



## **Procedure Bylaw**

### **BYLAW NO. 15 - 2007**

**Disclaimer:**

**This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of Interpretation and application of the law.**

**Consolidation includes the following Amendments:**

<b><u>Amendments</u></b>	<b><u>Date Passed</u></b>
Bylaw No. 4 – 2010	April 19 <sup>th</sup> , 2010
Bylaw No. 16 – 2010	August 9 <sup>th</sup> , 2010
Bylaw No. 2 – 2012	February 6 <sup>th</sup> , 2012
Bylaw No. 6 – 2017	March 13 <sup>th</sup> , 2017

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## BYLAW NO. 15 - 2007

A BYLAW of the City of Swift Current, in the Province of Saskatchewan to govern and regulate proceedings of the City Council of the City of Swift Current and of the Standing Committees in accordance with provisions of The Cities Act.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SWIFT CURRENT, IN CITY COUNCIL ASSEMBLED ENACTS AS FOLLOWS:**

### Short Title

1. This Bylaw will be known as the ***“Procedure Bylaw”***.

### Definitions

2. In this Bylaw and in any amending Bylaws, hereto, the following words and terms shall have the following meanings unless there is something in the subject matter inconsistent therewith:
  - (a) “Act” means The Cities Act,
  - (b) “City” means the Municipal Corporation of the City of Swift Current,
  - (c) “City Clerk” means the person appointed as the City Clerk for the City of Swift Current and includes any duly authorized representative or designate of such person,
  - (d) “Chief Administrative Officer (CAO)” means the person appointed as the Chief Administrative Officer for the City of Swift Current and includes any duly authorized representative or designate of such person,
  - (e) “City Council” means the elected officials of the City of Swift Current,
  - (f) “Committee of the Whole” means members present at a meeting of City Council sitting in committee,
  - (g) “Councillor” means the term used to address the elected officials of the City of Swift Current,

- (h) "Deputy Mayor" means the member who is appointed by City Council to act as Mayor in the absence or incapacity of the Mayor.
- (i) "Mayor" means the elected Mayor of the City of Swift Current,
- (j) "Public Hearing" means a meeting of City Council or that portion of a meeting of City 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 proposed resolution or bylaw of City Council.
- (k) "Quorum" is
  - i) in the case of City Council, a majority of the whole City Council,
  - ii) in the case of a committee, a quorum shall be a majority of the members of the committee.
- (l) "Resolution" means a decision of City Council or a committee resulting from a vote of members then present.

#### Application

- 3. (1) The following rules and regulations shall be observed and shall be the rules and regulations for the order and dispatch of business of the City Council of the City of Swift Current and of the Standing Committees.
- (2) 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.
- (3) In the event of any conflict between the provisions of this Bylaw and of the authority set out above, the provisions of this Bylaw shall apply.

#### City Council

- 4. City Council shall consist of the Mayor and six (6) City Councillors.
- 5. Subject to any limitations prescribed by law, City Council may delegate or assign its powers and duties as may be deemed advisable and in the public interest.

### Mayor

6. (1) The Mayor shall preside, when in attendance, at all meetings of City Council unless another member of City Council is required or permitted to preside pursuant to The Cities Act or other applicable law or the terms of this Bylaw.
- (2) The Mayor is a member of all boards and committees established by City Council unless City Council provides otherwise.

Bylaw No. 2 – 2012

February 6, 2012

### Deputy Mayor

7. (1) City Council shall appoint a City Councillor to be Deputy Mayor for a specified term.
- (2) If for any reason the Deputy Mayor is absent from a City Council meeting and is unable to perform the duties of the Mayor, in his/her absence the member of City Council next designated to be Deputy Mayor shall be the Deputy Mayor.
- (3) The Deputy Mayor shall exercise the authority and carry out the duties prescribed by law.

Bylaw No. 4-2010

April 19, 2010

### Regular Meetings of City Council

8. (1) City Council shall hold regular meetings on Monday evenings every other week. The said meetings shall be held in the designated Council Chambers. The meetings shall begin at the time of 6:30 p.m. local time.

(Revised Bylaw No. 4-2010)

- (2) Whenever any Monday referred to in Subsection (1) hereof is a Statutory or Public Holiday according to law, the City Council, unless otherwise determined by a resolution passed at a previous meeting, shall meet at the same hour and place on the day next following, which is not a Statutory or Public Holiday.

### Change of Meetings

9. (1) Notwithstanding Section 8., City Council may dispense with the holding of a regularly scheduled meeting of City Council or change the date, time or place of

a regularly scheduled meeting. Notwithstanding Section 9.(2) and 9.(3), this shall be done by a resolution of City Council.

- (2) The City Clerk may cancel a meeting of City Council whenever the City Clerk has been notified from the majority of City Council members, that they will be unable to attend a specific Council meeting. The City Clerk shall provide written notice to the members of City Council prior to the scheduled starting time of the City Council meeting. This notice is to be delivered personally or left at the usual place of business or residence of the members of City Council.
- (3) The City Clerk may cancel a meeting of City Council upon the unanimous written consent of Council members who intend to be present at the said meeting.

#### Notice of Meetings

- 10.(1) If City Council changes the date, time or place of a regularly scheduled meeting, at least 24 hours notice of the change will be given to:
  - (a) any members of City Council not present at the meeting at which the change was made; and
  - (b) the public.
- (2) A City Council meeting held solely for the purpose of long-range or strategic planning may be held without notice to the public.

#### Method of Giving Notice

- 11.(1) Notice of a City Council meeting is deemed to have been given to a member of City Council if the notice is:
  - (a) delivered personally;
  - (b) left at the usual place of business or residence of the member; or
  - (c) at the request of the member, sent to the member by facsimile or electronic mail at the address specified by the member.
- (2) Notice of a City Council meeting is to be given to the public by posting notice of the meeting at City Hall at least 24 hours prior to the City Council meeting.

### Special Meetings

12. (1) The City Clerk shall call a special City Council meeting in accordance with Section 97 of *The Cities Act* whenever requested to do so in writing by the Mayor or by a majority of the City Councillors.
- (2) For the purposes of subsection (1), the City Clerk shall call a special City Council meeting by giving at least 24 hours notice in writing to each member of City Council and to the public stating:
  - (a) the purpose of the meeting; and
  - (b) the date, time and place at which it is to be held.
- (3) Notwithstanding subsection (2), a special City Council meeting may be held with less than 24 hours notice to the members of City Council and without notice to the public if all members of City Council agree to do so, in writing, immediately before the beginning of the meeting.
- (4) No business other than that stated in the written notice of the special meeting is to be transacted at a special meeting of City Council unless all members of City Council are present, in which case, by unanimous consent, any other business may be transacted.

### Meeting Through Electronic Means

13. A City Council meeting may be conducted by means of a telephone, electronic or other communication facility in accordance with Section 99 of *The Cities Act*.

### Meetings to be in Public

14. (1) Subject to subsections (2) and (3), City Council and City Council-appointed Board/Committee meetings are required to be conducted in public.
- (2) City Council may, by resolution, close all or part of its meeting to the public if the matter to be discussed is within one of the exemption in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*. When 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 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.

- (3) No act or proceeding of City Council is effective unless it is authorized or adopted at a meeting of City Council, which is open to the public.
- (4) When City 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 City Council;
  - (b) the Chief Administrative Officer, the City Clerk and such other members of City Administration as the Chief Administrative Officer may deem appropriate;
  - (c) members of the public may be allowed to attend by permission of the presiding officer.

#### Long Range or Strategic Planning Meetings

- 15.(1) City Council may, at the request of the Mayor, meet for the purposes of long-range or strategic planning and such meetings shall be closed to the public.
- (2) No business may be transacted at a meeting referred to in subsection (1).

#### Improper Conduct

- 16.(1) No person shall disturb the proceedings of City Council by words or actions.
- (2) The Mayor may request any person who disturbs a City Council meeting to leave.
- (3) Every person who refuses to leave when requested to do so is guilty of an offence and liable on summary conviction.
  - (a) in the case of an individual, to a fine not exceeding \$10,000.00; and
  - (b) in the case of a corporation, to a fine not exceeding \$25,000.00.
- (4) Every person who refuses to leave when requested to do so may be removed.
- (5) If a person disturbs the proceedings of City Council or refuses to leave when requested to do so, the Mayor may adjourn the City Council meeting until the person leaves or until another date.



- (6) Members of the public who constitute the audience in the Council Chamber during a City Council meeting
  - (a) may not address City Council, unless otherwise listed on the agenda, without permission of the City Council;
  - (b) shall maintain order and quiet;
  - (c) shall not applaud, or otherwise interrupt any speech or action of the members, or any other person addressing City Council;
  - (d) shall not display or have in their possession, picket signs or placards which would distract the proceedings or interfere in the decorum of City Council.
- (7) The Mayor or presiding officer may, at any meeting, cause to be expelled, any person who creates any disturbance or acts improperly during a meeting.

Bylaw No. 6 – 2017

March 13, 2017

### Order of Business

17. (1) The order of business for every regular meeting of City Council shall be as follows:
  - (a) **Call to Order**, which shall proceed according to Section 19 of this bylaw;
  - (b) **Adoption of Agenda**, during which City Council shall amend, if necessary, and adopt the agenda for the current meeting;
  - (c) **Adoption of Minutes**, during which City Council shall correct, if necessary, and adopt the minutes of the last regular meeting of City Council, together with any special meetings of City Council which have occurred since the last regular meeting;
  - (d) **Proclamations**, during which City Council shall allow any person or organization wishing to proclaim a week in accordance with the City's Proclamation/Flag Raising Policy to make application to City Council for a proclamation;
  - (e) **Delegations**, during which City Council shall hear delegations in accordance with Section 25;
  - (f) **Public Hearings and Public Notice Matters**, during which City Council shall hear any persons wishing to make a presentation for a matter that is

before City Council for a Public Hearing or for a matter where Public Notice was required to be given in accordance with *The Cities Act* or any other Act, or the City's Public Notice Policy;

- (g) **Items for Action**, during which Directors and/or designated staff shall present to City Council any matters requiring a motion of City Council. Such matters may be debated, if necessary;
- (h) **Reports for Information**, during which Directors and/or designated staff shall present to City Council any matters necessary for City Council's information;
- (i) **Bylaws**, during which City Council members shall consider any bylaws placed before them by Administration;
- (j) **Unfinished Business**, during which items of unfinished business from previous City Council meetings shall be listed and dealt with, if appropriate;
- (k) **New Business**, during which minutes and business of various boards and committees may be presented. Also, any new items not already listed on the agenda may be dealt with at this time;
- (l) **Communications**, during which correspondence addressed to the Mayor and City Council members which is requesting action of City Council shall be presented to City Council for consideration in accordance with Section 25;
- (m) **Items Requested to be Discussed En Camera**, during which City Council may resolve to go into Committee of the Whole En Camera to deal with any matters that qualify in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*;
- (n) **Reports of Council Members/Enquiries**, during which Council members may report on any City related matters that they have participated in outside of the Council meetings and during which members of City Council may ask verbal questions pursuant to Section 26 of this Bylaw;
- (o) **Adjournment**, at which time a motion will be made to adjourn the meeting.

- (2) The business of City Council shall be taken up in the order in which it stands on the agenda unless otherwise determined by a vote of a majority of members present.

#### Duration of Council Meeting

18. Every regular meeting of City Council shall automatically adjourn after a period of four hours, unless otherwise determined by unanimous vote of the members present.

#### Agendas

19. (1) The City Clerk shall prepare the agenda for all regular and special meetings of City Council in accordance with the order of business set out in Section 17.
- (2) Subject to other provisions of this Bylaw, every communication, report, summaries of delegations, or other written application shall be submitted in writing to the City Clerk before the end of regular office hours on the Tuesday in the week preceding the meeting of City Council at which it is desired to be presented to City Council.
- (3) No item of business placed on an agenda shall be discussed publicly by the City Administration, any City Council member or the news media until after the item has been considered by City Council.

#### Commencement of a Council Meeting

20. (1) At the time set for the meeting, or as soon as there shall be a quorum present, the Mayor, or in his/her 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.
- (2) If neither the Mayor or Deputy Mayor is present within five (5) minutes of the time specified for the meeting and a quorum is present, the next designated Deputy Mayor shall take the chair and commence the meeting until the arrival of the Mayor or Deputy Mayor.

- (3) 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 City Council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.
- (4) Subsection 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, City Council shall stand adjourned.
- (5) 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, or it shall be the agenda for a special meeting called for that purpose.

#### Adjournment

21. (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.
- (2) Any business which appears on the City 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 City Council, or until a special meeting is called for the purpose of dealing with the unfinished items.

#### Conduct of Council Meetings

22. (1) The Mayor, or in his/her absence, the Deputy Mayor shall preside at all meetings of City Council and shall preserve order and enforce the rules of City Council.
- (2) Subject to being overruled by a majority vote of members, which vote shall be taken without debate, the Mayor or presiding member
  - (a) shall maintain order and preserve decorum of the meeting;
  - (b) shall decide points of order without debate or comment, other than to state the rule governing;

- (c) shall determine which member has a right to speak;
  - (d) 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,
  - (e) shall rule when a motion is out of order; and
  - (f) may call a member to order.
- (3) The Mayor, or presiding officer, may leave the Chair for the purpose of taking part in the debate, or for any other reason, and in such case he/she shall call on the Deputy Mayor or in his/her absence, the Deputy Mayor next in rotation, to take his/her place until he resumes the Chair.
- (4) No person, except City Council members, the Chief Administrative Officer, the City Clerk, and Senior Directors shall be allowed to come within the Bar during the sittings of the City Council, without permission of the Mayor or other presiding officer.
- (5) When City Council members wish to speak at a City Council meeting, they shall raise their hand and shall obtain the approval of the Mayor or presiding officer before doing so, and upon approval the member shall address all comments to the Mayor or presiding officer of the City Council meeting.
- (6) When City Council members are addressing the Mayor or presiding officer, every other member shall
- (a) remain quiet and seated;
  - (b) not interrupt the speaker, except on a point of order; and
  - (c) not carry on a private conversation which disturbs the member speaking.
- (7) When Council members are addressing the Mayor or presiding officer, they shall
- (a) not speak disrespectfully of Her Majesty the Queen, or official representatives of her government;
  - (b) not use offensive words in referring to any City Council member, or to any official of the City, or member of the public;

- (c) not reflect on any vote of City 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;
  - (d) not shout or immoderately raise their voice or use profane, vulgar, or offensive language.
- (8) When City Council members wish to leave the Council Chamber while a meeting of City Council is in progress, they shall rise and be acknowledged by the Mayor or presiding officer before leaving their place.
- (9) No City Council member shall leave the Council Chamber after a question is put to a vote, until the vote is taken.
- (10) When the City 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.

#### Public Hearing and Public Notice Matters

- 23.(1) If a Public Hearing is required by any Act or if Public Notice is required in accordance with the City's Public Notice Policy, a Hearing shall be conducted in accordance with the provisions of this section.
- (2) The order of every Public Hearing shall be as follows:
- (a) the Mayor or presiding officer shall declare the Hearing open;
  - (b) the City Clerk shall inform the Mayor and Council members of any written communications that have been received regarding the matter under consideration by indicating the name/s of who the correspondence has been received from and whether they are opposed or in favor of the matter under consideration. Such correspondence shall be circulated to the Mayor and Council members prior to the Council meeting;
  - (c) City Council shall hear any person or group of persons or spokesperson acting on behalf of another person or group who wish to make representations on the matter under consideration;

- (d) The applicant shall be given an opportunity to respond to the representations of other people;
  - (e) City Council may request further information from Administration or any persons in attendance;
  - (f) The Mayor shall declare the Hearing closed; and
  - (g) City Council may consider the bylaw or resolution at the same meeting, or refer the matter to Administration for further review.
- (3) The time allowed for each person making representation shall be five (5) minutes.
- (4) A Hearing may be adjourned to a specified later date.

### Communications

24. (1) Communications which are addressed directly to City Council, but which do not request an opportunity to speak to City Council, shall be responded to by the Mayor and at the Mayor's discretion, may be referred to a Council meeting. These communications, unless referred to a Council meeting, will not be listed on the City Council Agenda.
- (2) All communications which specifically seek action of City Council shall be referred to a City Council meeting providing:
- (i) the communication, with the exception of e-mail, is duly signed. E-mail communications must have the name of the individual sending the communication listed in the communication;
  - (ii) the communication identifies a means of contacting the author;
  - (iii) the communication contains a description or a summary of the action or actions requested from City Council by the author;
  - (iv) the communication does not contain offensive or disparaging remarks respecting the City of Swift Current, City Council as a whole, any member of City Council, any City employee or any other person;
- (3) All communications merely for the purpose of providing information without seeking action of City Council, shall be provided to members of City Council for

their information. These communications will not be listed on the City Council Agenda.

- (4) All copies of communications not addressed directly to City Council but intended for City Council (i.e. carbon copies) shall be provided to members of City Council for their information. These communications will not be listed on the City Council Agenda
- (5) Communications being listed on the Council agenda will not be read at the meeting unless requested otherwise by a Council member.
- (6) Whenever appropriate and possible, when a communication is being listed on the Council agenda the Chief Administrative Officer shall prepare or cause to be prepared, a report or letter of transmittal for the benefit of members of City Council. The City Clerk may delay placing a communication on the agenda of City Council for the purpose of obtaining such additional information unless directed to do so otherwise by the Mayor.
- (7) Communication requesting an opportunity for a delegation to speak to City Council shall be dealt with in accordance with Section 25.

Bylaw No. 16-2010

August 9, 2010

### Delegations

- 25.(1) All presentations to Council shall be initially made in writing. If the presenter wishes the opportunity to make verbal representations in support, he/she shall request it at the time of filing the written presentation.
- (2) If the written presentation deals with an administrative matter, the presentation and the ratepayer shall be referred to the appropriate member of Administration.
- (3) If the written presentation deals with a policy matter requiring action by Council, the written presentation will be provided to Council. Council will have the option to invite the presenters to speak to the matter if Council deems it advisable or helpful in making its decisions. Council will retain the option of making a decision without inviting verbal representations.



### Enquiries

26. (1) A member of City Council may make an enquiry to the Administration regarding any matter during a City Council meeting.
- (2) The Mayor may rule that any enquiry is out of order as not constituting a proper enquiry and refuse to put forward the enquiry.
- (3) If a Council member wishes to have a report from Administration on a matter placed on a future agenda, a motion requesting the same must be approved by a majority of Council members present.

### Motions

27. (1) All motions must be seconded.
- (2) When a motion is under debate no other motions may be made, except:
  - (a) to extend the time of a City Council meeting in accordance with Section 18
  - (b) to amend the motion;
  - (c) to defer the motion to a fixed date;
  - (d) to request that the motion be put to a vote; or
  - (e) to adjourn the meeting.
- (3) Any motions allowed under subsection (1) shall be considered in the order in which they were moved.

### Motion to Defer to a Fixed Date

28. (1) If a majority of City Council decides to defer a motion to a fixed date, the motion cannot be considered by City Council until the fixed date.
- (2) Notwithstanding subsection (1), City Council may consider a deferred motion before the fixed date if the majority of City Council agree that the motion may be considered before that date.
- (3) The only amendment allowed to a motion to defer to a fixed date is to change the date.

### Request That Motion be Put to Vote

29. (1) A motion requesting that a motion be put to a vote cannot be moved or seconded by a member of City Council who has spoken to the original motion.
- (2) A motion requesting that a motion be put to a vote cannot be amended or debated.
- (3) If a motion requesting that a motion be put to a vote is passed by City Council, the original motion shall immediately be put to a vote of City Council without any amendment or debate.
- (4) If a motion requesting that a motion be put to a vote is not passed by City Council, the original question may be amended or debated.

### Motion to Adjourn

30. (1) A motion to adjourn is allowed at any time during a City Council meeting except:
- (a) when a member of City Council is speaking;
  - (b) when the members of City Council are voting on a motion;
  - (c) when it has been requested that a motion be put to a vote;
- (2) A motion to adjourn shall be decided without debate.

### Motion to Amend

31. (1) Any motion may be amended except:
- (a) a motion requesting that a motion be put to a vote; or
  - (b) a motion to adjourn the City Council meeting.
- (2) A motion to amend a motion shall not:
- (a) reverse the affirmative or negative intent of the original motion; or
  - (b) substantially change the intent of the original motion.
- (3) Once a motion to amend has been made, the original motion is set aside until the amendment has been decided.
- (4) Any member of City Council may make a motion to amend, but only one amendment to an amendment shall be allowed until the amended motions are voted on by City Council.

- (5) Amendments shall be put to City Council in the reverse order to the order in which they were moved.

#### Motions Contrary to Rules

32. The Mayor may refuse to put to City Council a motion which is, in the opinion of the Mayor, contrary to the rules and privileges of City Council.

#### Motion to Rescind or Reconsider

33. (1) A motion to rescind or reconsider a resolution or bylaw shall only be considered by City Council if at least one of the following conditions are met:
- (a) a member of City Council provides written notice to all members of City Council in accordance with sub-Section 11(1) of the proposed motion to rescind or reconsider at least 24 hours before the meeting at which the motion is to be considered;
  - (b) by unanimous vote of all members of City Council, City Council agrees to consider a motion to rescind or reconsider; or
  - (c) a City Council Committee or the Administration recommends that City Council consider a motion to rescind or reconsider.
- (2) Notice of a motion to rescind or reconsider a resolution or bylaw shall not be required if more than six months has passed since the resolution or bylaw was considered.
- (3) A motion to rescind or reconsider a resolution shall require at least four (4) votes to pass, regardless of the number of Council members present and voting at the meeting.

#### Withdrawal of Motion

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

### Defeated Motion

35. (1) When a motion has been defeated, such motion or a motion of similar content cannot be considered again at a Council meeting until ninety (90) days from the day the motion was defeated has passed.
- (2) If a motion has been considered again in ninety days or more and is defeated at that time, such motion or a motion of similar content cannot be considered at a Council meeting until one year has passed from the day the motion was defeated the second time.

### Distinct Propositions

36. When a motion under consideration contains distinct propositions, the vote upon each proposition may be taken separately, if requested by a member of City Council.

### Point of Order

37. (1) When any member of City Council believes that another member of City Council has not followed the rules of procedure of City Council, they may stand and ask that the Mayor rule on a point of order.
- (2) When a point of order is raised, the member of City Council speaking shall immediately be seated and shall remain seated until the Mayor decides the point of order raised.
- (3) A point of order must be raised immediately at the time the rules of procedure of City Council are breached.
- (4) The member of City Council against whom a point of order is raised may be granted permission by the Mayor to explain.
- (5) A point of order is not subject to amendment or debate.

### Question of Privilege

38. (1) Any member of City Council may make a request to the Mayor on any matter related to the rights and privileges of City Council or individual City Councillors and ask that the Mayor rule on a question of privilege.

- (2) After the member of City Council has stated the question of privilege, the Mayor shall rule whether the matter raised is a question of privilege.
- (3) If the matter is determined to be a question of privilege, the member of City Council who raised the question of privilege shall be permitted to speak to the matter.
- (4) If the question of privilege concerns a situation, circumstance, or event which arose between meetings of City Council, the member shall raise the question of privilege immediately after adoption of the minutes of the previous meeting.
- (5) A question of privilege is not subject to amendment or debate unless a motion regarding the question of privilege is put to City Council.

### Bylaws

- 39.(1) Every proposed bylaw must have three distinct and separate readings.
- (2) A proposed bylaw must not have more than two readings at a City Council meeting unless the members of City Council present unanimously agree to consider third reading.

### Voting of Council

40. (1) A member of City Council attending a City Council meeting shall vote at the meeting on a matter before City Council unless the member is required or permitted to abstain from voting pursuant to *The Cities Act* or any other Act.
- (2) If a member is not required to abstain from voting on a matter before City Council and does not vote in the affirmative, the member is deemed to have voted in the negative.
- (3) If there is an equal number of votes for and against a motion, the motion is defeated.
- (4) The Mayor shall vote with the other members of City Council on all questions.

#### Recorded Vote

41. (1) Upon a division of the City Council, the minutes must show the names of the members of City Council present and whether each member voted for or against the motion.
- (2) If a member is excused from voting on any question, it shall be so recorded in the minutes.

#### Speaking

42. (1) All members of City Council shall have the privilege of speaking to any issue properly before City Council.
- (2) No member of Council shall:
  - (a) speak more than three times to the same motion, except to explain a material portion of his or her speech which may have been misquoted or misunderstood; or
  - (b) speak for longer than five (5) minutes on the same motion.
- (3) The member of City Council who has moved the motion under debate may reply once to the speeches given by the other members of City Council regarding the motion.
- (4) All members of City Council shall, when speaking to a matter or question before City Council address the presiding Officer and make all inquiries of and through the presiding Officer.

#### Suspension of Rules

43. Any or all of the rules contained in this bylaw may be suspended for any one meeting by a unanimous vote of all the members of City Council.

#### Repeal of Former Bylaw

44. Bylaw No. 10-2003 and all amendments thereto are hereby repealed.

Coming Into Effect

45. This Bylaw shall come into force and have effect from and after the date of the final passing thereof.

\_\_\_\_\_ MAYOR \_\_\_\_\_ CITY CLERK

***INTRODUCED AND READ a first time this 28<sup>th</sup> day of August, 2007.***

***READ a second time this 28<sup>th</sup> day of August, 2007.***

***READ a third time and finally passed this 28<sup>th</sup> day of August, 2007.***