

CITY OF WEYBURN
BYLAW NO. 2018-3390
(Consolidated)

A BYLAW OF THE CITY OF WEYBURN TO GOVERN
AND REGULATE THE PROCEEDINGS OF THE
COUNCIL OF THE CITY OF WEYBURN

WHEREAS Section 8 of *The Cities Act*, S.S. 2002, c.C-11.1, provides, in part, as follows:

“8 A city has a general power to pass any bylaw for city purposes that it considers expedient in relation to the following matters respecting the city:
(a) the peace, order and good government of the city;”

AND WHEREAS Section 6 of *The Cities Act*, S.S. 2002, c.C-11.1, provides, in part, as follows:

“6 The power of a City to pass bylaws is to be interpreted broadly for the purposes of:
(a) providing a broad authority to its council and respecting the council’s right to govern the city in whatever manner the council considers appropriate, within the jurisdiction provided to the council by law;”

AND WHEREAS Section 55 of *The Cities Act*, S.S. 2002, c.C-11.1, provides as follows:

“55 A council may:
(a) establish council committees and other bodies and define their functions; and
(b) establish:
(i) the procedure and conduct of council, council committees and other bodies established by the council; and
(ii) rules for the conduct of councillors, of members of council committees and of members of other bodies established by council.”

AND WHEREAS it is deemed expedient and in the public interest to establish rules and provisions for the conduct of business in Council meetings and meetings of the committees to control and maintain order;

NOW THEREFORE, THE COUNCIL OF THE CITY OF WEYBURN ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the “Procedure Bylaw”.

DEFINITIONS

2. In this Bylaw:
 - (a) “Act” means *The Cities Act*, S.S. 2002, C.c-11.1
 - (b) “Agenda” means the list of items for any meeting of Council or Committee of City Council.
 - (c) “Amendment” means an alteration of a main motion or an amendment by substituting, adding or deleting a word or words without materially altering the basic intent of the motion.
 - (d) “City” means the Municipal Corporation of the City of Weyburn.

- (e) “Committee” means a committee, board, or other body duly appointed by Council.
- (f) “Committee of the Whole” means members present at a meeting of Council sitting in committee.
- (g) “Consent Agenda” is a listing of routine reports which are normally for information purposes or matters for approval that are included in current budgets.
- (h) “Councillor” means a term used to address members in committee and Council meetings.
- (i) “Deputy Mayor” means the member who is appointed by Council, pursuant to Section 7 of this Bylaw, to act as Mayor in the absence or incapacity of the Mayor.
- (j) “Council” means the Mayor and Councillors of the City for the time being, elected pursuant to the provisions of Section 11 of *The Local Government Election Act*.
- (k) “Member of Council” shall mean the Mayor or a Councillor.
- (l) “Motion to Receive” means a motion which is made for the purpose of acknowledging the particular item, report, or recommendation under consideration, and of having the item, report, or recommendation placed in the records of the City Clerk for future reference, with no additional action being taken at the present time.
- (m) “Motion (substantive or main)” means a formal proposal placed before a meeting in order that it may be debated to a conclusion, and is any motion, except a motion to
 - i) refer
 - ii) amend
 - iii) table, or
 - iv) adjourn
- (n) “Motion (subsidiary)” means one that assists in treating or disposing of a main motion.
- (o) “Point of Order” means the raising of a question by a member, with the view of calling attention to any departure from the Procedure Bylaw or the customary modes or proceedings in debate, or in the conduct of the Council’s business.
- (p) “Point of Procedure” means a question directed to the Chairman to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, in order to assist a member to make an appropriate motion, raise a point of order, understand the parliamentary situation or the effect of a motion.
- (q) “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 Act
 - (ii) *The Planning and Development Act*
 - (iii) any other Act; or
 - (iv) a resolution or bylaw of Council

- (r) “Question of Privilege” is the raising of a matter by a member:
 - (i) which occurs while the Council is in session, where:
 - a) the rights, privileges, decorum, or dignity of the Council collectively or the rights and privileges of a member individually have been affected;
 - b) a member believes their comments have been misunderstood or misinterpreted by another member or members; or
 - c) a member believes that another member has spoken disrespectfully toward them or the Council.
 - (ii) when a member believes that comments made by the member outside the Council Chamber have been misrepresented or misunderstood by the community, the public or the news media in order to clarify his or her position.
- (s) “Quorum” is
 - (i) in the case of Council, a majority of the whole Council;
 - (ii) in the case of a committee, a quorum shall be a majority of the members of the committee.
- (t) “Resolution” means a formal determination made by Council or a committee on the basis of a motion, duly placed before a regularly constituted meeting of Council or a committee for debate and decision, and is duly passed.
- (u) “Special Meeting” means a meeting other than a regular scheduled meeting called pursuant to Section 97 of the Act or the provisions of this bylaw.
- (v) “Strategic Planning and Priorities Committee” means a standing committee of all members of Council charged with setting and monitoring the Cities’ Strategic Plan and setting Council priorities for direction to the City Manager and staff.
- (w) “Unfinished Business” means business which has been raised at the same, or a previous meeting, and which has not been completed.
- (x) Words importing male persons include female persons, and singular reference includes plural reference.

INTERPRETATION

- 3. 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.

APPLICATION

- 4. This Bylaw applies to all meeting of Council and Standing Committees thereof.
 - (1) When any matter relating to proceedings arises which is not covered by a provision of this Bylaw, *Robert’s Rules of Order*, current edition, shall govern.
 - (2) In the event of any conflict between the provisions of this Bylaw and those contained in any of the authorities set out above, the provisions of this Bylaw shall apply.

- (3) Subject to Subsection 4(1) of this Bylaw, any ruling of the Mayor or the Committee Chairman or other presiding member shall prevail, subject, however, to the appellate jurisdiction of Council or the Committee.

MEETINGS OF COUNCIL

5. Regular Meetings

- (1) Regular meeting of Council shall be held in the Council Chamber at City Hall, on the second and fourth Monday of every month at the hour of 6:00 p.m. unless otherwise directed by Council by resolution at a preceding Council meeting, or unless such day is a public or civic holiday, in which case the Council shall meet at 6:00 p.m. on the next following day unless otherwise directed by resolution of Council at a preceding Council meeting.
- (2) Notwithstanding the foregoing, Council may, by resolution, dispense with the holding of a regular meeting of Council.
- (3) A City Council meeting or committee meeting, may be conducted via telephonic, electronic or other communication method in accordance with section 99 of *The Cities Act*.
- (4) Members participating in a Council meeting held by means of a communication facility are deemed to be present at the Council meeting.

6. Special Meetings

- (1) The City Clerk shall call a special meeting of Council, whenever requested to do so, in writing, by the Mayor or a majority of the members. Such written request shall include all items of business to be transacted.
 - (i) If the City Clerk position is vacant or the Clerk is unable to act for any reason, the City Manager would be designated to fulfill the duties of the City Clerk in calling a special meeting.
- (2) When a special meeting is to be held, the City Clerk shall provide written notice of the time, date, and place of the meeting to all members and the general public at least twenty-four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting, and the notice may be delivered personally or left at the usual place of business or residence of each member.
- (3) The Mayor may call a special meeting on any shorter notice, either verbal or written, that he considers sufficient, if all members give their consent, in writing, to the notice before the commencement of the meeting.
- (4) No business, other than stated in the notice, shall be transacted at a special meeting, unless all the members are present, in which case, by unanimous consent, any other business may be transacted.

APPOINTMENT OF DEPUTY MAYOR DUE TO VACANCY

7. (1) City Council shall, from time to time, appoint a Councillor to be Deputy Mayor and such appointment shall continue for a term of two (2) months or until a successor is appointed.
- (2) The Deputy Mayor shall exercise the authority and carry out the duties

prescribed by law.

- (3) If, for any reason, the Deputy Mayor is absent from a Council meeting and is unable to perform the duties of the Mayor in his absence, the member of Council next designated to be Deputy Mayor shall be the Deputy Mayor.

APPOINTMENT OF MAYOR

8. (1) Subject to the provisions of the Act, when a vacancy arises in the office of the Mayor, the Council shall, at its next meeting, appoint a member to act as Mayor.
- (2) The member to be appointed, pursuant to Subsection (1), shall be elected by a majority of the members present.
- (3) Where on the addition of the ballots, two members have an equal number of votes, the City Clerk shall:
 - (i) write the names of those members separately on blank sheets of paper of equal size, color and texture;
 - (ii) fold the sheets in a uniform manner so the names are concealed;
 - (iii) deposit them in a receptacle, and direct a person to withdraw one of the sheets;
 - (iv) the member whose name is on the sheet withdrawn, pursuant to clause (iii), shall be declared elected.

AGENDAS

9. (1) The City Clerk shall prepare the agenda for all regular and special meetings of Council.
- (2) The City Clerk shall ensure copies of the agenda plus supporting documentation are distributed to each member of Council and City Administration entitled to receive copies at least forty-eight hours preceding the meeting of Council for which it was prepared.
- (3) The City Clerk shall ensure that the agenda is made available to the news media, and posted at City Hall.
- (4) Administration to advise the City Clerk by 12:00 p.m., Monday, seven (7) days preceding the Council Meeting, of items which are to appear on the Council agenda.
- (5) Subject to other provisions of this Bylaw, every communication, notice of motion, petition, reports, summaries of delegations, or other written application must be submitted, in writing, to the City Clerk at least three clear days (excepting holidays, Saturdays and Sundays) preceding the meeting of Council at which it is desired to be presented to Council.
 - (i) Communications addressed to Mayor and Council and received by 9:00 a.m. on the Thursday in the week preceding the meeting of Council, will be placed on the agenda.
 - (ii) All communications to be dealt by Council, with exception of e-mail transmissions, are to be duly signed.
- (6) Only the material which has been received by the City Clerk by the time set out in Subsection 9(5) of this Bylaw shall be considered at the meeting for which the agenda is prepared unless Council, by majority vote, permit additional material on the agenda.

- (7) No item of business placed on an agenda of a committee or Council meeting shall be discussed publicly by the City Administration, any member, or the news media until after the item has been considered by Council.
- (8) Subsection 9(7) shall not apply if the item was previously considered in a public committee meeting prior to being submitted to Council, or if the appropriate committee authorizes its release, or a spokesperson has been appointed to speak on the issue.

COMMENCEMENT OF A COUNCIL MEETING

- 10. (1) At the hour set for the meeting, or as soon as there shall be a quorum present, the Mayor, or in his absence, the Deputy Mayor, shall take the Chair and call the members to order, and shall preside over the meeting until the end of the meeting, or until the arrival of the Mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.
- (2) If a quorum is not present fifteen (15) minutes after the time appointed for the meeting, the City Clerk 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.
- (3) Subject to Section 119 of the Act, or any other statutory provision, if at any meeting the number of members is reduced to less than the number required for a quorum, Council shall stand adjourned.
- (4) Any unfinished business remaining at the time of the adjournment, due to the loss of the quorum, shall be considered at the next regular meeting, prior to New Business, or it shall be the agenda for a special meeting called for that purpose.

ADJOURNMENT

- 11. (1) A motion to adjourn the meeting may be made at any time, and if seconded, the motion must be put immediately without debate. If the motion to adjourn is passed by a majority of the members present the meeting shall stand adjourned, provided that after the hour of nine (9:00) o'clock p.m., the Council being in session, a motion to adjourn, in order to carry, need be supported by only two members of Council.
- (2) Any business which appears on the Council agenda, and which has not been dealt with at the time of adjournment, shall be deemed to be tabled until the next regular meeting of Council, or until a special meeting is called for the purpose of dealing with the unfinished items.

ORDER OF BUSINESS

- 12. (1) The following shall be the general order of business of every regular Council meeting:
 - (i) Adoption of the Minutes
 - (ii) Additions to Agenda
 - (iii) Public Hearings/Notices
 - (iv) Delegations, Proclamations and Petitions
 - (v) Reports of Standing Committees
 - (vi) Consent Agenda
 - (vii) Motions
 - (viii) Introduction of Bylaw

- (ix) Unfinished Business
 - (x) New Business
 - (xi) Inquiries and Announcements
 - (xii) Notice of Motion
 - (xiii) Adjournment
- (2) The business shall, in all cases, be taken up in the order in which it stands on the agenda, unless otherwise determined by majority consent of the members present.

CONDUCT OF COUNCIL MEETINGS

13. (1) All meetings of Council shall be held openly, and no person shall be excluded, except for improper conduct.
- (2) Notwithstanding Subsection (1), City Council may, by resolution, close all or part of a meeting to the public if a matter to be discussed at that meeting is within one (1) of the exemptions listed in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*
- (3) Where City Council resolves to close a portion of a meeting to the public, all persons shall be excluded from the meeting except:
- (i) the members of City Council;
 - (ii) the City Manager, the City Clerk and such other members of City Administration as the members of City Council may deem appropriate;
 - (iii) such members of the public as may be allowed to attend by the presiding officer.
- (4) Where City Council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the City Clerk shall record in the minutes thereto:
- (i) the time the in-camera portion of the meeting commenced and concluded;
 - (ii) the names of the parties present; and
 - (iii) 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) The Mayor, or in his absence, the Deputy Mayor shall preside at all meetings of Council, and shall preserve order and enforce the rules of Council.
- (6) Subject to being overruled by a majority vote of members, which vote shall be taken without debate, the Mayor or presiding member
- (i) shall maintain order and preserve decorum of the meeting;
 - (ii) shall decide points of order without debate or comment, other than to state the rule governing;
 - (iii) shall determine which member has a right to speak;
 - (iv) shall ascertain that all members who wish to speak on a motion have spoken thereon, and that the members are ready to vote by asking the question, "Are you ready for the question?" and shall thereafter put the vote;
 - (v) shall rule when a motion is out of order; and
 - (vi) may call a member to order.
- (7) The Mayor, or presiding member, may leave the Chair for the purpose of taking part in the debate, or for any other reason, and in such case he shall call on the Deputy Mayor or in his absence, the Deputy Mayor

next in rotation, to take his place until he resumes the Chair.

- (8) Members of the public who constitute the audience in the Council Chamber during a Council meeting
 - (i) may not address Council without permission of the Council;
 - (ii) shall maintain order and quiet;
 - (iii) shall not applaud, or otherwise interrupt, any speech or action of the members, or any other person addressing Council;
 - (iv) shall not display or have in their possession, picket signs or placards which would distract the proceedings or interfere in the decorum of Council.
- (9) The Mayor or presiding member, may, at any meeting, cause to be expelled, any person who creates any disturbance or acts improperly during a meeting.
- (10) When members wish to speak at a Council meeting, they shall raise their hand and shall obtain the approval of the Chairman before doing so, and upon approval the member shall address all comments to the Chairman of the Council meeting.
- (11) When members are addressing the Chairman, every other member shall:
 - (i) remain quiet and seated;
 - (ii) not interrupt the speaker, except on a point of order;
 - (iii) not carry on a private conversation which disturbs the member speaking; and
 - (iv) not cross between the speaker and the Chairman.
- (12) When members are addressing the Chairman, they shall:
 - (i) not speak disrespectfully of Her Majesty the Queen, or official representatives of her government;
 - (ii) not use offensive words in referring to any member, or to any official of the City, or member of the public;
 - (iii) not reflect on any vote of Council, except when moving to rescind it, and when so doing, shall not reflect on the motives of the members who voted for the motion, or the mover of the motion;
 - (iv) not shout or immoderately raise their voice or use profane, vulgar, or offensive language.
- (13) When members wish to leave the Council Chamber while a meeting of Council is in progress, they shall rise and be acknowledged by the Mayor or presiding member before leaving their place.
- (14) No member shall leave the Council Chambers after a question is put to a vote, until the vote is taken.
- (15) When the Council adjourns or recesses, the Mayor shall have precedence in the Council Chamber, and no other members shall leave their place until the Mayor or presiding member leaves the Chair, or otherwise indicates that the meeting is adjourned or recessed.

POINTS OF ORDER, PROCEDURE AND QUESTIONS OF PRIVILEGE

14. (1) Whenever any point of order, point of procedure, or question of privilege arises, it shall be immediately dealt with.

- (2) Whenever a question of privilege arises, the Chairman shall rule upon the admissibility of the question, and if the Chairman rules favorably, the member who raised the question of privilege shall be permitted to pursue the said question.
- (3) When the Chairman is called upon to decide a point of order or to answer a point of procedure, the point shall be stated without unnecessary comment, and the Chairman shall state the rule or authority applicable in the case.
- (4) When a point of order is raised, or when a member is called to order from the Chair, the member speaking shall immediately cease speaking until the Chairman has decided the point raised.
- (5) The member raising a point of order may be granted permission to explain the point.
- (6) Whenever the Chairman is of the opinion that any motion offered to Council is contrary to the rules of Council, he shall advise the members thereof immediately, and quote the rule or authority applicable, and no argument or comment shall be permitted.
- (7) The decision of the Chairman shall be final, unless a challenge is made pursuant to Subsection 15(1).

CHALLENGE TO THE CHAIR

15. (1) Whenever a member wishes to challenge the ruling of the Chairman:
 - (i) the Motion of Appeal, "That the decision of the Chair be overruled" shall be made;
 - (ii) the member may offer a brief reason for the challenge;
 - (iii) the Chairman may state the reason for the decision;
 - (iv) following which the question shall be put immediately without debate.
- (2) The Chairman shall be governed by the vote of the majority of the members present, and the names of the members voting for or against the motion shall be recorded in the minutes.
- (3) If the Mayor or presiding member refuses to put the question, "That the decision of the Chair be overruled", the Council shall forthwith request the Deputy Mayor, or in his absence, the next Deputy Mayor by rotation, to proceed from the floor, if necessary, in accordance with Subsection (1).
- (4) Any resolution or motion carried under the circumstances mentioned in Subsection (3) is effectual and binding as if carried under the chairmanship of the Mayor.

CALLING A MEMBER TO ORDER

- 16 (1) When the Mayor or presiding member calls a member to order, the member may explain his position in making the remark for which he was called to order.
- (2) In the event that a member ignores the call to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, the next Deputy Mayor in rotation to move a resolution to remove the unruly member either:
 - (i) for the balance of the meeting;
 - (ii) until a time which shall be stated in the motion; or

- (iii) until the member makes an apology acceptable to Council for his unruly behavior

whichever shall be the shortest time.

- (3) When the majority of Council votes in favor of the resolution, the Mayor or presiding member shall call for a motion to recess during which time the City's police service will be contacted to attend and remove the unruly member from the Council Chamber.
- (4) When Council has directed an unruly member to leave the Council Chamber, and the member so directed 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 his place if he has not left or been removed, or to retake his place.

MOTIONS IN COUNCIL

- 17. (1) A motion shall be worded in the affirmative and shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- (2) A motion is not properly before Council and shall not be considered unless it has received a seconder except:
 - (i) When Council is in Committee of the Whole in which case the motion only requires a mover.
 - (ii) When the motion is an appeal of the decision of the Chairman only a mover is required.
- (3) Once a main motion respecting any subject on the agenda has been adopted by Council, as presented or as amended, the subject shall be closed and no further motions shall be accepted with respect to that item of business.
- (4) Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- (5) After a motion has been moved and seconded, it is the property of Council and may not be withdrawn without the permission of the mover and seconder.
- (6) When a motion has been introduced and is before Council, no member may make any other motion, except a motion to:
 - (i) amend a motion
 - (ii) withdraw a motion
 - (iii) refer the main question to some other person or group for consideration
 - (iv) table the main question
 - (v) adjourn the meeting
- (7) A member moving a motion to table any matter, whether the matter is contained in a petition, inquiry, motion, or other matter before Council, shall include in the tabling motion the time at the present meeting, or the date of a future regular or special meeting to which the matter is to be tabled.
- (8) A motion to table a matter shall not be debated, except as to the time when Council will again consider the matter.

- (9) A matter which has been tabled to a particular date shall not be again considered by Council before the date set, except on a majority vote of all members.
- (10) When dealing with the subject matter of a motion where a committee has been appointed for that purpose, or a City department or official would normally deal with such matters, Council may refer the question before it to the appropriate committee of Council, or the City Manager.
- (11) A motion to receive shall not be debatable and indicates no action other than the item becomes a part of the corporate record.
- (12) A motion to receive and place under New Business will generally apply to items presented by Delegations.
- (13) 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. The substantive issue of the item being referred shall not be debated.
- (14) A member making a referral motion generally should include in the motion the terms on which the motion is being referred, and the time when the matter is to be returned.
- (15) If a referral motion to the City Manager does not contain the terms on which the motion is being referred and the time when the matter is to be returned, the motion of referral shall be deemed to be for appropriate action by the City Manager.
- (16) When it appears to the City Manager, the City Clerk or any other authorized City official that a matter before the City Council should be referred to the administration, they shall, at the meeting, request that Council refer the matter to the administration and shall provide a very brief explanation as to why the referral should be made.
- (17) Notwithstanding Subsection (11), or anything elsewhere contained in this Bylaw, a member, after a motion has been made and seconded, may, with the consent of Council, on his own initiative while he is speaking on the same, or, 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.
- (18) 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.

MOTIONS CONTAINING DISTINCT PROPOSITIONS

18. (1) A motion containing several distinct propositions is not out of order for that reason alone.
- (2) Where a motion contains two or more propositions, and when a member so requires, or the Mayor or presiding member so orders, Council shall vote on each proposition separately.

MOTION TO ADJOURN

19. (1) A member may move a motion to adjourn a meeting at any time, except when:

- (i) another member is in possession of the floor
 - (ii) a call for a recorded vote has been made
 - (iii) the members are voting
 - (iv) Council is in Committee of the Whole, or
 - (v) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.
- (2) A motion to adjourn shall be put without comment or debate.
- (3) After the hour of 9:00 p.m., the Council being in session, a motion to adjourn, in order to carry, need be supported by two members only.

MOTION OUT OF ORDER

20. (1) When the Mayor or presiding member decides a motion is out of order, he shall so advise Council, and shall cite the rule or authority applicable thereto.
- (2) Any member may appeal the ruling of the Chairman, pursuant to Section 15 of this Bylaw.

AMENDMENTS

21. (1) While a motion is under discussion by Council, a member may not move an amendment which:
- (i) does not relate to the subject matter of the principal motion, or
 - (ii) is directly contrary to the principal motion.
- (2) The Mayor or presiding member shall allow only one amendment at a time to the principal motion before Council, and only one amendment to that amendment may be allowed at a time.
- (3) The Mayor or presiding member shall not put the principal motion under debate until all amendments to it have been put and voted upon.
- (4) The Mayor or presiding member shall put amendments in the reverse order to which they have been moved.
- (5) When all amendments are voted upon, the Mayor or presiding member shall put the principal motion, incorporating any amendments already adopted thereto.

DEBATE ON MOTION

22. (1) No member may speak more than twice on any motion, except under the following circumstances:
- (i) when members feel they have been misquoted or misunderstood, they may, after receiving permission from the Mayor or presiding member to speak, explain a part of the speech, but may not introduce any new matter, and there shall be no debate on the explanation.
 - (ii) before the debate has been closed, and the question called, provided no other member has the floor, a member may, during the debate:
 - (a) ask a question which relates directly to the debate, contains no argument, and introduces no new material on the motion, or

- (b) request that the motion, or a part thereof, be read aloud.
 - (iii) following debate by members, the mover of a motion shall be entitled to close debate.
 - (i) At the discretion of the Mayor or presiding member, a member may speak more often than twice on any motion providing majority consensus of Council is obtained.
- (2) When the Mayor or presiding member wishes to make a motion or participate in the debate, he shall vacate the Chair and request the Deputy Mayor, or the member of Council next designated if the Deputy Mayor is not in attendance, to take the Chair and the Mayor or presiding member may remain out of the Chair until the motion has been dealt with.
 - (3) When the Mayor or presiding member determines the debate closed, the motion shall be put to a vote without further discussion or debate.
 - (4) When the motion has been declared put, no member shall debate further on the question or speak any words except to request that the motion be read aloud.
 - (5) It shall be the duty of the Mayor or presiding member to determine what motions or amendments are in order, subject to an appeal to Council, and decline to put any motion before Council which he deems to be clearly out of order or contrary to law.

VOTING ON MOTIONS

- 23. (1) A question or motion shall be declared lost when it:
 - (i) does not receive a majority vote
 - (ii) does not receive the required number of votes, or
 - (iii) receives an equal division of votes.
- (2) Members, who shall be present in the Council Chamber when a question is put, shall vote thereon by show of hands, unless they have a pecuniary interest in the question, provided such interest is one which prevents such members from voting by reason of the provisions of Part VII of the Act or any other applicable law.
- (3) Where members have such an interest in any question or matter that comes before Council, they shall immediately disclose their interest in that question or matter, and shall not participate in discussion nor vote on the matter and shall leave the Council Chamber.
- (4) No member shall attempt in any way, whether before, during, or after the meeting, to influence the voting on any question involving a matter in which he has an interest.
- (5) If a member abstains from voting on a matter, for which that member is not required or permitted to abstain from voting, the member shall be deemed to have voted in the negative.
- (6) The City Clerk shall record the members voting for a motion and voting against a motion where, prior to the vote being taken:
 - (i) a member requests that a recorded vote be taken on division, or
 - (ii) the Mayor or presiding member directs that a recorded vote be taken on division.
- (7) Once the City Clerk has recorded the vote on a division, no member shall change his vote without the unanimous consent of the other members present.

- (8) Whenever a statute or regulation of the Province of Saskatchewan, this or any other Bylaw of the City requires a designated majority greater than a simple majority to pass a motion on any matter, the motion may not be rescinded or amended by less than the majority required by the statute, regulation, or bylaw.
- (9) When a recorded vote is taken, a member shall vote separately but, in every other case, the decision of Council shall be expressed by a show of hands.

RECONSIDERING AND RESCINDING A MOTION

- 24. (1) When members wish Council to reconsider, alter or rescind any motion passed at a previous meeting, they shall bring the matter before Council by a Notice of Motion, which shall:
 - (i) be given at a duly called meeting preceding the meeting at which they wish to reconsider the matter,
 - (ii) specify the future meeting at which the proposed matter is to be considered by Council, and
 - (iii) indicate in the substantive portion of the motion the action which they propose that Council shall take on the matter.
- (2) Upon approval of the notice of motion to reconsider at a future meeting:
 - i) the City Clerk shall place on the agenda all relevant material related to the subject being reconsidered.
 - ii) Council may then consider the matter without being encumbered by its previous resolution.
- (3) Council may reconsider a matter passed at a previous meeting, sooner than specified by Subsection (1), if the motion to waive notice and reconsider the subject immediately is passed by a unanimous vote of the members present and the member introducing the motion has provided all the members of Council and the City Clerk with a copy of the resolution of Council and supporting documentation that is to be reconsidered.
- (4) When Council wishes to reconsider any action taken on the subject matter of any motion passed at the same meeting, a member may move to reconsider the matter, and if a majority of the members vote for reconsideration, the matter may again be dealt with at the same meeting.
- (5) Notwithstanding anything provided in this section, where pursuant to any motion duly passed by Council, the City has a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind, or replace the motion, except to the extent that it does not attempt to avoid or interfere with the liability or obligation.
- (6) A motion to reconsider shall be debatable provided it relates to a subject which is itself debatable, but shall be limited to whether it is in the best interests of the Council to reconsider the decision already made by the Council.
- (7) No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

PROCEDURE RESPECTING BYLAWS

25. (1) No bylaw shall be introduced in blank or in an imperfect form.
- (2) Every bylaw shall have three (3) readings.
- (3) A bylaw shall be passed when a majority of the members present and voting on the third reading vote in favor of the bylaw, provided the Act, some other applicable provincial statute or City bylaw does not require a greater majority.
- (4) Any bylaw introduced for first reading shall be read aloud except where the proposed bylaw has been type-written and made available to each member of Council at least twenty-four (24) hours before the meeting at which the first reading of the bylaw takes place.
- (5) Council shall vote on the motion for first reading of a bylaw without amending or debating the motion.
- (6) If a member does not elaborate on the subject matter of the bylaw or phrase his question so as to set out his opinion for or against the bylaw, notwithstanding the provisions of Subsection (5), he may ask a question or questions concerning the bylaw.
- (7) After a member has made a motion for second reading of a bylaw, Council may debate the substance of the bylaw and propose and consider amendments to the bylaw.
- (8) A proposed amendment shall be put to a vote and, if carried, shall be considered as having been read a first time and incorporated in the bylaw.
- (9) Council may, after first reading of the bylaw, go into Committee of the Whole to debate it.
- (10) The City Clerk shall be responsible for keeping a record of any amendments to a bylaw passed by Council, and amendments reported by Committee of the Whole.
- (11) If Council is in Committee of the Whole for the purpose of debating the bylaw, and when all amendments have been accepted or rejected, Committee of the Whole shall rise and report its deliberations to Council. Council may then adopt the recommendations of the Committee of the Whole which may include amendments to the bylaw.
- (12) When all amendments have been accepted or rejected, a motion for second reading of the bylaw, as amended, shall be put.
- (13) Any bylaw which requires the approval of a department of the provincial government prior to third reading, in accordance with the provisions of the Act or any other Act, shall receive only two readings and be forwarded to the province for approval, upon receipt of which the bylaw shall then be passed by Council.
- (14) A bylaw shall not be given more than two readings at one meeting except by the unanimous consent of the members present at the meeting.
- (15) If unanimous consent for the bylaw to go to third reading at the meeting is not obtained, the bylaw will be brought forward to a subsequent meeting of Council, at which time an affirmative vote of a majority of Council is required to pass the bylaw.

- (16) It shall not be necessary to read a bylaw aloud for third reading, and any amendments passed to the bylaw shall be assumed to be incorporated into the bylaw on third reading, at which stage the bylaw comes into force and takes effect unless the bylaw specifies otherwise.
- (17) A bylaw may be amended at third reading, providing the amendment is of a minor nature and provided the bylaw has not received any statutory approvals.
- (18) The City Clerk shall be empowered to correct any typographical error that may not have been corrected at time of submission to Council and the bylaw shall have the same status as if Council had corrected same.
- (19) When a bylaw has been given three readings by Council, it becomes a municipal enactment of the City, and is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.
- (20) Every bylaw which has been passed by City Council shall be numbered, dated, signed by the Mayor or by the member presiding at the meeting at which the bylaw was passed, and by the City Clerk, affixed with the corporate seal, kept in safekeeping by the City Clerk, and shall have a separate index prepared therefore.

NOTICES OF MOTION

26. (1) A member, in presenting a notice of motion, shall only include in the notice a Resolve Clause(s) with no preamble or whereas clauses. If the notice includes preamble or whereas clauses the notice shall be included on the agenda, but the official minutes of the meeting shall only record the Resolve Clauses.
- (2) A member introducing a notice may provide with the notice an explanatory memo explaining the notice, however, the memo shall not form part of the official records.
- (3) A Notice of Motion shall be presented to the City Clerk in writing, which shall be duly signed by the member, and include the exact motion proposed.
- (4) A modification of the Notice of Motion, included in the Council agenda, is permitted provided the amended notice does not exceed the scope of the original notice.

AGENDA ADDITIONS - BY MEMBERS OF COUNCIL

27. (1) A member may request the addition of a report, communication, delegation or motion which is in writing, to the agenda, if the matter is of urgent public importance, and which is not on the agenda, without prior notice to the City Clerk.
- (2) Council may, by unanimous consent of the members present, agree to consider such a matter of urgent business.

INQUIRIES

28. (1) Under the order of business entitled "Inquiries and Announcements", members of City Council may:
 - (i) ask questions of City Administration respecting the affairs of the City of Weyburn, provided that such questions may be

- answered directly, without research; or
 - (ii) submit questions for response by the appropriate department respecting the affairs of the City of Weyburn.
- (2) Inquiries may express an opinion, reason, or explanation and shall be brief and to the point.
- (3) The City Manager shall promptly prepare, or cause the preparation of, an answer to all enquiries submitted pursuant to subsection (1), which information shall be provided to members of City Council at the next regular meeting of City Council or the next meeting that is practical
- (4) Members, at their discretion, may make inquiries during Council meetings.
- (5) Media or public requests for clarification can be asked during the allotted agenda time on any items discussed or decisions made during the current Council meeting, and the time allowed for such an inquiry (including follow up questions) cannot exceed five (5) minutes, including response time.

CLOSED SESSION

- 29. (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.
- (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 City Manager, the City Clerk 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 City Clerk 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 pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act*, except to provide direction to the City Manager or the City Solicitor.
- (6) No business other than that described within the resolution pursuant to subsection 29 (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.

ORDER OF PROCEEDING IN COMMITTEE OF THE WHOLE

30. (1) Whenever it shall be moved and carried that the Council go into Committee of the Whole, the Mayor shall leave the Chair, and the Deputy Mayor shall act as Chairman of the Committee of the Whole, maintaining order therein, and reporting the proceedings back to Council.
- (2) If the Mayor is absent, necessitating the Deputy Mayor presiding over the Council, the Deputy Mayor shall appoint some other member present to act as Chairman of the Committee of the Whole.
- (3) The rules of Council shall be observed in Committee of the Whole, so far as may be applicable, except that no motion is required to be seconded, nor shall a motion for an adjournment be allowed, nor shall any member be limited to the number of times he may speak on any question.
- (4) Questions of order arising in Committee of the Whole shall be decided by the Chairman, subject to an appeal to the Council, and if any sudden disorder should arise in the Committee, the Mayor or other presiding officer will resume the Chair without any motion being put.
- (5) On motion in the Committee of the Whole to rise and report, the question shall be decided without debate; provided that after the hour of nine (9:00) o'clock p.m., the Committee of the Whole being in session, a motion to rise and report, in order to carry, need be supported by only two (2) member of the Council.
- (6) A motion in Committee of the Whole to rise without reporting, or that the Chairman leave the Chair, shall not be permitted.

RECESS

31. (1) The Council may recess at anytime during the meeting.
- (2) A motion to recess shall be seconded and must state the duration of the recess, and must be passed by a majority of the members present.
- (3) The Council may reconvene sooner than the time mentioned in the motion of recess, but must not reconvene later than 15 minutes after the time specified for reconvening or the meeting shall be deemed to be adjourned due to a lack of quorum
- (4) Upon reconvening the meeting, Council shall deal with the next listed agenda item following that considered prior to the recess unless a motion to alter the agenda is passed.

COUNCIL NOT EMPOWERED TO DIRECT

32. Except as provided by Statute or by Bylaw, no member of Council shall have power to direct the functioning of any Department of the City in any respect except under direction of Council.

STANDING COMMITTEES

33. (1) The following committee will be a Standing Committee consisting of all members of City Council with the members of the committee to select the Chairman, or in his/her absence, the Deputy Chair or a Chairman appointed by the members present is hereby established:
 - i. Strategic Planning and Priorities Committee

- (2) Meetings of the Strategic Planning and Priorities Committee shall be held in the Council Chamber at City Hall, on the second and fourth Monday of every month at 5:00 p.m., unless otherwise directed by Council by resolution at a preceding meeting, or unless such day is a public or civic holiday, in which case the Strategic Planning and Priorities Committee shall meet on the next following day unless otherwise directed by resolution of Council at a preceding meeting.
- (3) The rules of procedure for Council shall not apply to the proceedings of the Standing Committees and will be considered to be relaxed rules of procedure for this meeting as follows:
 - (i) members can speak as often as they can politely obtain the attention of the other members.
- (4) Minutes will be taken and the Chair of the Committee will report to Regular Council with any recommendations for consideration or adoption by Council.
- (5) Exemptions as outlined in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*, as outlined in Schedule "A" attached to this bylaw, shall be followed in preparing the agenda for the Standing Committee meeting.

DELEGATIONS

34. (1) Delegations wishing to appear before Council or a Standing Committee shall make application to the City Clerk at least three clear days (excluding holidays, Saturdays and Sundays) prior to the meeting. The application shall be accompanied by a detailed brief of the subject the delegation wishes to place before Council. Before placing the matter on the Agenda the City Clerk shall obtain the permission of the Mayor or Deputy Mayor.
- (2) Spokespersons for any one delegation shall be limited to three and the total time allowed for any one delegation to make its presentation shall be not more than fifteen minutes, and then avail themselves to questions from members of City Council.
- (3) Issues, recommendations or requests received from a delegation are not normally addressed by the Council or Standing Committee (especially where the matter is being addressed for a first time) during the meeting at which the delegation is present; however, the requests may be referred to Administration or a Council Committee for a report.
- (4) 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.

APPOINTMENTS TO COMMITTEES, BOARDS AND OTHER BODIES

35. (1) Whenever there is a requirement for the appointment of any person or persons to any Committee or Board, the Mayor shall, after due consultation, place before Council the name or names of the person or persons to be appointed and the appointment and terms thereof shall be subject to the approval of Council.
- (2) The term of appointment will be according to the Terms of Reference for the committees, boards or other bodies or if not applicable, will be confirmed annually by resolution of Council.
- (2) The Mayor shall be an ex officio member of all Committees.

- (3) Members of Council may attend the meetings of City appointed Committees on which they are not placed, but shall not take part in the proceedings of the same, except by the permission of the majority of the members of the Committee.

YOUTH MEMBER APPOINTMENT

- 36. (1) Council, at its sole discretion may appoint or remove Youth Members to City Council from time to time under Section 56.1 of *The Cities Act*.

PROCEDURE FOR REPEALING OR AMENDING THIS BYLAW

- 37. (1) This Bylaw shall not be repealed or amended, nor shall it be suspended, except so far as its terms may permit, other than:
 - (i) By bylaw unanimously passed at a regular or special meeting of the Council at which all the members thereof are present; or
 - (ii) By bylaw passed at a regular meeting of the Council in pursuance of a notice in writing given and openly announced at the next preceding regular meeting of the Council, setting forth the terms or substantial effect of the proposed bylaw, as well as providing for public notice as described in the City Public Notice Policy or any other applicable legislation.

REPEAL OF FORMER BYLAW

- 38. Bylaw No. 2017-3371 is hereby repealed.

READ a first time this 26th day of November, A.D., 2018.

READ a second time this 10th day of December, A.D., 2018.

READ a third time this 10th day of December, A.D., 2018, and passed

MAYOR

CITY CLERK

SCHEDULE "A" TO CITY OF WEYBURN BYLAW NO. 2013-3291

List of Exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*

The following information is confidential and the proceedings of City Council or any committee of Council may be held in-camera for the purpose of obtaining or discussing such information:

1. Information obtained in confidence either implicitly or explicitly from another level of government or another local authority.
2. Information, the release of which, could interfere or prejudice law enforcement or any lawful investigation or be injurious to the conduct of existing or anticipated legal proceedings.
3. A record which contains a draft bylaw or resolution.
4. In-Camera agendas or deliberations which include personal information.
5. Records which may contain:
 - (a) advice, proposals, recommendations, analysis or policy options developed by or for a local authority;
 - (b) consultations or deliberations involving officers or employees of the local authority;
 - (c) positions, plans, procedures, criteria or instructions developed for contractual or other negotiations by or on behalf of the local authority;
 - (d) plans that relate to the management of personnel or the administration of the local authority which have not been implemented; and
 - (e) information including proposed plans, policies or projects which may reasonably expect to result in disclosure of a pending policy or budgetary decision.
6. A record which could reasonably be expected to disclose:
 - (a) trade secrets;
 - (b) proprietary information;
 - (c) information obtained through research by an employee, the disclosure of which, could be reasonably expected to deprive the employee of priority of publication;
 - (d) information, the disclosure of which, could reasonably be expected to interfere with contractual or other negotiations;
 - (e) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations;
 - (f) information, the disclosure of which, could reasonably be expected to prejudice the economic interest of the local authority; and
 - (g) information, the disclosure of which, could reasonably be expected to result in an undue benefit or loss to a person.
7. Third party information, which includes trade secrets of a third party or other information supplied in confidence to a local authority by a third party.
8. Records that contain information relating to testing or auditing procedures or details of specific tests to be given or audits to be conducted, the disclosure of which could reasonably be expected to prejudice the use or results of the tests or audits.
9. Any record, the disclosure of which could threaten the safety or physical or mental health of an individual.
10. Records which contain information, which is subject to solicitor-client privilege.