except members, the administrator, and other staff as authorized by the council, are permitted to be seated at the council table during sittings of the council without permission of the council.

29. Conduct of Public

29.1 All persons in the public gallery at a council meeting shall:

a) Refrain from addressing council or a member unless permitted to do so;
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.

30. Conduct of Delegations

30.1 When addressing members at a council meeting, a delegation shall refrain from:

a) Speaking disrespectfully of the federal government, the provincial government, 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.

31. Conduct of Members

31.1 Members of council shall ensure they do not interrupt another member.

31.2 If more than one member wishes to speak at a meeting at the same time, the mayor shall indicate which member shall speak first.

31.3 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.

31.4 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.

31.5 Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

32. Improper Conduct

32.1 The mayor may request that any person in the public gallery who disturbs the proceedings of council or acts improperly at a council meeting, as set out in section 29, leave or be expelled from the meeting.

32.2 The mayor may request that any delegation who addresses council improperly, as set out in section 30, leave or be expelled from the meeting.

32.3 No person shall refuse to leave a council meeting when requested to do so by the mayor.

32.4 Any person who refuses to leave when requested to do so may be removed.

32.5 If a person disturbs the proceedings of council or refuses to leave when requested to do so, the mayor may recess the meeting until the person leaves or adjourn the meeting to another day.

32.6 The mayor may direct that law enforcement officials be engaged to assist in the removal of a person in the public gallery or any delegation acting improperly.

33. Leaving the Meeting

33.1 Every member who leaves the council meeting before the meeting is over, whether intending to return to the meeting or not, shall notify the administrator.

33.2 The administrator shall make a notation in the minutes of the name of any member leaving the meeting pursuant to section 33.1, and the time the member did so.

34. Point of Order

34.1 A member may rise and ask the mayor to rule on a point of order.

34.2 When a point of order is raised, the member speaking shall immediately cease speaking until the mayor decides the point of order raised.

34.3 A point of order must be raised immediately at the time the rules of council are breached.

34.4 The member against whom a point of order is raised may be granted permission by the mayor to explain.

34.5 The mayor may consult the administrator before ruling on a point of order.

34.6 A point of order is not subject to amendment or debate.

35. Point of Privilege

35.1 A member may rise and ask the mayor to rule on a point of privilege.

35.2 After the member has stated the point of privilege, the mayor shall rule whether the matter raised is a point of privilege.

35.3 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.

35.4 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.

35.5 The mayor may consult the administrator before ruling on a point of privilege.

35.6 A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to council.

36. Point of Procedure

36.1 Any member may ask the mayor for an opinion on a point of procedure.

36.2 When a point of procedure is raised, the member speaking shall immediately cease speaking until the mayor responds to the inquiry.

36.3 After the member has asked the point of procedure, the mayor shall provide an opinion on the rules of procedure bearing on the matter before council.

36.4 The mayor may consult the administrator before providing an opinion on the point of procedure.

36.5 A point of procedure is not subject to amendment or debate.

36.6 The mayor's answer to a point of procedure is not a ruling and cannot be appealed to the whole of council.

37. Appeal

37.1 Whenever a member wishes to appeal any ruling of the mayor or a point of order or point of privilege to the whole of council:

a) The motion of appeal "that the decision of the chair be overruled" shall be made;

b) The member may offer a brief reason for the challenge;

c) The mayor may state the reason for the decision; and
d) Following which the question shall be put immediately without debate.

37.2 The mayor shall be governed by the vote of the majority of the members present.

37.3 A ruling of the mayor must be appealed immediately after the ruling is made or the ruling will be final.

38. Calling a Member to Order

38.1 When the mayor 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.

38.2 In the event that a member refuses to resume their seat when called to order, the mayor shall request any other member of council to move a resolution to remove the unruly member either:
a) For the balance of the meeting;
b) Until the member makes an apology acceptable to council for their unruly behavior, whichever shall be the shortest time.

38.3 When the majority of council votes in favour of the resolution, the mayor shall direct the unruly member to leave the council chamber, and if the member refuses to leave, the mayor may:
a) Recess the meeting until the person leaves or adjourn the meeting to another day; or
b) Direct that law enforcement officials be engaged to assist in the removal of the unruly member.

38.4 When council has directed an unruly member to leave the council chambers pursuant to subsection 38.3, and the member makes an explanation and apology adequate and satisfactory to the council, it may, by a majority vote of the remaining members present, allow the offending member to remain in their place if they have not left or been removed.

PART V – MOTIONS

39. Motions and Debate

39.1 A motion shall express fully and clearly the intent of the mover and the discussion which have taken place prior to the motion being put to a vote.

39.2 A motion shall not be considered unless it has been seconded.

39.3 Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.

39.4 When a motion is under debate no other motion may be made, except a motion to:
a) Amend the motion;
b) Refer the motion to administration for a report back to council;
c) Postpone the motion to a fixed date;
d) Request the motion be put to a vote; or
e) Adjourn the meeting.

39.5 Notwithstanding any other provisions of this bylaw, the member who moved a motion may, with the consent of council:
a) On their own initiative while they are speaking on the same; or
b) When requested by another member speaking on the motion;
change the wording of the motion, or agree to a change proposed by another member, if the alteration does not change the intention of the motion.

39.6 Any motions allowed under subsection 39.4 shall be considered in the order in which they were moved.

40. Motion to Amend

40.1 Except as provided in subsection 40.12, 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.

40.2 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.

40.3 An amending motion may also be amended (also called a sub amendment).

40.4 A sub amendment must be:
   a) Relevant to the original amendment;
   b) Made while the original amendment is under consideration; and
   c) Consistent with the intent of either the original amendment or the main motion.

40.5 Only two amendments to a motion (an amendment and a sub amendment) are allowed at the same time. When one or both have been dealt with, a further amendment or sub amendment may be entertained.

40.6 There is no limit to the number of amendments or sub amendments that may be proposed.

40.7 An amendment may be introduced at any stage before the question is put on the main motion provided there is not more than one amendment and one sub amendment before the meeting at one time.

40.8 Any member wishing to move an amendment that is not in order at the time because there are already two amendments before the meeting, may state the intention of the proposed amendment as the proposal may affect the vote on those motions awaiting decision.

40.9 The main motion shall not be debated until all amendments to it have been put to a vote.

40.10 Amendments shall be put in the reverse order to the order in which they were moved.

40.11 When all amendments have been voted on, the main motion incorporating all amendments adopted shall be put to a vote.

40.12 No amendments shall be made to the following motions:
   a) A motion to adjourn;
   b) A motion to defer to a fixed date, except as to the date; and
   c) A motion requesting that a motion be put to a vote.

41. Dividing a Motion into Parts

41.1 A member may request or the mayor may direct that a motion be divided if the motion contains more than one separate and complete recommendation.

41.2 Council shall then vote separately on each recommendation.

41.3 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.

42. Motion Arising

42.1 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.

43. Request that Motion Be Put to Vote

43.1 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.

43.2 A motion requesting that a motion be put to a vote shall not be amended or debated.

43.3 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.

43.4 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.

44. Motion to Adjourn

44.1 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.

44.2 A motion to adjourn shall be decided without debate.

45. Motion to Move to a Closed Meeting

45.1 A member may make a motion that a council meeting move to a closed meeting.

45.2 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.

46. Motion Contrary to Rules

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

47. Withdrawal of Motions

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

48. Motion to Reconsider

48.1 A motion to reconsider shall apply to resolutions only, and shall not apply to bylaws passed by council.

48.2 A motion to reconsider is in order whether the original motion passed or was defeated.

48.3 A motion to reconsider may only be made at the same council meeting at which the original motion was considered.

48.4 A motion to reconsider must be moved by a member who voted on the winning side of the original motion.

48.5 When the original motion lost on a tie vote, the winning side is those who voted against the motion.

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

48.7 A motion to reconsider is debatable only if the original motion was debatable.

48.8 A motion to reconsider cannot be amended.

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

48.10 If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.

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

49. Motion to Rescind

49.1 A motion to rescind shall apply to resolutions only and shall not apply to bylaws passed by council.

49.2 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.

49.3 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.

49.4 A motion to rescind may be moved and seconded by any council member regardless how they voted on the original motion.

49.5 A motion to rescind is debatable.

49.6 A motion to rescind may be amended.

49.7 A motion to rescind shall, in all cases, require a majority vote of all council members to pass.

49.8 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.

50. Motion to Postpone

50.1 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.

50.2 Notwithstanding subsection 50.1, 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.

50.3 The only amendment allowed to a motion to postpone to a fixed date is to change the date.

51. Motion to Refer

51.1 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.

51.2 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.

52. Debate on Motion

52.1 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.

52.2 The mover of the motion shall be given the first opportunity to speak.

52.3 The mover of the motion shall be allowed a reply at the conclusion of the debate.

53. Legal Advice

53.1 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.

54. Voting of Council

54.1 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.

54.2 If a member is not required to abstain from voting on a matter before council pursuant to subsection 54.1 and abstains from voting, the council member is deemed to have voted in the negative.

54.3 The administrator shall ensure that each abstention is recorded in the minutes of the meeting.

54.4 The mayor shall vote with the other members on all questions.

55. Majority Decision

55.1 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.

56. Recorded Vote

56.1 Before a vote is taken by council, a member may request that the vote be recorded.

56.2 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.

57. Tied Vote

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

PART VII – MISCELLANEOUS

58. Repeal of Bylaws

58.1 Bylaw No. 1-2016 is hereby repealed.

Read a third time and adopted at Bienfait Saskatchewan, this 16th day of August, 2022

{Seal}



Certified a true copy of
Bylaw No. 1-2022 adopted by resolution of

Bylaw No. 1-2002
Form 1 – Request for a Special Meeting

Date: _____

To: _____, _____, _____
Name Title Municipality

Pursuant to section 123 of the Act, I / we hereby request you to call a special meeting of the council of the Village of Frobisher to discuss the following matter(s):

1. _____

2. _____

3. _____

4. _____

Meeting Details:

Location: _____

Date: _____

Time: _____

Dated this _____ day of _____, 20_____.

SIGNED:

Name: _____

Name: _____

Name: _____

Office Use Only:

☐ Members provided notice pursuant to subsection 124(1) of the Act

☐ Notice not provided pursuant to subsection 123(3) of the Act

Bylaw No. 1-2022
Form 2 – Request for Method of Providing Notice

Date: _____

To: _____, Administrator, Village of Frobisher

From: _____ *(Name of council member)*

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

(Check one of the following)

☐ By regular mail to: _____

☐ By telephone or voice mail to: _____

☐ By facsimile to: _____

☐ By email to: _____

☐ By text to: _____

☐ By other method: _____

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

Dated this _____ day of _____, 20_____.

_____
(Signature of member)