

**RURAL MUNICIPALITY OF SHERWOOD NO. 159**

**BYLAW NO. 28/15**

**A BYLAW TO REGULATE THE PROCEEDINGS OF COUNCIL**

**Whereas** subsection 81.1(1) of *The Municipalities Act* requires councils of all municipalities to enact a bylaw to establish general procedures to be followed in conducting business at council meetings, and containing rules and procedures in relation to the matters specified in subsection 81.1(2) of that Act; and

**Whereas** it is necessary and advisable to provide for the rules and procedures that are required by law;

**NOW THEREFORE**, the Council of the Rural Municipality of Sherwood No. 159, in the Province of Saskatchewan, enacts as follows:

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**Title**

1. This Bylaw may be referred to as the *Council Procedure Bylaw*.

**Purpose**

2. The purpose of this Bylaw is to establish clear, transparent, consistent, and accessible rules for conducting business at meetings of council, in addition to those rules that are contained in the Act.

**Definitions**

3. In this Bylaw:

(a) “**agenda deadline**” means the time established in subsection 14(6);

(b) “**communications**” includes letters, memoranda, reports, notices, electronic mail, facsimiles, petitions, brochures, newspaper/magazine articles, or any other similar document;

(c) “**order of business**” means the list of items comprising the agenda and the order in which those items appear on the agenda, as set out in subsection 13(1);

(d) “**public hearing**” means a meeting of council or that portion of a meeting of council that is convened to hear matters pursuant to the Act or any other Act of Saskatchewan or a resolution or bylaw of council;

(e) “**recess**” means an intermission or break within a meeting that does not end the meeting, and after which proceedings are immediately resumed at the point where they were interrupted.

**Application**

4. This Bylaw applies to all meetings of council.

**Parliamentary authority**

5. When any matter relating to proceedings arises that is not covered by a provision of the Act or this Bylaw, the matter shall be decided by reference to *Robert’s Rules of Order*.

## MEETINGS

### First meeting

6. At the first meeting of council following an election:
  - (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 elected shall take the oath of office required by the Act.

### Regular meetings

7. Regular meetings of council are held in the Council Chambers located in the municipal office building on the second Wednesday of each month commencing at 5:30 p.m., unless otherwise determined by council by resolution.

### Special meetings

8. For the purposes of subsection 123(1) of the Act, Form 1 is the form to be used to request the administrator to call a special meeting of council.

### Meeting through electronic means

9. One or more members of council may participate in a council meeting by means of a telephonic, electronic or other communication facility if they provide the administrator with at least two business days' notice of their intent to participate in this manner.

### Notice of meetings

10. For the purposes of clause 124(1)(c) of the Act, Form 2 is the form to be used by a member of council to request the administrator to use an alternate method of providing notice of meetings.

### Notice to public

11. The administrator shall provide notice of a council meeting to the public by posting notice of the meeting at the municipal office and on the municipal website.

### Closed sessions

12. (1) A resolution to move into closed session shall state, in general terms, the topic to be discussed.
  - (2) Where council resolves to move into closed session:
    - (a) all persons shall be excluded from the meeting except the members of council, the administrator, and any other persons that council considers appropriate;
    - (b) in addition to the resolution to do so, the administrator shall record in the minutes:
      - (i) the time that the closed portion of the meeting commenced and concluded;
      - (ii) the names of the persons present; and
      - (iii) the specific provision of Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* or other authority to close the meeting to the public.

- (3) No business other than that described within the resolution to move into closed session may be discussed.
- (4) Matters discussed or to be discussed in a closed session are to be kept in confidence until discussed at a public meeting of council.

**Order of business**

- 13. (1) The general order of business of every regular council meeting shall be as follows:
  - (a) Call to order;
  - (b) Approval of agenda;
  - (c) Public hearings
  - (d) Delegations
  - (e) Public forum
  - (f) Adoption of minutes;
  - (g) Financial reports;
  - (h) Reports of administration and committees;
  - (i) Communications;
  - (j) Reeve and councillors forum;
  - (k) Unfinished business;
  - (l) Closed session; and
  - (m) Adjournment.
  
- (2) Council shall take up its business in the order in which it stands on the agenda, unless:
  - (a) it determined otherwise by motion, which vote shall be placed without debate; or
  - (b) the reeve determines during the proceedings of council that it is in the public interest that a matter be moved forward to be dealt with promptly.

**Agendas**

- 14. (1) The administrator shall prepare the agenda for all meetings of council.
- (2) The agenda shall include all items of business and associated reports, bylaws, or documents and shall be set out in accordance with the order of business.
- (3) The administrator shall ensure that the council agenda is delivered to each member of council no later than 48 hours immediately preceding the council meeting.
- (4) The administrator shall ensure that the council agenda is available to the general public no later than 48 hours immediately preceding the council meeting.
- (5) If, for any reason, the administrator is unable to meet the deadline mentioned in subsection (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.
- (6) All administrative reports, communications from the public, requests, or any other material intended for inclusion in a council agenda must be received by the administrator by 9:00 a.m. six days prior to the council meeting.
- (7) Council may by resolution permit additional material to be placed on the agenda.

**Urgent business**

15. (1) The administrator 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, where the matter was unforeseeable at the time the agenda was prepared, is time sensitive and requires council's immediate consideration.
- (2) The administrator shall distribute to the members of council a report of a request to add a matter of urgent business to the agenda, including an explanation of the reasons and degree of urgency of the matter, as soon as it is available.
- (3) During the confirmation of the agenda, a member of council may move to add to the agenda a report, communication, or delegation relating to urgent business.

**Call to order**

16. (1) At the hour set for the meeting to commence, or as soon as all members of council are present, the reeve, or in his or her absence the deputy reeve, shall take the chair and call the members to order.
- (2) If a quorum is present but neither the reeve nor the deputy reeve is in attendance within five minutes after the hour appointed, council shall appoint an acting reeve who shall call the meeting to order and shall preside over the meeting until the arrival of the reeve or the deputy reeve.

**Lack of quorum**

17. (1) If a quorum is not present 15 minutes after the time appointed for the meeting to commence, the administrator shall record the names of the members present at the expiration of that time and announce that council shall then stand adjourned until the next meeting, unless a special meeting is called in the meantime.
- (2) If at any meeting the number of members is reduced to less than the number required for a quorum, council shall stand adjourned.
- (3) Any unfinished business remaining at the time of an adjournment due to the loss of quorum shall be considered at the next regular meeting or placed on the agenda for a special meeting called for the purpose of dealing with the unfinished items.

**Minutes**

18. (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 48 hours prior to a subsequent council meeting.
- (2) Any member of council may make a motion amending the minutes to correct any mistakes.

**Public hearings**

19. (1) If a public hearing is required, it shall be conducted as follows:
- (a) the reeve 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's recommendations;
  - (c) if it is a hearing that involves an applicant:
    - (i) the applicant shall be given an opportunity to make representations on the matter under consideration;

- (ii) after the applicant is heard, 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;
  - (iii) at the conclusion of the speakers, the applicant shall be given an opportunity to respond to the representations of other people;
  - (d) council may request further information from administration;
  - (e) council shall formally receive all communications and written reports submitted to it on the subject matter of the hearing;
  - (f) the reeve shall declare the hearing closed; and
  - (g) council shall then consider the matter and, at the conclusion of its deliberations, shall vote on the bylaw or resolution.
- (2) The time allowed for each person making representations is 10 minutes.
- (3) A hearing may be adjourned to a certain date.

### **Communications**

20. (1) When a person wishes to have a communication considered by council, the person shall address it to council and clearly set out the matter at issue and the request.
- (2) Written communications must be printed, typewritten or legibly written, contain the mailing address and electronic address (if any) of the writer, and be signed with the name of the writer.
- (3) Electronic communications must contain the name of the writer and both the mailing and electronic address of the writer.
- (4) A communication received by the administrator that contains or relates to personal information must be dealt with in accordance with *The Local Authority Freedom of Information and Protection of Privacy Act*.
- (5) Bound documents or studies in support of a delegation's notice shall, if sufficient copies are provided by the delegation, be circulated to members of council, but will not be reproduced.
- (6) The administrator shall include in the council agenda all written communications that are received by the agenda deadline.
- (7) The administrator shall bring any communication that is received after the agenda deadline to the attention of council and shall advise the sender that the communication will not be considered by council unless the majority of members vote to allow the communication within the motion to approve the agenda.

### **Delegations**

21. (1) A person who wishes to speak to council on a matter for which a public hearing is not required shall provide an original, signed, written request to the administrator, which shall:
- (a) clearly set out the subject matter to be discussed and the request being made of council; and
  - (b) include the following information:
    - (i) the name, mailing address and electronic address of the spokesperson;
    - (ii) the telephone number where the spokesperson can be reached during the day;
- (2) A request to speak to council must be received by the administrator no later than the agenda deadline in order to be included on the council agenda.

- (3) The administrator shall bring any request that is received after the agenda deadline to the attention of council and shall advise the person making the request that the delegation will not be considered by council unless the majority of members vote to allow the delegation within the motion to approve the agenda.
- (4) Delegations speaking before council shall address their remarks to the stated business.
- (5) Delegations are limited to speaking only once.
- (6) Rebuttal or cross debate with other delegations is not permitted.
- (7) Delegations are encouraged not to repeat information presented by an earlier delegation.
- (8) Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views collectively.
- (9) A maximum of 10 minutes is allotted for each delegation to present its position of support or opposition, unless that time is extended by motion.
- (10) The reeve shall, at the conclusion of 10 minutes, inform the delegation that the time limit is up.
- (11) Delegations are not permitted to assume any unused time allocated to another delegation.
- (12) Upon the completion of a presentation to council by a delegation, any discourse between members and the delegation is limited to members asking questions for clarification and obtaining additional, relevant information only.
- (13) Members of council shall not enter into debate with the delegation respecting the presentation.
- (14) Once a motion has been moved, no further representations or questions of the delegation are permitted.
- (15) The administrator may refuse to accept a request to speak to council if council has, within the six months immediately preceding the request, already heard from the person and dealt with the same or substantially the same matter by resolution or bylaw.
- (16) If a request to speak to council is refused pursuant to subsection (15), the administrator shall forward a copy of the request and the reply to members of council.

#### **Reeve and councillors forum**

22. (1) Members of council may make statements sharing the following information:
  - (a) events, activities or community functions attended; and
  - (b) general work of members on behalf of council colleagues, constituents and the municipality.
- (2) All comments are verbal only and are not recorded in the minutes of the meeting.

#### **Bylaws**

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

#### **Recess**

24. A member of council may move a motion to recess at any time during a meeting.

### **Adjournment**

25. (1) All regularly scheduled council meetings are adjourned when the council has completed all business as listed on the order of business or upon the arrival of 10:00 p.m.
- (2) If a member is speaking at 10:00 p.m., the reeve shall wait until that person is done speaking before asking council to consider whether it wants to extend the time of the meeting.
- (3) Any business that remains on the agenda and that has not been dealt with at the time of adjournment is postponed until the next regularly scheduled council meeting, or until a special meeting is called for the purpose of dealing with the unfinished items.

### **Extension of time**

26. (1) Notwithstanding section 25, a regularly scheduled council meeting may be extended beyond 10:00 p.m. by a unanimous vote of all members present.
- (2) If council extends its meeting pursuant to subsection (1), the meeting continues until:
- (a) the business of the meeting is completed;
  - (b) a motion to adjourn is passed; or
  - (c) a quorum is no longer present.

## **CONDUCT AT COUNCIL MEETINGS**

### **Reeve**

27. (1) The reeve shall:
- (a) preserve order at council meetings;
  - (b) enforce the rules of council;
  - (c) decide points of privilege and points of order; and
  - (d) advise on points of procedure.
- (2) When wishing to make a motion, the reeve shall:
- (a) vacate the chair, and request that the deputy reeve take the chair;
  - (b) if the deputy reeve is absent, the most senior member of council shall take the chair; and
  - (c) the reeve shall remain out of the chair until the motion has been dealt with.

### **Deputy reeve**

28. The council shall, at its first meeting, or as soon thereafter as conveniently possible and whenever the office becomes vacant, appoint a deputy reeve from among its members.

### **Acting reeve**

29. (1) The member of council to be appointed as acting reeve shall be elected by a majority of the members present.
- (2) Where two 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 of the sheets and
- (e) declare the member whose name is on the sheet withdrawn to be elected.

**Persons allowed at the table**

30. No person, except a member of council, the administrator and any other member of the administration authorized by the administrator, and any person permitted by the reeve, is allowed to be seated at the council table during the sittings of the council.

**Conduct of public**

31. All persons in the public gallery at a council meeting shall:

- (a) refrain from addressing council or a member unless permitted to do so;
- (b) maintain quiet and order;
- (c) refrain from disturbing the proceedings by words, gestures or actions including applauding or displaying flags, placards or similar material;
- (d) refrain from talking on cellular telephones;
- (e) refrain from making audio or video recordings of council proceedings; and
- (f) ensure that all electronic devices are silent and operated in a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

**Conduct in meetings**

32. When addressing members at a council meeting, a member of council or a delegation to council shall refrain from:

- (a) speaking disrespectfully of the federal government, the provincial government, or another municipal council, or any official representing them;
- (b) using offensive words in referring to a member, an employee of the municipality, or a member of the public;
- (c) reflecting on a vote of council except when moving to rescind or reconsider it;
- (d) reflecting on the motives of the members who voted on a motion or the mover of a motion; or
- (e) shouting or using an immoderate tone, profane, vulgar or offensive language.

**Conduct of members**

33. (1) Members of council wishing to speak at a meeting shall ensure they do not interrupt another member.

(2) If more than one member wishes to speak at a meeting at the same time, the reeve shall indicate which member shall speak first.

(3) When a member is addressing the council, all other members shall:

- (a) remain quiet and seated;
- (b) refrain from interrupting the speaker, except on a point of order or point of procedure; and
- (c) refrain from carrying on a private conversation in a manner that disturbs the speaker.

(4) Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.

### **Improper conduct**

34. (1) The reeve may request that any person in the public gallery or delegation who disturbs the proceedings of council or acts improperly at a council meeting leave or be expelled from the meeting.
- (2) No person shall refuse to leave a council meeting when requested to do so by the reeve.
- (3) Any person who refuses to leave when requested to do so may be removed.
- (4) If a person disturbs the proceedings of council or refuses to leave when requested to do so, the reeve may recess the meeting until the person leaves or adjourn the meeting to another day.

## **PROCEDURES AND MOTIONS**

### **Point of order**

35. (1) A “point of order” arises when a member of council claims that the procedures of the meeting or of an individual council member are contrary to the procedural rules or practices.
- (2) A member may rise and ask the reeve to rule on a point of order.
- (3) When a point of order is raised, the member speaking shall immediately cease speaking until the reeve decides the point of order raised.
- (4) A point of order must be raised immediately at the time the rules of council are alleged to be breached.
- (5) The member against whom a point of order is raised may be granted permission by the reeve to explain.
- (6) The reeve may consult the administrator before ruling on a point of order.
- (7) A point of order is not subject to amendment or debate.

### **Point of privilege**

36. (1) A “point of privilege” arises when a member of council claims:
- (a) the rights, privileges, decorum or dignity of the council collectively or the rights and privileges of a member individually have been affected;
  - (b) when a member believes that another member has spoken disrespectfully toward him or her or the council;
  - (c) when a member believes his or her comments have been misunderstood or misinterpreted by another member; or
  - (d) when a member believes that comments he or she made outside the council Chamber have been misinterpreted or misunderstood by the community, the public or the news media, in order to clarify his or her position.
- (2) A member may rise and ask the reeve to rule on a point of privilege.
- (3) After the member has stated the point of privilege, the reeve shall rule whether or not the matter raised is a point of privilege.
- (4) If the matter is determined to be a point of privilege, the member who raised the point of privilege shall be permitted to speak to the matter.

(5) If the point of privilege concerns a situation, circumstance or event that arose between council meetings, the member shall raise the point of privilege immediately after adoption of the minutes of the previous council meeting.

(6) The reeve may consult the administrator before ruling on a point of privilege. A point of privilege is not subject to amendment or debate unless a motion regarding the point of privilege is put to council.

#### **Point of procedure**

37. (1) A “point of procedure” arises when a member of council directs a question to the reeve to obtain information on the rules or procedures bearing on the business at hand.

(2) Any member may ask the reeve for an opinion on a point of procedure.

(3) When a point of procedure is raised, the member speaking shall immediately cease speaking until the reeve responds to the inquiry.

(4) After the member has asked the point of procedure, the reeve shall provide an opinion on the rules of procedure bearing on the matter before council.

(5) The reeve may consult the administrator before providing an opinion on the point of procedure.

(6) A point of procedure is not subject to amendment or debate.

(7) The reeve’s answer to a point of procedure is not a ruling and cannot be appealed to the whole of council.

#### **Appeal**

38. (1) A member who wishes to appeal a ruling of the reeve on a point of order or point of privilege to the whole of council shall move the motion of appeal, “that the decision of the chair be overruled”.

(2) The member may offer a brief reason for the challenge and the reeve may state the reason for the decision, following which the question shall be put immediately without debate.

(3) The reeve shall be governed by the vote of the majority of the members present. A ruling of the reeve must be appealed immediately after the ruling is made or the ruling will be final.

#### **Calling a member to order**

39. (1) When the reeve calls a member of council to order, the member shall resume his or her seat, but may afterwards explain his or her position in making the remark for which he or she was called to order.

(2) If a member refuses to resume his or her seat when called to order, the reeve shall request the deputy reeve, or if the deputy reeve is absent or is the unruly member, any other member of council to move a resolution to remove the unruly member for the shorter of:

(a) the balance of the meeting or until a time during the meeting that is stated in the motion; or

(b) until the member makes an apology acceptable to council for his or her unruly behavior.

- (3) When the majority of council votes in favour of the resolution, the reeve shall direct the unruly member to leave the council chamber, and if the member refuses to leave, the reeve may:
- (a) recess the meeting until the person leaves or adjourn the meeting to another day; or
  - (b) direct that law enforcement officials be engaged to assist in the removal of the unruly member.
- (4) When council has directed an unruly member to leave the council chambers, and the member so directed makes an explanation and apology adequate and satisfactory to the council, it may, by a majority vote of the remaining members present, allow the offending member to remain in or retake his or her place.

### **Motions**

40. (1) A motion shall express fully and clearly the intent of the mover and shall not be preceded by any preamble or whereas clauses.
- (2) Any member of council may require the motion under debate to be read at any time during the debate, but not so as to interrupt another member while speaking.
- (3) When a motion is under debate no other motion may be made, except a motion to:
- (a) amend the motion;
  - (b) refer the motion to a council committee or administration for a report back to council;
  - (c) postpone the motion to a fixed date;
  - (d) request that the motion be put to a vote;
  - (e) extend the time for a council meeting; or
  - (f) adjourn the meeting.
- (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.
- (5) Any motions allowed under subsection (3) are to be considered in the order in which they are moved.

### **Amendments to motions**

41. (1) Except as provided in subsection 48.12, any motion may be amended to add, delete or change a word or words within the motion.
- (2) An amending motion must be:
- (a) relevant to the main motion;
  - (b) made while the main motion is under consideration; and
  - (c) consistent with the principle embodied in the main motion.
- (3) An amending motion may also be amended if the sub-amendment is:
- (a) relevant to the original amendment;
  - (b) made while the original amendment is under consideration; and
  - (c) consistent with the intent of either the original amendment or the main motion.
- (4) Only two amendments to a motion, an amendment and a sub-amendment, are allowed at the same time, and one or both of them must be dealt with before a further amendment or sub-amendment may be entertained.

- (5) There is no limit to the number of amendments or sub-amendments that may be proposed.
- (6) An amendment may be introduced at any time before the question is put on the main motion.
- (7) Any member wishing to move an amendment that is not in order at the time because there are already two amendments before the meeting may state the intention of the proposed amendment or sub-amendment, as the proposal may affect the vote on those motions awaiting decision.
- (8) The main motion shall not be debated until all amendments to it have been put to a vote.
- (9) When all amendments have been voted on, the main motion incorporating all amendments adopted shall be put to a vote.
- (10) No amendments may be made to the following motions:
  - (a) a motion to adjourn;
  - (b) a motion to defer to a fixed date, except as to the date;
  - (c) a motion requesting that a motion be put to a vote.

#### **Dividing a motion into parts**

42. (1) A member of council may request or the reeve may direct that a motion be divided if the motion contains more than one separate and complete recommendation.
- (2) Council shall then vote separately on each recommendation.
- (3) A new motion to add a further recommendation is permitted if:
  - (a) the proposed recommendation is relevant to the original motion;
  - (b) the proposed recommendation does not alter in a significant way the principle embodied in the original motion; and
  - (c) the original motion has been dealt with.

#### **Motion arising**

43. (1) When a particular matter is before council, a motion arising on the same matter is permitted if the proposed motion:
  - (a) is related to and arises from the item that has just been considered;
  - (b) does not alter in a significant way the principle embodied in the original motion; and
  - (c) is made before the consideration of any other item of business at the meeting.

#### **Request that motion be put to vote (end debate)**

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

**Motion to adjourn**

45. (1) A member of council 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) 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.
- (2) A motion to adjourn shall be decided without debate.

**Motion contrary to rules**

46. The reeve may refuse to put to council a motion that is, in the opinion of the reeve, contrary to the rules and privileges of council.

**Withdrawal of motion**

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

**Motion to reconsider**

48. (1) A motion to reconsider applies only to resolutions and not bylaws.  
(2) A motion to reconsider is in order whether the original motion passed or failed.  
(3) A motion to reconsider may only be made at the same council meeting as the original motion that was voted on.  
(4) A motion to reconsider must be moved by a member who voted with the prevailing side of the original motion.  
(5) When a motion loses on a tie vote, the prevailing side is those who voted against the motion.  
(6) A motion to reconsider is debatable only if the motion being reconsidered is debatable.  
(7) A motion to reconsider cannot be amended.  
(8) If a motion to reconsider is adopted, the original motion is immediately placed before council to be reconsidered.  
(9) Once a vote on a motion to reconsider has taken place, no further motion to reconsider that resolution may be made.

**Motion to rescind**

49. (1) A motion to rescind applies only to resolutions and not bylaws.  
(2) A motion to rescind is in order only when the original motion passed.  
(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.  
(4) A motion to rescind may be moved by any council member regardless how they voted on the original motion.  
(5) A motion to rescind is debatable.  
(6) A motion to rescind may be amended.

- (7) 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 to or expelling a person from office have been taken.

**Motion to postpone**

50. (1) Where a majority of all members of council decides to postpone a motion to a fixed date, the motion cannot be considered by council until the fixed date, unless a majority of all members agrees that the motion may be considered before that date.
- (2) The only amendment allowed to a motion to postpone to a fixed date is to change the date.

**Motion to refer**

51. (1) A motion to refer a matter may not be amended or debated except with respect to the conditions of the referral or the time required to carry out the review.
- (2) A member making a referral motion generally should include in the motion:
- (a) the terms on which the motion is being referred; and
  - (b) the time when the matter is to be returned.

**Debate on motion**

52. (1) No member shall speak more than once to a motion until each member has been provided an opportunity to speak on the motion, except to explain a material part of their that which may have been misquoted or misunderstood.
- (2) The mover of the motion has the first opportunity to speak.
- (3) The mover of the motion is allowed a reply at the conclusion of the debate.

**Legal advice**

53. Where a majority of the members of council present at a council meeting wish to receive legal advice in private, council may recess for a period of time sufficient to receive legal advice.

**Abstentions**

54. (1) If a member of council is not required to abstain from voting on a matter before council and abstains from voting, the member is deemed to have voted in the negative.
- (2) The administrator shall ensure that each abstention is recorded in the minutes of the meeting.

**Voting of reeve**

55. The reeve shall vote with the other members on all questions.

**REPEAL AND COMING INTO FORCE**

**Repeal**

56. Bylaw No. 29/12 is repealed.

**Coming into force**

57. This Bylaw comes into force on the day on which it is passed.

READ A FIRST TIME this 17 day of December, 2015

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2016

READ A THIRD TIME AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Reeve

[SEAL]

\_\_\_\_\_  
Administrator

**Form 1**  
**Request for a Special Meeting**  
(section 8)

Date: \_\_\_\_\_  
To: \_\_\_\_\_, Administrator  
Rural Municipality of Sherwood No. 159

Pursuant to subsection 123(1) of *The Municipalities Act*, I / we hereby request you to call a special meeting of the Council of the Rural Municipality of Sherwood No. 159 to discuss the following matter(s):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Meeting Details:

Location: \_\_\_\_\_  
Date: \_\_\_\_\_  
Time: \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

SIGNED:

Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_

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Office Use Only:

- Members provided notice pursuant to subsection \_\_\_\_ of the Act
- Notice not provided pursuant to subsection \_\_\_\_ of the Act

**Form 2**  
**Request for Method of Providing Notice**  
*(section 10)*

Date: \_\_\_\_\_  
To: \_\_\_\_\_, Administrator  
Rural Municipality of Sherwood No. 159  
From: \_\_\_\_\_ (name of council member)

Pursuant to clause 124(1)(c) of *The Municipalities Act*, I hereby request notice of council or committee meetings be provided to me by the alternate means indicated:

- By regular mail (address)
- By telephone or voice mail (telephone number)
- By facsimile (fax number)
- By email (email address)

*Check one of the above*

This request remains in force until the end of my current term of office unless sooner revoked by me in writing.

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
*(signature of member)*