

**RESORT VILLAGE OF KANNATA VALLEY
COUNCIL PROCEDURE BYLAW
Bylaw 67**

The Council of the Resort Village of Kannata Valley in the Province of Saskatchewan enacts the following articles and provisions:

PURPOSE OF THIS BYLAW

1. The purpose of this bylaw is to establish council governance procedures that are appropriate, in the best interests of the residents, and compliant with the Act.

CAPACITY OF COUNCIL

2. The Council has the capacity, right, power and privilege of a natural person subject to limitations that are contained in the Act. No act or proceeding of a council is effective unless it is authorized or adopted by bylaw or resolution at a duly constituted public council meeting. The council is responsible to:
 - a) provide good government
 - b) provide services and facilities that are necessary and/or desirable for all or a part of the municipality
 - c) develop and maintain a safe and viable community environment
 - d) foster economic, social and environmental well-being
 - e) provide wise stewardship of public assets
 - f) respond to existing and future needs of residents in creative and innovative ways
 - g) be accountable to the ratepayers who elected council and
 - h) encourage and enable public participation in the governance process

DEFINITION OF TERMS:

3. The following definitions and the definitions contained in the Act apply to this Bylaw

Act	the Municipalities Act and amendments thereto
Administrator	the person appointed by council to perform defined administrative functions.
Administrative Authority (AA):	the Government of Canada and/or the Government of Saskatchewan.
Local Authority (LA):	the Council of the Resort Village of Kannata Valley
Minister	the Executive Council of an Administrative Authority.
Municipality	the Resort Village of Kannata Valley
Council	the elected mayor and four elected councillors of the Resort Village of Kannata Valley
Councillor	an elected member of council other than the mayor
Presiding Officer (PO)	the chairperson of a meeting
Quorum:	a majority of elected or appointed members of a council or committee.
Mandate	instructions to a committee re: duties, responsibilities, procedures and term,
Motion	an action statement presented for debate at a meeting
Mover	a person presenting a motion at a meeting
Resolution	a motion having been "carried or defeated" by a vote of members at a meeting
Clear days	the number of calendar days, including the day of original posting, publishing or mailing but excluding the day of the event or deadline date.
Affected Parties	those members of the public who are uniquely affected by a matter under consideration
Notice	notice given to the general public in a manner described in the Public Notice bylaw
Public Notice Board (PNB)	a structure on public land in the municipality used to display information for public viewing

MUNICIPAL ADMINISTRATION

4. The Resort Village of Kannata Valley shall be governed by a **mayor and four councillors** elected by ratepayers for three year terms.
5. **All** municipal business conducted in meetings (regular, special, committee etc) must be **open to the public**. Public notice shall be given compliant with the municipal Public Notice Bylaw.
6. **Nomination Day** is the fourth Saturday of June in an election year as described in The Local Government Elections Act. Elections are to be held on the 28th day following Nomination Day.
7. **Binding decision** of council can only be made at properly constituted council meetings that are open to the public and at which a quorum is present.
8. **Procedure rules shall be followed** to guard against hasty, ill-considered action, to give each member an equal right to be heard, to determine the will of the majority, and to protect the rights of the minority.

REGULAR MEETINGS OF COUNCIL

9. The first meeting of council following a general election shall be held **within 31 days** after the date of the election.
10. The administrator shall provide written notice of the time, date and place of the first meeting to all members elected at least 24 hours before the meeting and to the public in accordance with the municipal Public Notice Bylaw.
11. Regular meetings of council shall be held **monthly** throughout the year on the date, time and place adopted by resolution of council. Notice of regular meetings of council need not be given.
12. Regular council meetings shall **not exceed 120 minutes** duration unless a resolution for an extension of time is approved.

COMMITTEE OF THE WHOLE

15. Council may, by resolution, adjourn the regular meeting of council into an **open meeting of a Committee of the Whole** to discuss matters where a free exchange of information can take place between council members and members of the public in attendance.
16. **Committee of the Whole** discussions may be conducted **"in camera"** (*closed to the public*) to discuss the following issues:
 - a) long-range or strategic planning issues
 - b) proposed plans, policies or projects of a pending policy or budgetary decision
 - c) information regarding a draft bylaw or resolution
 - d) information that contains advice, proposals, analysis, policy options,
 - e) plans that relate to the management of the administrator
 - f) information that may prejudice proprietary information, contractual or other negotiations
 - g) information that may prejudice the economic interest of the LA
 - h) information that if made public may result in an undue benefit or loss to a person
 - i) information obtained in confidence from an AA or any other third party, the disclosure of which may result in financial loss or gain to the third party
 - j) information relating to testing or auditing procedures or details
 - k) information which could interfere or prejudice law enforcement or lawful investigation
 - l) information subject to solicitor-client privilege
17. When council adjourns into a Committee of the Whole, the PO of the council meeting shall leave the chair, and the Committee shall immediately appoint a chairperson, who shall maintain order and report to the council the decision or recommendations of the Committee
18. Meetings may be conducted under relaxed rules of order where general discussion on the issue is permitted until general consensus as to an action has been reached. There shall be no recorded vote on any question and minutes or notes are not required to be kept
19. A motion that the Committee of the Whole **rise and report** shall be decided **without debate** and when "carried", the PO shall resume his/her seat and call the regular council meeting to order.
20. A motion in Committee of the Whole to **rise without reporting is debatable** and when the motion is "carried" the subject matter referred to the committee shall be considered as disposed of in the negative. The PO shall resume his/her seat and call the regular council meeting to order.
21. Where any disorder arises at a Committee of the Whole meeting, such meeting shall be automatically adjourned and the PO shall resume his/her seat and call the regular council meeting to order.

SPECIAL COUNCIL MEETINGS

13. At the request of the mayor or a majority of councillors, the administrator shall call **special council meetings** by notifying council members and the public 24 hours prior to the meeting stating the purpose, date, time and place of the meeting. Council members may be notified by telephone, e-mail or delivery of a printed notice. The public shall be notified by posting a notice on the municipal notice board all in compliance with the municipal Public Notice Bylaw.
15. A **special council meeting** may be held with less than 24-hours notice to members of council and without notice to the public if **all members of council** sign a notice requirement waiver before the commencement of the meeting.

16. No business other than that stated in the notice shall be transacted unless **all members of council** unanimously consent to conduct other business.

COUNCIL COMMITTEES

17. Council may, by resolution, appoint members of council to Standing and Special Committees assigning a mandate (*duties, function, reporting procedure and term etc.*) of each committee.
18. **Standing Committees** of at least two council members may be established to deal with day to day issues. i.e. Administration, Finance, Public Relations, Bylaw Enforcement, Nuisances, Animal Control, Public Works (Water & Sewer), Transportation Development and any other committees..
19. **Special Committees**, of at least two council members, may be established to deal with a specific problem or issue and ceases to exist when that matter is concluded or the mandate is achieved.
20. Committee meetings may be conducted under relaxed rules of procedure where members may speak without restriction but within the context of proper conduct. The chairperson may take an active part in the discussion and may put questions to a vote on his/her initiative following informal discussion.
21. Notification to committee members and the public must be given compliant with the municipal Public Notice Bylaw. Meeting minutes and reporting procedures shall be stated in the committee mandate.
22. The mayor is an ex officio member of all council committees.

OTHER BODIES (COMMITTEES, BOARDS)

23. Council may, by resolution, establish **other bodies** comprised of at least one member of council and as many members of the public as it deems appropriate to deal with an assigned *mandate*.
24. A chairperson for other bodies may be appointed by resolution of council or be selected from among members appointed.
25. Meetings may be conducted under relaxed rules of procedure where members may speak without restriction but within the context of proper conduct. The chairperson may take an active part in the discussion and may put questions to a vote on his/her initiative following informal discussions.
26. The mayor **is not** an ex officio member of other bodies.
27. The chairperson of the **other body** may report to council as a delegate, a delegation or as otherwise indicated in the *mandate*.
28. The **other body** ceases to exist when that *mandate* has been fulfilled and/or the term expired.

PUBLIC MEETING OF RATEPAYERS

29. An **Annual Ratepayers Meeting** shall be called by the council each year during the month of June to report on the financial state of the municipality and any other matters.
30. The agenda of the annual ratepayers meeting shall be determined by council. The presiding officer shall be the mayor or as designated by council. The administrator shall take minutes at this meeting, reproduce and provide a copy to all the electors by September 1 of each year.
31. Other **Public Meetings of ratepayers** may be called by the mayor in response to a resolution of council or upon the receipt of a valid petition from the electors.
32. The mayor shall call a public meeting within 30 days following receipt of a petition conducted compliant with the Act.
33. The administrator shall determine the sufficiency of the petition and that determination is final
34. Where a public meeting was held in response to a petition, council may refuse to receive any further petition on the same or a similar subject for one year following the date of the meeting.
35. A public meeting may be scheduled at the same time as a regular council meeting but the regular meeting must be adjourned to convene the public meeting.

MEETING VIA ELECTRONIC MEANS

36. Council meetings and Council committee meetings may be conducted by means of a telephone or other electronic communication facility on the condition that notice is given to the public including notification of the way in which the meeting is to be conducted and the facilities enable the public to at least listen to the meeting at a place specified in the notice and the administrator is in attendance at that place

CHANGE OF MEETING VENUE and/or DATES

37. Where the date, time or place of a meeting of council, committee or other body is changed, members of the affected council, committee or other body shall be given 24 hour notice of such change by telephone, fax, e-mail, Canada Post mail or by personal contact.
38. The public shall be notified by posting a Notice of Meeting Change on the public notice board as set out in the municipal Public Notice Bylaw.
39. Where a meeting is cancelled due to unforeseen circumstances within 12 hours of the meeting, a Notice of Meeting Change shall be posted on the door of the meeting venue.

AGENDA

40. The administrator shall prepare the agenda and deliver a copy to members of council at least 48 hours prior to the regular council meeting date. Delivery by e-mail is acceptable.
41. At regular meetings of Council the order of the agenda shall normally be as follows:
 - a) Call to order
 - b) Delegation(s) (if any)
 - c) Minutes of Previous Meeting(s)
 - d) Business arising from minutes
 - e) Correspondence
 - f) Financial Statements
 - g) Accounts Payable
 - h) Committee Reports
 - i) New Business
 - j) Bylaws
 - k) Announcements
 - l) Adjournment

DELEGATIONS

42. Any member of the public may apply to the administrator to be recognized on the agenda of a meeting as a delegate in order to present information relevant to the administration of municipal business.
43. The applicant shall request time on the agenda as a delegate at least 24 hours prior to the meeting date to speak to an item already on the agenda and 7 days prior to the meeting to speak on an item not on the agenda in which case descriptive information of the issue shall accompany the request.
44. Each delegation shall be allotted a maximum of 15 minutes to address council. Additional time may be granted by unanimous consent of council.

MINUTES

45. The Administrator shall prepare official minutes of all council and ratepayers meetings and present them to council for approval at the next following meeting.
46. In the absence of the administrator, a member of council may be delegated to take the minutes and present them to the administrator to prepare official minutes.
47. Minutes shall record the names of those members present at each meeting, motions or resolutions, actions of business conducted by council. Observations and opinions of members are not to be recorded.
48. Upon approval of the minutes by council, Minutes shall be signed by the presiding officer of the meeting and the administrator.
49. A copy of the approved minutes shall be posted on the Public Notice Board for a period of 30 days following approval.

COUNCIL MEETING PROCEEDINGS

50. At the scheduled time of meeting with a quorum present, the Mayor shall take the Chair as Presiding Officer (*PO*) and call the meeting to order. In the absence of the Mayor, the deputy Mayor shall do so.
51. If neither the Mayor nor the Deputy Mayor appear within fifteen (15) minutes of the scheduled meeting time and ***a quorum is present***, the Administrator shall call the members to order and a councillor shall be chosen as Presiding Officer from among those present. Where a ***quorum is not present***, the Administrator shall cancel the meeting and dismiss members present.
52. Business shall in all cases be taken up in the order in which it stands on the agenda. Council may change the order subject to the unanimous agreement of the council, determined by the show of hands, A resolution to adopt the agenda is not mandatory.

General Discussion

53. Where a topic on the agenda has been introduced by the PO, discussion of the issue shall be permitted until, in the opinion of the PO, there is consensus as to an action on the issue in which case a motion is in order.

Motions and Resolutions

54. A motion may be presented to council verbally or in writing by any member of council, other than the PO. Once presented, the motion is deemed to be “on the floor” and debate of the motion may begin. Motions are not required to be seconded.
55. The administrator shall record the name of the person presenting the motion and the wording or context of the motion into the minutes of the meeting.

Debate

56. Debate of the motion “on the floor” debate on the motion shall continue until each members of council, including the PO have had an opportunity to speak to the motion at least once for a maximum of 5 minutes each.
57. The PO shall preserve order and decorum applying the provision of this bylaw and/or the Robert’s Rules of Order when ruling on questions of order.
58. Any member may request the motion under discussion to be stated again at any time during the debate, but not so as to interrupt a member while speaking.
59. When a Motion is being debated, no motion shall be received except to defer it to another time, refer it to a committee, to amend it, to table it, or to adjourn the meeting.
60. Every member of council, before speaking on any question or making any motion, shall address the PO officer but may remain seated.
61. When two or more members commence to speak, the PO shall name the member who in his opinion spoke first as being entitled to continue. When a member is speaking, no other member shall converse with other members interrupt the speaker except to raise a point of order.
62. A member shall not converse with anyone in the public gallery during a meeting except when council has unanimously agreed to allow that person in the gallery to participate.
63. When the PO is putting the question to a vote, no member shall walk out of the room or make any noise or disturbance.
64. A member called to order by the PO shall immediately stop speaking except to offer an explanation to council if appealed to do so. If there is no appeal to the council, the decision of the PO shall be final.
65. No member shall 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.

Point of Order

66. A *point of order* must be raised immediately at the time the rules or procedures are breached where a member of Council believes that another member of Council is not following the procedure of this bylaw.
67. The member of Council against whom the *point of order* is raised may be granted permission by the PO to explain.
68. A *point of order* may not be amended or debated
69. The PO shall rule on the point of order.

Question of Privilege

70. Any member of Council may move a *question of privilege* on any matter related to the rights and privileges of Council or councillors. If the question of privilege concerns a situation, circumstance or event which arose between meetings of Council, the member shall raise the matter immediately after the adoption of the minutes of the previous meeting.
71. The PO shall rule whether or not the matter raised is a question of privilege. If the matter is determined to be a question of privilege, the member of council who raised the question shall be permitted to speak to the matter.

Withdrawal of Motions

72. A motion may be withdrawn by the member who presented the motion (*mover*) prior to any other motion that is in order (ie motion to amend, refer, defer, etc) or a vote taken.
73. Amendments may be withdrawn by the *mover* of the amendment prior to the call for a vote.
74. Withdrawn motion and amendments are not to be recorded in the minutes of meetings.

Motion to Defer

75. Agenda topics may, prior to debate, be deferred to a later time in the current meeting or to a future meeting subject to unanimous consent.
76. Where debate on an agenda topic is in progress a *motion to defer* may be presented at any time. Motions to defer are debatable.

Motion to Refer

77. A *motion to refer* a matter to a Council committee or other body is in order if presented prior to any other motions that are in order. Motions to refer are debatable.

Motion to Amend

78. Where the *mover* of the original motion consents to revise the original motion, the PO may accept revisions prior to continued debate.
79. Where the *mover* of the original motion does not consent to revise the original motion, the PO shall accept *motions to amend* at any time during debate of the motion.
80. A motion to amend shall not substantially change or reverse the affirmative or negative intent of the original motion
81. Where a *motion to amend* has been made, the original motion is set aside until the amendment has been decided.
82. Only one amendment to an amendment is in order until the amended motions are voted on.
83. Amendments shall be put to council for a vote in the reverse order to the order in which they were moved.

Motion to Adjourn

84. A *motion to adjourn* the meeting or to adjourn the debate shall always be in order but may not interrupt a speaker, is not amendable or debatable and must be put to immediate vote.
85. Where a *motion to adjourn* is defeated, no second motion to the same effect may be made until after some intermediate proceedings have taken place.

Voting

86. When debate of a motion "on the floor" is complete, the PO shall call for a vote and every member of council attending **must vote** on every matter unless the member is required or permitted to abstain from voting in which case the member is deemed to have voted in the negative. The administrator shall record the reasons for each abstention in the minutes of the meeting.
87. A motion requesting that a motion be put to a vote may not be amended or debated and the PO shall call for an immediate vote and if affirmative, the original motion shall immediately be put to a vote of Council without amendment or debate.
88. Any member of council may call for a recorded vote before the vote is taken by.

89. Where a call for a recorded vote is made before the vote is taken, the administrator shall record in the minutes the names of the members of council present and the manner in which they voted. i.e affirmative, negative or negative by abstention.
90. After a vote has been called for by the PO, no member shall speak to the question, nor shall any other motion be made until the results of the vote have been declared. The decision of the PO as to whether the question has been finally put shall be final.
91. Where the majority of council members present vote in favour of a motion, the motion is “carried”, where the majority vote ‘against the motion’, the motion is “defeated”, Where the results of a vote are tied, the vote is “defeated”
92. After a vote on a motion has taken place, that motion shall be referred to as a “**Resolution of Council**” or “**Resolution**”.
93. The administrator shall record each resolution with a sequential identification number beginning with resolution #1/xx where “xx” are the last two digits of the current year

Motion to Reconsider

94. The purpose of a *motion to reconsider* is to permit a council or committee to correct a hasty, ill-advised or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote.
95. *Motions to reconsider* are in order at the same or at the next meeting following the original vote unless some form of action has been taken on the original motion.
96. Where a *motion to reconsider* is “carried”, the vote on the original motion shall be considered to be cancelled and the matter of the original motion is reopened for debate as if the original vote had never occurred.
97. A *motion to reconsider* is debatable only when the motion to which it is applied was debatable. A motion to reconsider is not amendable.

Motion to Rescind

98. The purpose of a *motion to rescind* is to cancel or annul an earlier resolution.
99. *Motions to rescind* are in order at the same or at the next meeting following the original vote unless some form of action has been taken on the original motion.
100. Where a *motion to rescind* is “carried”, the vote on the original motion is cancelled and shall be considered as if the original motion had never occurred.
101. A motion to rescind is debatable and may be amended.

IMPROPER CONDUCT

102. Every person has the right to be present at council and committee meetings that are conducted in the public unless expelled by the PO for ***improper conduct***.
103. ***Improper conduct*** includes but is not limited by the following behaviours:
 - a. A person present in the council chamber that speaks disrespectfully of her Majesty the Queen, any of the Royal Family, the Governor General, Lieutenant Governor, or any official of the Federal or Provincial Government.
 - b. A person present that uses offensive words in council or committee chambers, against the council, the committee members or any member thereof.
 - c. A person present that speaks beside the question in debate interrupts another member who ‘has the floor’ or continues to disrupt the proceedings of council.
 - d. A person present that disregards the rules of the municipal bylaws, disobeys the decision of the PO on questions of order or practise, or questions the interpretation of such rules of order.
104. Where ***improper conduct*** of a member of council has occurred, the offender may be ordered by the PO to leave his/her seat for a specified period of time or the balance of that meeting. The offender may be permitted to remain in his/her seat at the discretion of the PO following an acceptable apology.
105. Where ***improper conduct*** of a member of the gallery in council or committee chambers has occurred, the PO may expel the offender for a specified period of time or the balance of that meeting. The offender may be permitted to remain in the gallery at the discretion of the PO following an acceptable apology.

106. No person present shall disregard the rules of the council, disobey the decision of the PO or of the council on questions or order or practise, or question the interpretation of such rules of order

BYLAWS

107. Each member of council present at the meeting at which 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 first reading.
108. Each member of council present at the meeting at which third reading is to take place must, before the proposed bylaw receives third reading, be given or have had the opportunity to review the full text of the proposed bylaw and of any amendments that were passed after previous two readings.
109. Proposed bylaws must not have more than two readings at a council meeting unless a resolution to proceed with a third reading is **unanimously carried** by the members of council present.
110. A bylaw comes into force after third reading or at the time specified in the bylaw. Where a bylaw requires approval of an AA, the bylaw comes into force the date of AA approval.
111. The amendment or repeal of a bylaw is subject to the same consents and conditions of public notice requirements that applied to the passing of the original bylaw.
112. The administrator may deliver a certified copy of a bylaw under the seal of the municipality and signature of the administrator on the request of any person and on receipt of payment of the fee fixed by council as determined by provisions in this bylaw.

DOCUMENT SIGNATURES

113. Minutes approved by council shall be signed by the PO of the meeting and the administrator.
114. Agreements must be signed by at least two persons designated by resolution of council.
115. Cheques and other negotiable instruments must be signed by the administrator and at least one other person designated by resolution of council.
116. Signatures shall be hand written in ink but may be printed, or electronically reproduced if so authorized by resolution of council.

PLEBISCITES

117. Council may submit any question to a vote of the ratepayers where the opinion of ratepayers is deemed to be beneficial in the administration of the municipality.
118. A vote of the voters shall not bind the council to act.

REFERENDUM

119. Council may submit to a referendum any proposed bylaw or resolution where the opinion of ratepayers is deemed to be beneficial in the administration of the municipality
120. Council shall be bound by the result of the vote for three years after the date of the referendum vote except where council's subsequent intervention is required to deal with an imminent danger to the health or safety of the residents of the municipality.
121. Ratepayers may petition for a referendum of any resolution or bylaw except for the adoption of an operating budget; adoption of a capital budget; or authorization of the tax levy.
122. Council shall submit to the request for a referendum if the petition is signed by the greater of 15% of the population or 25 voters in the municipality.
123. The administrator shall determine whether a petition is sufficient or insufficient and report to council within 30 days after the date on which a petition for a referendum is filed.
124. If the petition for a referendum is sufficient, council shall submit the bylaw or resolution to the voters within nine (9) month.
125. If the proposed bylaw or resolution is approved by a vote at a referendum council shall be bound by the result of the vote for three years after the date of the referendum vote except where council's subsequent intervention is required to deal with an imminent danger to the health or safety of the residents of the municipality.
126. If the proposed bylaw or resolution is not approved by a vote at a referendum council is not required to pass the proposed resolution or bylaw but may still pass it if they choose to do so.

COUNCIL REMUNERATION

- 127. Each member of council shall be paid a monthly sum of money in remuneration and general expense reimbursement as is determined by resolution of council. Seven clear days of public notice must be given to the public before council initially considers to set the remuneration for council members.
- 128. One-third of the total remuneration paid shall be deemed to be paid with respect to general expenses incurred that are incidental to the discharge of the duties of a member of council.

FREEDOM OF INFORMATION)

- 129. All municipal documents, except for opinions and reports of a lawyer, become public knowledge and open to inspection by the public after having been received and approved by council. Any person is entitled to inspect public municipal documents at the municipal office by appointment with the administrator.
- 130. The administrator shall provide the copy(s) of approved municipal documents upon written requested and payment of a \$10.00 administration fee plus 50 cents per page copied. Where the administrator's time to research, copy, produce and deliver requested copies is in excess of one (1) hour, an additional fee of \$15.00 for each additional hour in excess of 1 hour shall be charged. Council may, by resolution, modify or waive the fees in extraordinary circumstances.

RECORDS MANAGEMENT

- 131. Records shall be managed in compliance with the municipal Records Management Bylaw

SEVERABILITY

- 132. A decision of a Court that one or more provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this Bylaw.

REFERENCE BYLAWS

- 133. Bylaws # 33 is hereby repealed

EFFECTIVE DATE

- 134. This bylaw comes into force and takes effect immediately after having received third reading.

Resolution R34/06, First Reading of Bylaw 67, "CARRIED" at the March 22, 2006 regular council meeting
 Resolution R35/06, Second Reading of Bylaw 67 "CARRIED" at the March 22, 2006 regular council meeting.
 Resolution R51/06, third reading of Bylaw 67 "CARRIED" at the April 17, 2006 regular council meeting.

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 Mayor: Bob Gordon

Seal

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 Administrator: Arnold Flegel