

TOWN OF LUSELAND

BYLAW NO. 2022-07

A BYLAW TO REGULATE THE PROCEEDINGS OF THE COUNCIL

The Council of the Town of Luseland, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be referenced as "The Council Proceedings Bylaw".
2. In all the proceedings of the council, the following rules and regulations shall be observed, which shall be the rules and regulations for the order and dispatch of business of the council and of committees thereof.
3. The Administrator shall call the first meeting of council following a general election within 31 days after the date of the election at a time, date and place determined by the Administrator and provided in writing to all members of council at least twenty-four (24) hours before the meeting in the same manner as for special meetings of council. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall call the first meeting of council as set out herein.
4. After its first meeting following the election, the council shall meet on the second Tuesday of each month throughout the year at the hour of 7:00 P.M. unless otherwise ordered by special motion, or unless such day be a statutory or civic holiday, in which case the council shall meet at a date agreed to by council.
5. Notice of regularly scheduled council meetings is not required to be given.
6. If council changes the date, time or place of a regularly scheduled meeting, at least twenty-four (24) hours' notice of the change shall be given to:
 - (a) any members not present at the meeting at which the change was made; and
 - (b) the public.
7. The Administrator shall call a special meeting of council, whenever requested to do so by the Mayor or a majority of the members. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall call a special meeting of council, whenever requested to do so by the Mayor or a majority of the members.
8. The request to call a special meeting shall include all items of business to be transacted.
9. When a special meeting is to be held, the Administrator shall provide verbal notice to all members and written notice of the time, date and place of the meeting to the public pursuant to the Public Notice Bylaw at least twenty-four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall provide notice as set out above.
10. Notice of a council meeting is to be given to the public by posting notice of the meeting at the municipal office.
11. Notwithstanding section 9, 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.
12. No business, other than that stated in the notice, shall be transacted at a special meeting, unless all the members are present and, by unanimous consent, they authorize other business to be transacted.
13. 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.

14. A resolution to move into closed session shall state, in general terms, the topic of discussion.
15. 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.
16. 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.
- In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall record in the minutes as set out above.
17. No resolutions or bylaws may be passed during a closed meeting.
18. No business other than that described within the resolution pursuant to section 13 may be discussed.
19. 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.
20. When a person wishes to have a communication considered by council, it shall be addressed to council and clearly set out the matter in issue and the request, be legible, and contain the name and mailing address of the writer.
21. A written communication pertaining to a matter already on a council agenda shall be dealt with when the matter is considered by council at its meeting.
22. A written communication pertaining to a matter not already on the agenda and received prior to 4:30 p.m. on the day of the council meeting 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. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall place matters on the agenda as set out above.
23. When a person wishes to speak to council on a matter, that person shall notify the Administrator in writing, advising the name and telephone number where they can be reached during the day, and clearly setting out the subject matter to be discussed and the request being made of council. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall receive notification as set out above.
24. A request to speak to council pursuant to subsection 23 must be received by the Administrator or Assistant Administrator no later than 4:30 p.m. on the day of the council meeting in order to be included on the agenda of the meeting.
25. Delegations speaking before council shall address their remarks to the stated business:
 - (a) Delegations will be limited to speaking only once;
 - (b) Rebuttal or cross debate with other delegations shall not be permitted; and
 - (c) A maximum of fifteen (15) minutes shall be allotted for each delegation to present his or her position of support or opposition.

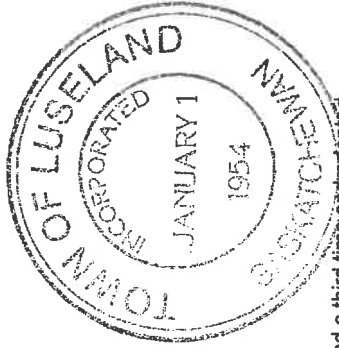
26. The Mayor shall, at the conclusion of fifteen (15) minutes, inform the delegation that the time limit is up.
27. Only upon a motion to extend the fifteen (15) minute limitation adopted by a majority of members shall the time limit be extended.
28. Upon the completion of a presentation to council 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.
29. The Administrator may, after consulting with the Mayor, 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. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator may, after consulting with the Mayor, refuse the request as set out above.
30. If a request to speak to council is refused pursuant to section 29, a copy of the request and reply shall be forwarded to members by the Administrator. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall forward a copy of the request and reply to members.
31. Any member of the public wishing to speak to council on a municipal matter may appear at a council meeting as long as they pre-register with the Administrator prior to 4:30 p.m. on the day of the council meeting so that their name may be placed on a speakers list. In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator may place the names on a speakers list.
32. The total time allowed to speak shall not be more than fifteen (15) minutes per individual or delegation.
33. The Mayor shall, at the first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the councillors a Deputy Mayor who shall hold office until a successor is appointed.
34. If the Mayor, for any reason, is unable to perform the duties of his or her office, the Deputy Mayor shall have all of the powers of the Mayor during the inability.
35. Council shall appoint a member to act as Mayor if:
 - (a) both the Mayor and the Deputy Mayor are unable to perform the duties of his or her office; or
 - (b) the offices of both the Mayor and the Deputy Mayor are vacant.
36. The member to be appointed pursuant to section 35 shall be elected by a majority of the members present.
37. 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.In the event of a temporary absence of the Administrator or the Administrator is unable to act, the Assistant Administrator shall conduct the vote as set out above.
38. The member whose name is on the sheet withdrawn pursuant to subsection 36(d) shall be declared appointed.
39. As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the chair and call the meeting to order. In the absence of the Mayor, the Deputy Mayor shall do so.
40. If neither the Mayor nor Deputy Mayor appear within fifteen minutes of the time appointed, the Administrator or Assistant Administrator shall call the members to order

and, if a quorum is present, a Chair shall be chosen who shall preside until the arrival of the Mayor or Deputy Mayor. As presiding officer, he or she shall have the same authority at the meeting as the Mayor or Deputy Mayor would have had if present.


41. The presiding officer shall preserve order and decorum, shall enforce the provisions of this Bylaw, and shall decide all questions of order, subject to an appeal from the decision of the chair.
42. Immediately after the presiding officer has taken their seat, the clerk shall read the minutes of the previous meeting and any errors or omissions shall be corrected before approval thereof.
43. When the presiding officer is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment, and the rule or authority pertaining to the case shall be cited.
44. When two or more members commence to speak, the presiding officer shall name the member who, in their opinion, spoke first and is entitled to continue.
45. When the presiding officer is putting the question, no member shall walk across or out of the room or make any noise or disturbance. When a member is speaking, no other member shall pass between him and the chair, converse with the chair or interrupt the speaker except to raise a point of order.
46. A member called to order from the chair shall immediately stop speaking, but may afterwards offer an explanation and the council, if appealed to, shall decide the case without debate. If there is no appeal to the council, the decision of the chair shall be final.
47. No person present in the council chamber shall speak disrespectfully of His Majesty the King, any of The Royal Family, the Governor General, Lieutenant Governor, or any official of the Federal or Provincial Government, nor shall they use offensive words in or against the council or any member thereof, nor speak beside the question in debate, nor reflect upon any decision of the council except for the purpose of moving that a motion be rescinded. No person present shall disregard the rules of the council, disobey the decision of the presiding officer or of the council on questions of order or practice, or question the interpretation of such rules of order. If any person shall disobey, they may be ordered by the presiding officer to leave their seat for that meeting, but in case of acceptable apology by the offender, they may be permitted to forthwith resume their seat.
48. Any member may require the question or motion under discussion to be read or stated at any time during the debate, but not so as to interrupt a member while speaking.
49. No member shall speak more than twice on the same question without permission from the chair, except to explain a material part of his speech which may have been misunderstood, and in such explanation no new matter shall be introduced. No member shall speak on any motion to discuss any question for more than five (5) minutes without the permission of the chair.
50. Subject to the vote of the council, business shall in all cases be taken up in the order in which it stands upon the agenda.
51. No seconder shall be required for any motion.
52. When any motion is made it shall be stated by the chair before debate commences. When requested by any member of the council, the mover of a motion shall present same in writing.
53. A motion to refer a question to a special or standing committee shall preclude any amendment to the motion.
54. A motion to adjourn the meeting or to adjourn the debate shall always be in order, but if defeated, no second motion to the same effect shall be made until after some intermediate proceedings shall have been made.
55. When a motion is being debated, no motion shall be received except to refer to it, to amend, to lay on the table, to adjourn, or to move the previous question.
56. Amendments shall be put to a vote in the reverse order in which they are moved. Every amendment shall, when requested by any member, be in writing and shall be voted upon

or withdrawn before the main motion is put to a vote. Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question.

57. After a vote has been called for by the presiding officer, no member shall speak to the question, nor shall any other motion be made until the result of the vote has been declared. The decision of the presiding officer as to whether the question has been finally put shall be final.
58. Upon the adoption of a motion that the council go into informal consideration, the regular presiding officer remains in the chair and the results of the votes taken are decisions of the meeting and recorded in the minutes as if taken during the regular meeting.
59. The rules of the council shall be observed in informal consideration except that:
 - (a) There shall be no recorded vote on any question; and
 - (b) The number of times nor the length of time of speaking on any question shall not be limited.
60. In considering Bylaws, each section shall be separately discussed and approved or otherwise, in the order in which it appears.
61. Bylaw No. 2021-02 and all amendments thereto are hereby repealed.
62. This bylaw shall come into force and take effect on October 11, 2022.



Read a third time and adopted
This 11th day of October 2022.


Administrator


Mayor


Administrator

Certified true copy of Bylaw 2022-07

adopted by resolution of Council

on the 11th day of October, 2022


Administrator