VILLAGE OF KENNEDY

BYLAW NO. 19/02

A BYLAW TO REGULATE THE PROCEEDINGS OF MUNICIPAL COUNCIL AND COUNCIL'S COMMITTEES

The Council of the Village of Kennedy, in the Province of Saskatchewan enacts as follows:

PART I – INTERPRETATION

1. Short Title

1.1 This bylaw may be cited as "The Procedure Bylaw".

2. Purpose

2.1 The purpose of this bylaw is to establish clear, transparent, consistent and accessible rules for conducting business at meetings, for council members, administrations and the public to follow and participate in governing the municipality and for council in establishing council committees.

3. Definitions

3.1 In this bylaw:

(a) "Act" means *The Municipalities Act* .

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

(c) "Adjourn" means to suspend proceedings to another time or place.

(d) "Administration" means the administrator or an employee accountable to the administrator.

(e) "Administrator" means the person appointed as administrator pursuant to section 111 *The Municipalities Act.*

(f) "Agenda deadline" means the time established in subsection 12.6 of this bylaw.

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

(h) "Business day" means a day other than a Saturday, Sunday or holiday.

(i) "Chair" means a person who has the authority to preside over a meeting.

(j) "Committee" means a committee, board, authority or other body duly appointed by council.

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

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

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

(n) "Deputy mayor means the councillor who is appointed by council, pursuant to section 27 of this bylaw, to act as mayor in the absence or incapacity of the mayor.

(o) "Mayor" means the council member duly elected in the municipality as the mayor in accordance with *The Local Government Election Act.*

(p) "Member" means the mayor, councillor or an appointed individual to a committee, commission or board of council.

(q) "Motion" means a formal proposal placed before a meeting in order that it may be debated to a conclusion.

(r) "Mover" means a person who presents or proposes a motion or amendment.

(s) "Municipality" means the Village of Kennedy.

(t) "Order of business" means the list of items comprising the agenda and the order in which those items appear on the agenda.

(u) "Point of order" means the raising of a question by a member in a meeting claiming that the procedures of the meeting or of an individual council member are contrary to the procedural rules or practices.

(v) "Point of procedure" means a question directed to the person presiding at a meeting to obtain information on the rules or procedures bearing on the business at hand.

(w) "Public hearing" means a meeting of council or that portion of a meeting of council which is convened to hear matters pursuant to:

i. *The Municipalities Act*

ii. *The Planning and Development Act, 2007*;

iii. any other Act; or

iv. a resolution or bylaw of council.

(x) "Quorum" is, subject to section 98 of the Act:
   i. in the case of council, a majority of the whole council,
   ii. in the case of a committee, a majority of the members appointed to the committee.

(y) "Resolution" means a formal determination made by council or a committee on the basis of a motion, duly placed before a regularly constituted meeting or a special meeting of council or a committee for debate and decision, and is duly passed.

(z) "Special committee" means a committee appointed by council at any time to deal with a specific issue(s) and exist for a length of time required to review the issue(s) and make recommendations to council.

(aa) "Special meeting" means a meeting other than a regular scheduled meeting called pursuant to 123 of the Act or the provisions of this bylaw.

(bb) "Subcommittee" means a committee established by a committee, Commission or board to review and report on an aspect of the committee, Commission or board's business.

(cc) "Unfinished Business" means business which has been raised at the same, or a previous meeting, and which has not been completed.

(dd) "Urgent Business" means a time sensitive matter which requires council's immediate and urgent consideration.

3.2 A reference in this bylaw to an enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment as amended from time to time.

4. <u>Application</u>

4.1 This bylaw applies to all meetings of council and committees.

4.2 Notwithstanding subsection 4.1, council may by resolution or bylaw allow a board and committee to establish its own procedures.

4.3 When any matter relating to proceedings arise which is not covered by a provision of this bylaw, the matter shall be decided by reference to Robert's Rules of Order.

4.4 In the event of any conflict between the provisions of this bylaw and those contained in any of the other authorities set out above, the provision of this bylaw shall apply.

4.5 Subject to subsection 4.3, any ruling of the mayor or chair shall prevail, subject, however, to the jurisdiction of council or the committee to consider any appeals of those rulings.

PART II – MEETINGS

5. <u>First Meeting</u>

5.1 The first meeting of council shall be held on the second Wednesday of the month, immediately following a general election.

5.2 At the first meeting of council:

(a) the Returning Officer shall provide council with a copy of the declaration of results with respect to the election; and

(b) every council member shall take the oath of office pursuant to the Act.

6. <u>Regular Meetings</u>

6.1 Regular meetings of council shall be held on the second Wednesday of each month commencing at 6:30 PM in the Office of the Village of Kennedy.

6.2 In the event of any meeting date falling on a statutory or civic holiday or any day appointed as a holiday by proclamation of the Governor-General of Canada, the Lieutenant Governor of Saskatchewan, or the mayor, such meetings shall be held at the same time on the next day that the municipal office is scheduled to be open for business.

6.3 A Council meeting may be held with less than 24 hours' notice to the Council and no notice to the public if all members of Council sign a waiver prior to the commencement of the meeting.

6.4 Notwithstanding the foregoing provisions, council may, by resolution, dispense with or alter the time of a regular meeting of council.

6.5 Council may, by resolution, authorize the mayor to reschedule a regular meeting of council pursuant to the Act during a period of time to be specified within the resolution.

7. <u>Special Meetings</u>

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

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

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

7.4 When a special meeting is to be held, the administrator shall provide written notice of the time, date and place of the meeting to all members pursuant to section 9 of this bylaw and to the public at least twenty-four (24) hours prior to the meeting and, in general terms, of the business to be transacted at the meeting.

7.5 Notwithstanding subsection 7.2, a special meeting may be held with less than twenty-four (24) hours' notice to members, and without notice to the public, if all members agree to do so, in writing, immediately before the beginning of the special meeting.

7.6 No business, other than that stated in the notice, shall be transacted at a special meeting, unless all the members are present and, by unanimous consent, they authorize other business to be transacted.

8. Notice of Meetings

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

8.2 If council changes the date, time or place of a regularly scheduled meeting, at least twenty-four (24) hours' notice of the change will be given to:

(a) any members not present at the meeting at which the change was made; and,

(b) the public.

9. Method of Giving Notice

9.1 Notice of a council meeting is deemed to have been given to a member 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 by ordinary mail, telephone or voice mail, facsimile or electronic mail or similar method at the number or to the address specified by the member.

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

10. Actions in Public

10.1 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.

11. Closed Sessions

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

11.1 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.

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

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

(a) the members of council;

(b) the administrator and other members of administration as the members of council may deem appropriate; and

(c) such members of the public as may be allowed to attend by the council.

11.4 Where council resolves to close a portion of a meeting to the public, in addition to the resolution to do so, the administrator shall record in the minutes 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.

11.5 No resolutions or bylaws may be passed during a closed meeting.

11.6 No business other than that described within the resolution pursuant to subsection 11.2 may be discussed.

11.7 Matters discussed or to be discussed in a closed meeting are to be kept in confidence until discussed at a public meeting of council, unless otherwise provided for in this bylaw.

PART III – COUNCIL MEETING PROCEDURES

12. Agendas

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

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

12.3 The administrator shall ensure that the council agendas are delivered to each member no later than 1 business day immediately preceding the council meeting.

12.4 The administrator shall ensure that the council agendas are available to the general public no later than 1 business day prior to council meeting

12.5 If, for any reason, the administrator is unable to meet the deadline mentioned in subsection 12.3, the administrator shall prepare and distribute the agenda as soon as reasonably possible to allow council members an opportunity to review the agenda prior to the council meeting.

12.6 All administrative reports, communication from the public, requests, or any other material intended for inclusion in a council agenda must be received by the administrator no later than the Thursday prior to council meeting

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

13. Urgent Business

13.1 The administration may request to add a matter to the agenda of a meeting as urgent business after the agenda has been prepared and distributed by the administrator.

13.2 In these circumstances, the administration shall submit a report to the administrator including an explanation of the reasons and degree of urgency of the matter as soon as possible.

13.3 The administrator shall distribute any requests from the administration to add a matter of urgent business to the agenda to the members as soon as they are available.

13.4 During the confirmation of the agenda, a member may move to add a report, communication or delegation to the agenda if the matter arises from an unforeseeable situation of urgency.

13.5 Council may only consider a matter of urgent business by a majority vote of members present.

14. Commencement of Council Meeting

14.1 At the hour set for the meeting, or as soon as all members of council are present, the mayor, or in his or her absence the deputy mayor, shall take the chair and call the members to order.

14.2 In case neither the mayor nor the appointed deputy mayor is in attendance within 15 minutes after the hour appointed, and subject to a quorum being present, council shall appoint an acting mayor pursuant to section 28 of this bylaw who shall call the meeting to order and shall preside over the meeting until the arrival of the mayor or the deputy mayor, and all proceedings of such meeting shall be deemed to be regular, and in full force and effect.

14.3 If a quorum is not present 15 minutes after the time appointed for the meeting, the administrator shall record the names of the members present at the expiration of such time and announce that council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.

14.4 Subject to the Act, if at any meeting the number of members is reduced to less than the number required for a quorum, council shall stand adjourned.

14.5 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 placed on the agenda for a special meeting called for the purpose of dealing with the unfinished items.

14.6 Members are encouraged to notify the administrator when the member is aware that he or she will be absent from any meeting of council.

15. Quorum

15.1 A quorum of council is a majority of members.

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

16. Minutes

16.1 The administrator shall record the minutes of each council meeting without note or comment and shall distribute copies of the minutes to each member at least twenty-four (24) hours prior to a subsequent council meeting.

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

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

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

17. Public Hearing

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

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

(a) the mayor shall declare the hearing on the matter open;
(b) the administration shall present a report on the bylaw or resolution under consideration including the administration recommendations;
(c) if it is a hearing that involves an applicant[1], the applicant shall be given an opportunity to make representations on the matter under consideration;
(d) after the applicant, any person or group of persons or spokesperson acting on behalf of another person or group shall be given an opportunity to make representations on the matter under consideration;
(e) if it is a hearing that involves an applicant, at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
(f) council may request further information from administration;
(g) council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
(h) the mayor shall declare the hearing closed; and
(i) council shall then consider the matter and at the conclusion of the deliberations, council shall vote on the bylaw or resolution in accordance with the procedures contained in this bylaw.

17.3 The time allowed for each person making representations shall be 15 minutes.

17.4 A hearing may be adjourned to a certain date.

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

18. Communications - General

18.1 When a person wishes to have a communication considered by council, it shall be addressed to council, and:

(a) clearly set out the matter in issue and the request; and
(b) for written communications, must be printed, typewritten or legibly written, contain the mailing address of the writer and be signed with the name of the writer; or
(c) for electronic communication, must contain the name of the writer and both the mailing and electronic address of the writer.

18.2 A communication received by the administrator which contains or relates to personal information shall be dealt with in accordance with the provisions of *The Local Authority Freedom of Information and Protection of Privacy Act.*

19. Communications – Matters on council Agenda

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

19.2 A written communication received before the agenda deadline shall be placed by the administrator on the council agenda and shall be dealt with when the matter is considered by council at its meeting.

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

(a) The individual will be advised by the administrator that the communication may not be considered by council unless the majority of members vote to allow the communication within the motion to approve the agenda.

20. Communications – Matters not on Council Agenda

20.1 A written communication received before the agenda deadline shall be placed by the administrator on the council agenda and shall be dealt with when the matter is considered by council at its meeting.

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

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[1] This may be an application under *The Planning and Development Act, 2007*, an application to close a road, etc.

20.3 The individual will be advised by the administrator that the communication may not be considered by council unless the majority of members vote to allow the communication within the motion to approve the agenda.

21. Delegations – Matters on Council Agenda

21.1 When a person wishes to speak to council on a matter already on a council agenda, for which a hearing is not required, that person shall notify the administrator in writing, which notice shall include the following:
(a) the name and correct mailing address of the spokesperson;
(b) telephone number where the representative of the delegation can be reached during the day;
(c) originally signed, except when submitted by facsimile or e-mail; and
(d) clearly setting out the subject matter to be discussed and the request being made of council.

21.2 A request to speak to council pursuant to subsection 21.1 must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.

21.3 In the event that a delegation makes an application to the administrator after the agenda deadline, regarding a subject which is on the agenda, the administrator will bring the request to the attention of council:
(a) Delegations will be advised by the administrator that they may not be heard by council unless the majority of members vote to allow the delegation to speak within the motion to approve the agenda.

21.4 Delegations speaking before council shall address their remarks to the stated business:
(a) Delegations will be limited to speaking only once; and
(b) Rebuttal or cross debate with other delegations shall not be permitted.

21.5 A maximum of 15 minutes shall be allotted for each delegation to present his or her position of support or opposition.

21.6 Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views:
(a) Delegations are encouraged not to repeat information presented by an earlier delegation.
(b) The mayor shall at the conclusion of 15 minutes, inform the delegation that the time limit is up.
(c) Only upon a motion to extend the 15 minute limitation adopted by a majority of members shall the 15 minute limit be extended.
(d) Delegations will not be permitted to assume any unused time allocated to another delegation.

21.7 Upon the completion of a presentation to council by a delegation, any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only:
(a) Members shall not enter into debate with the delegation respecting the presentation; and
(b) Once a motion has been moved, no further representation or questions of the delegation shall be permitted.

22. Delegations – Matters not on Council Agenda

22.1 When a person wishes to speak to council on a matter not on a council agenda, for which a hearing is not required, that person shall notify the administrator in writing, which notice shall include the following:
(a) the name and correct mailing address of the spokesperson;
(b) telephone number where the representative of the delegation can be reached during the day;
(c) originally signed, except when submitted by facsimile or e-mail; and,
(d) clearly setting out the subject matter to be discussed and the request being made of council.

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

22.3 The administrator, may refuse to accept a request to speak to council if council has, within the six (6) months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.

22.4 If a request to speak to council is refused pursuant to subsection 22.3, a copy of the request and reply, shall be forwarded to members by the administrator.

22.5 In the event that a delegation makes an application to the administrator after the agenda deadline, regarding a subject which is not on the agenda, the administrator will bring the request to the attention of council
(a) Delegations will be advised by the administrator that they may not be heard by council unless the majority of members vote to allow the delegation to speak within the motion to approve the agenda.

23. Bylaws

23.1 Every proposed bylaw must have three (3) distinct and separate readings.

23.2 A proposed bylaw must not have more than two (2) readings at a council meeting unless the members present unanimously agree to consider third reading.

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

23.4 Only the title or identifying number has to be read at each reading of the bylaw.

23.5 Each member 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.

23.6 Each member 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 first reading.

23.7 When a bylaw has been given three (3) readings by council, it:

(a) becomes a municipal enactment of the municipality; and

(b) is effective immediately unless the bylaw or an applicable provincial statute provides otherwise.

23.8 The administrator shall be empowered to correct any typographical error that may not have been corrected at the time of submission to council and the bylaw shall have the same status as if council had corrected same.

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

24. Adjournment

24.1 All regularly scheduled council meetings shall stand adjourned when the council has completed all business as listed on the order of business

24.2 Any business which remains on the agenda and which has not been dealt with at the time of adjournment shall be deemed to be postponed until the next regularly scheduled council meeting, or until a special meeting is called for the purpose of dealing with the unfinished items.

PART IV – CONDUCT AT COUNCIL MEETINGS

25. Mayor

25.1 The mayor shall:

(a) preside at all council meetings;

(b) preserve order at council meetings;

(c) enforce the rules of council;

(d) decide points of privilege and points of order; and

(e) advise on points of procedure.

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

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

26. Deputy Mayor

26.1 The council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint from the councillors a deputy mayor who shall hold office for a term of 4 years or for such longer period as the council may decide, and in any event until a successor is appointed.

26.2 If the mayor, for any reason, is unable to perform the duties of his or her office, the deputy mayor shall have all of the powers of the mayor during the inability.

27. Acting Mayor

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

(a) both the mayor and the deputy mayor, if one has been appointed pursuant to section 27, are unable to perform the duties of his or her office; or

(b) the offices of both the mayor and the deputy mayor are vacant.

27.2 The member to be appointed, pursuant to subsection 28.1, shall be elected by a majority of the members present.

27.3 Where two (2) members have an equal number of votes, the administrator shall:

(a) write the names of those members separately on blank sheets of paper of equal size, colour and texture;

(b) fold the sheets in a uniform manner so the names are concealed;

(c) deposit them in a receptacle; and

(d) direct a person to withdraw one (1) of the sheets.

27.4 The member whose name is on the sheet withdrawn pursuant to subsection 28.3(d) shall be declared elected.

28. Persons Allowed at the Table

28.1 No person, except members, the administrator and other members of administration as authorized by the administrator and such persons as are permitted by the mayor shall be allowed to be seated at the council table during the sittings of the council, without permission of the mayor or other presiding member.

29. Point of Order

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

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

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

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

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

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

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

30. Point of Procedure

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

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

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

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

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

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

31. Appeal

31.1 Whenever a member wishes to appeal any ruling of the mayor on a point of order to the whole of council:

(a) the motion of appeal, "that the decision of the chair be overruled" shall be made;
(b) the member may offer a brief reason for the challenge;
(c) the mayor may state the reason for the decision; and
(d) following which the question shall be put immediately without debate.

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

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

PART V – MOTIONS

32. Motions and Debate

32.1 A motion shall express fully and clearly the intent of the mover

32.2 No motion shall require to be seconded.

32.3 When a motion is under debate no other motion may be made, except a motion to:

(a) amend a motion;
(b) refer motion to a council committee or administration for a report back to council;
(c) postpone a motion to a fixed date;
(d) request that a motion be put to a vote;
(e) extend the time for a council meeting; or
(f) adjourn the meeting.

32.4 Notwithstanding any other provisions of this bylaw, the member, who moved a motion after a motion is under debate, may, with the consent of council:

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.

33. Motion to Adjourn

33.1 A member may move a motion to adjourn a meeting at any time, except when:

(a) another member is in possession of the floor;
(b) a call for a recorded vote has been made;
(c) the members are voting;
(d) when council is considering a motion requesting that a motion be put to a vote; or
(e) a previous motion to adjourn has been defeated and no other intermediate proceeding has taken place.

33.2 A motion to adjourn shall be decided without debate.

34. Motion to Move to a Closed Meeting

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

34.2 The motion to move to a closed meeting must:

(a) be in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*;

(b) the titles or subject of the item(s) to be discussed; and

(c) include the reason for the council meeting to be held in a closed meeting.

34.3 No bylaw or resolution shall be passed during a closed meeting.

35. Withdrawal of Motions

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

36. Motion to Reconsider

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

36.2 A motion to reconsider is in order whether the original motion passed or failed.

36.3 A motion to reconsider may only be made at the same council meeting as the original motion was voted on.

36.4 A motion to reconsider must be moved by a member who voted with the prevailing side of the original motion.

36.5 When a motion loses on a tied vote, the prevailing side is those who voted against the motion.

36.6 A motion to reconsider cannot be amended.

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

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

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

37. Motion to Rescind

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

37.2 A motion to rescind is in order only when the original motion passed. No motion to rescind shall be necessary when the original motion failed.

37.3 A motion to rescind may be made at any time following the council meeting at which the original motion was voted on regardless of the time that has elapsed since the original vote was taken.

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

37.5 A motion to rescind is debatable.

37.6 A motion to rescind may be amended.

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

37.8 A motion cannot be rescinded:

(a) when the making or calling up of a motion to reconsider is in order;

(b) when action on the motion has been carried out in a way that cannot be undone; or

(c) when a resignation has been accepted or actions electing or expelling a person from membership or office have been taken.

38. Voting of Council

38.1 A member attending a council meeting shall vote at the meeting on a matter before council unless the member is required to abstain from voting pursuant to the Act or any other Act.

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

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

39. Voting of Mayor

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

40. Majority Decision

40.1 Unless a greater percentage of votes is required by any provision of this bylaw, at every council meeting, all questions are to be decided by a majority vote of the members present.

41. Recorded Vote

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

41.2 If a vote is recorded, the minutes must show the names of the members present and whether each voted for or against the proposal or abstained.

42. Tied Vote

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

PART VI – MISCELLANEOUS

43. Repeal of Bylaws & Resolutions

43.1 Bylaw No. 1/2006 and all amendments thereto are hereby repealed.

VILLAGE OF KENNEDY
Seal
SASKATCHEWAN
[SEAL]

Mayor

Administrator

Section 81.1 of *The Municipalities Act*

Adopted by Resolution of Council this 13th day of February, 2019

Administrator

Bylaw No. 19/02

Form 1 – Request for a Special Meeting

Date: _____

To: _____, Administrator, Village of Kennedy

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

1. _____

2. _____

3. _____

Meeting Details:

Location: _____

Date: _____

Time: _____

Dated this ___ day of _____, 20__

SIGNED:

Name: _____

Name: _____

Name: _____

Name: _____

Name: _____

Office Use Only:

|__| Members provided notice pursuant to subsection 124 (1) of the Act[2]

|__| Notice not provided pursuant to subsection 123 (3) of the Act[3]

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[2] 98(1) CA, 124(1) MA, 142(1) NMA
[3] 97(3) CA, 123(3) MA, 141(3) NMA